



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 20 March 2007.

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DÁIL ÉIREANN

—
Dé Máirt, 20 Márta 2007.
Tuesday, 20 March 2007.
 —

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

—
Paidir.
Prayer.
 —

Visit of New York Delegation.

An Ceann Comhairle: Before proceeding with business, I wish on my own behalf and on behalf of the Members of Dáil Éireann to offer a céad míle fáilte and most sincere welcome to Ms Christine Quinn, Speaker of the New York City Council and her delegation. I hope they will find their visit enjoyable, successful and to our mutual benefit.

Ceisteanna — Questions.

Departmental Expenditure.

1. **Mr. Kenny** asked the Taoiseach the arrangements in place in his Department for providing assistance to certain members of Dáil Éireann; and if he will make a statement on the matter. [43906/06]

2. **Mr. Rabbitte** asked the Taoiseach the procedures in place within his Department for providing special assistance to certain Members of Dáil Éireann; the Members to whom this assistance is available; and if he will make a statement on the matter. [3862/07]

3. **Mr. Sargent** asked the Taoiseach if he will report on assistance and briefing to Members of Dáil Éireann in 2007; and if he will make a statement on the matter. [6333/07]

4. **Caoimhghín Ó Caoláin** asked the Taoiseach the criteria for providing assistance to certain Members of Dáil Éireann based on their support for the Government, over and above the facilities provided to all other Teachtaí Dála; and if he will make a statement on the matter. [6767/07]

5. **Mr. J. Higgins** asked the Taoiseach the procedures in place in his Department for providing assistance to certain members of Dáil Éireann. [8933/07]

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

Several Independent Deputies offered invaluable support to the previous Fianna Fáil-Progressive Democrats Government. While in regard to this Administration, their support is not as critical to the Government's majority, given the support they have provided in the past, I have tried, and will continue to try, to be as helpful as possible to these Deputies.

Mr. F. McGrath: That is a sad day for Ireland.

The Taoiseach: A staff member in my office assists the Government Chief Whip's office in liaising with these Deputies. This official meets with these Deputies on a regular basis and arranges to keep them briefed on issues as they arise.

I want to confirm that there is no additional cost to the taxpayer in dealing with these Deputies. One assistant principal officer deals with the Deputies and assists the Chief Whip in this matter. In seeking to be as helpful as possible to the priorities and issues of concern to the Deputies, this is managed within the expenditure on programmes within the programme for Government and the national development plan and will be within the parameters of planned expenditure within departmental estimates.

Mr. Kenny: I welcome Speaker Quinn from New York City Council and her entourage to Ireland and thank her for her courtesy in recent weeks.

The Taoiseach's categorisation of the value of Independent Deputies seems to have declined since Deputy Healy-Rae described himself as the fourth wheel on the ministerial Mercedes in Kerry, much to the amusement of the Minister for Arts, Sport and Tourism. Does the assistant principal officer consult with some or all of the Independent Deputies? Is it possible to name these slightly favoured Independent Deputies in the House?

Mr. S. Power: Deputy Kenny is embarrassing Deputy Joe Higgins. He should stop now.

Mr. O'Donoghue: Yes, and it is hard to embarrass him.

Mr. Kenny: I am sure the Minister of State at the Department of Health and Children, Deputy Seán Power, has looked into the future too and can see that the end is nigh. Who are these Deputies and how often does the principal officer discuss current affairs and other matters with them?

The Taoiseach's office is the most important in the Houses of the Oireachtas. Following Seachtain na Gaeilge does the Taoiseach's Department offer any assistance to a Deputy who wishes to have correspondence about the Taoiseach's

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Department or business translated into Irish? Many people would like to try to do this but do not have the capacity to do so. This may be a matter for the Houses of the Oireachtas Commission, for which the Ceann Comhairle is responsible.

The Taoiseach: It is well known that four Independent Deputies continuously supported the last Government. The two remaining Deputies in that category are Deputies Healy-Rae and Fox. Contact with them is as required. In the last Dáil there was regular contact because the Government did not have the numbers between its two parties without their support, so they were kept in touch with on a regular basis. Contact is not as necessary for each Bill as it was but whenever it is necessary to brief them on legislation arising this is done. Members of my office and that of the Chief Whip deal with issues raised by Deputies, not only Independent Deputies. Not a week would go by without some Deputy from some side of the House having a request, whether regarding a visitor or some other issue.

In response to the Deputy's second question, within my Department we endeavour as best we can to deal with correspondence in Irish relevant to the Department and to ensure at least one person in each section is fluent in written Irish. There is no particular service in the House for that purpose. That would be a matter for the Houses of the Oireachtas Commission.

An Ceann Comhairle: As far as the commission is concerned, Deputy Kenny should note such a scheme has already been approved and should be implemented fairly soon.

Mr. Kenny: It is not implemented yet.

An Ceann Comhairle: It is not implemented yet but has been approved.

Mr. Kenny: For Members generally.

An Ceann Comhairle: For Members generally.

Mr. Kenny: That will be helpful.

Mr. Rabbitte: Would that be open to Deputies who want to translate what has been transacted between the Minister for Community, Rural and Gaeltacht Affairs and the people of Dingle, or Daingean Uí Chúis? I was down there recently and none of the residents can figure out, in either language, what the Minister said to them.

An Ceann Comhairle: We are moving well away from the questions in front of us.

Mr. Rabbitte: I wonder if that service will be available before the general election because there are many people in the Corca Dhuibhne peninsula trying to figure out what the Minister

was saying to them. They are very concerned about the impending tourism season and the implications of the madness under way in the region.

An Ceann Comhairle: The Deputy has made his point and should return to the questions.

Mr. Rabbitte: If the Taoiseach is less reliant on Independent Members of the House, as he said, why should he discriminate in favour of the small number of Independent Deputies who receive the service and against the rest of the Members of the House? Not many Deputies have an assistant principal officer available to them at a fairly serious level. When the Taoiseach says the service is only available now, as required, one must ask by whom it is required and for what purpose. Now that Deputy Blaney has been drawn on to a sucker punch and has rejoined the old family, will the service still be available to him or will he now be ignored like the rest of the Fianna Fáil backbenchers?

Mr. Cregan: There is no fear of that.

The Taoiseach: Once a person is in the parliamentary party, he or she, like everybody else, gets the briefing on legislation from the Whip and is well informed. When one is not in the parliamentary party, it is not as easy to be briefed on legislation. Most of the briefing in question is on legislation in respect of which individuals would want to be aware of the Government's position or issues that arise. It would be very odd if somebody supporting the Government did not have that courtesy available to him or her.

Mr. Rabbitte: Does the Taoiseach want to put the people of Dingle out of their misery?

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

Mr. Rabbitte: It might not arise but it would be immensely helpful if the Taoiseach would tell them whether the plebiscite will be respected and honoured in the area.

An Ceann Comhairle: The Deputy should find another way to raise the matter. I call Deputy Sargent. We have a lot of questions to get through and the Deputy's point does not arise.

Mr. Rabbitte: The Taoiseach might reply, if the Ceann Comhairle will permit him.

An Ceann Comhairle: We cannot ramble away from the questions before us.

Mr. Kenny: Tá an tAire Gnóthaí Pobail, Tuaithe agus Gaeltachta as a mheabhair ar fad.

Mr. Rabbitte: Tá sé ag dul i ndonacht.

An Ceann Comhairle: Allow Deputy Sargent without interruption.

Mr. Sargent: The last time we had this question — such questions seem to be arising more frequently — the Taoiseach said his office and that of the Whip assist all Deputies on a daily or weekly basis. He asked me to appreciate that if he found someone helpful and constructive over five years, he would not just turn over the book and say the numbers are different and that he is not interested any more. He said this is not the way he works because it would be disrespectful. I took note of this because I presume he is considering the post-election circumstances. If, for example, the Progressive Democrats is not in a position to be in Government, will it be in the favoured position of having been formerly helpful, thus resulting in a new tranche of partially favoured Opposition Members, bearing in mind that we cannot say what the outcome of the election will be? Would that be too many partially favoured Opposition TDs and would the Independent Members have to be dropped as they would then be a distant memory? Is there a limit to the number of partially favoured Opposition TDs the Taoiseach puts in that special position?

Mr. O'Donoghue: One day Deputy Sargent may be partially favoured.

Mr. F. McGrath: We are willing to serve the country.

Mr. J. Breen: It is great to see the Government is so concerned about us.

The Taoiseach: As I explained, and Deputy Sargent has correctly reported what I said previously and today, there is a small number of Deputies who supported the Government throughout the last term and those Deputies continue to be briefed where necessary even if their support is not as crucial in this Dáil. What happens in future Dáils and what happened in past Dáils is a matter for another day or for history.

Caoimhghín Ó Caoláin: Are civil servants directly involved in these briefings or the outworking of the special relationship that exists between the Government and certain Independent Deputies? If civil servants are involved in these special advices, is it not inappropriate because civil servants are meant to offer an unbiased and unfavoured service to all in the community and all elected representatives? Will the Taoiseach elaborate on that and indicate whether any such special advices would still be available once the general election has been called and up to the advent of the new Dáil?

The Taoiseach: First, I welcome Deputy Ó Caoláin back to the House and wish him every

strength and success. It is good to see him back working again.

The assistance mainly relates to legislative matters or matters that Members from political parties would be briefed on in the normal course of affairs when legislation is before the House. It is no more than that. Sometimes Members might want to see a Minister or Minister of State but most Members would do that on their own strength. Ministers are always very accommodating to people on all sides of the House.

Mr. Rabbitte: Will this service apply during the interregnum between the dissolution of the Dáil and the election of a new one and, if so, does it have implications in terms of electoral spend?

The Taoiseach: No. The House would not be sitting and no legislation would be going through. The questions that normally arise would not apply. One of the two Deputies who is normally briefed is not running for the next Dáil so it would not arise in that case and I do not believe that Deputy Healy-Rae will come to the House to seek advice on legislative issues during the course of the campaign in south Kerry.

Mr. J. Higgins: The Taoiseach might need to keep the peace between Deputy Healy-Rae and the Minister for Arts, Sport and Tourism in south Kerry.

The Taoiseach: That is another reason I do not think he will come to the House during the interregnum.

Public Relations Contracts.

6. **Mr. Kenny** asked the Taoiseach if he will report on the work of the group established in his Department to oversee the awarding of public relations contracts by Ministers; and if he will make a statement on the matter. [43910/06]

7. **Mr. Sargent** asked the Taoiseach the changes effected on foot of the establishment of the group in his Department to oversee the awarding of public relations contracts by Ministers; if that group has reported to him; and if he will make a statement on the matter. [6334/07]

8. **Mr. Rabbitte** asked the Taoiseach the progress made by the group established in his Department to monitor the awarding of public relation contracts by Ministers; the number of occasions on which the group has met; and if he will make a statement on the matter. [8367/07]

9. **Mr. J. Higgins** asked the Taoiseach the work of the group established in his Department to oversee the awarding of public relations contracts by Ministers. [8934/07]

10. **Caoimhghín Ó Caoláin** asked the Taoiseach the changes brought about as a result of the work

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of the group established in his Department to oversee the awarding of public relations contracts by Ministers; and if he will make a statement on the matter. [9639/07]

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

These questions relate to the findings of the Quigley report which was published in 2005. It highlighted the need for special care in cases where services are procured where there is an element of direct service to a Minister or Minister of State, particularly in the public relations or communications area.

As I outlined to the House on previous occasions, following publication of the Quigley report, additional procurement procedures were approved by the Government and are available on my Department's website. These procedures were brought to the attention of all Secretaries General who were asked to implement them and to bring them in future to the attention of all newly appointed Ministers, or Ministers of State where relevant, in their Department or office.

The procedures give the Secretary General to the Government and the Government Secretariat a role in examining certain procurements. There is no special unit in my Department to oversee the awarding of public relations contracts by Ministers and any workload arising from the application of these guidelines is handled within existing resources in the Government Secretariat.

Mr. Kenny: What is the function of the Government Information Service in terms of informing members of the public about matters relative to the Government? How many personnel comprise the group that oversees the award of public relations contract by Ministers and how do they differentiate between what is political and public information? For instance, last year the Minister with responsibility for children wrote to everybody about the early child care supplement. I understand the cost of sending out that letter was €250,000, despite the fact that the scheme was well publicised.

An Ceann Comhairle: That does not arise on this question, Deputy.

Mr. Kenny: It was a public relations contract and I am asking the difference between the political end of that and the public relations end. The Minister with responsibility for children wrote to every family in the country at a cost of €250,000 of taxpayers' money and that contract was awarded to somebody. I ask the Taoiseach who oversees that and what is the differentiation between the politics and the public relations end of it. I understand the Taoiseach is on record as saying the early child care supplement will cost approximately €3 million. Currently, it is €150,000 and rising. Is there a section that exam-

ines the business of the public relations side as against the policy side of this area?

If a Minister or Minister of State decides to write to the nation, who would authorise that and in what context would it be decided? Last year, Ministers of State were peering out of feed bags for cattle. I am not sure whether that was public information or public dissemination. Who makes those decisions? Is there an intention to reform this area because there appears to be a massive cost involved in the public relations end of Ministers and Departments setting out their stall to the people?

The Taoiseach: On the general question of an advertising or information publicity campaign in a Department, clear guidelines are set down by the Department of Finance on what one can do in that regard. Those guidelines have been enhanced and tightened up on a number of occasions in the past six or seven years. A Minister or a Minister of State in any Department cannot simply decide to produce a publicity leaflet without being satisfied that it comes within the procurement arrangements and the guidelines. A number of issues arose in the past six or seven years since the Public Office Commission was set up and they were addressed in the guidelines.

Regarding these questions, if a Minister decided to take on staff by fast-tracking the post and not going through the normal procurement arrangements or if it was somebody in the public relations area, it was considered that there should be a new procurement arrangement where there was any doubt involved. The Quigley report specified that in any such case it should be first certified and cleared with the Secretary General of the Department and, if there was any doubt, with the Secretary General of the Government. That has since happened. I understand there have been four or five such cases to date. If there is any doubt, the matter must go not only to the Department but to the Government secretariat which would arbitrate on the decision. It does not come to the Government or to me. Under existing guidelines, the Government contracts committee and the Government handbook, the Government secretariat would make a call on whether it was permissible.

Mr. Kenny: What is the function and role of the Government information service? Is that information it should be able to dispense? It is the Government Information Service. What is its role and responsibility in that matter?

The Taoiseach: On a daily basis the Government Information Service dispenses information that comes through Departments, from Government itself or from Cabinet committees. It is mainly about reports or documentation approved for circulation for interested parties, whether it be farming, teachers or whatever. That is its

ongoing job. There is not a day that it does not put out information either to a sector or more widely. As well, people seek old reports. There is a large amount of work for people trying to get reports that perhaps were published a year or two ago.

Mr. Sargent: As we all know the period in which election expenditure is taken into account, three weeks before an election date, has an unreal quality to it. Is there any cut-off point in advance of an expected general election period during which new PR contracts would not be signed given the likelihood that they would take into account political dimensions or political work? Between now and the general election will there be any PR contracts or what is the nature of those contracts given the impending general election?

The Taoiseach: Normally public relations contracts run for the period of the Government, but the departmental public relations contracts would not be engaged in a political campaign or they would not be involved in a period of election.

Mr. Rabbitte: Deputy Kenny mentioned that coming up to the last general election the Minister of State with responsibility for children misused taxpayers' money to blatantly convey a political message. However, he was not the only one. Several Ministers promoted themselves and their party affiliations under the guise of imparting information to the public coming up to the last general election. Is the Taoiseach satisfied that we will not see a recurrence of that practice on this occasion? On how many occasions has a Minister sought to implement the procedures to notify the Secretary General to the Government of a particular PR or communications contract since the guidelines, to which he referred, were introduced in, I believe, February 2005? On how many occasions has the appointment of a particular person or enterprise in that area been considered by the Government Secretariat? On how many occasions has the Secretary General made a recommendation to the Taoiseach in respect of any special procurement procedures that ought to be observed in this case, and which Ministers were the subject of this process by the Secretary General? How many times have these procedures been invoked since the affair involving the Minister for Transport, Deputy Cullen, that prompted the guidelines in the first instance?

The Taoiseach: I do not accept that Ministers breached the public procurement guidelines and the various rules in the handbook prior to the last general election. Ministers must follow the guidelines. There were a few cases outside of election times that were brought to the attention of the Standards in Public Office Commission, which were looked at. I do not believe informing people about the FIS system or the other systems where

people at times do not take up their entitlements is in breach of guidelines. It is a good service and I do not believe we should not inform people. That said, it is a regular practice for the Government Secretariat to inform Ministers or Departments of the proper practice in relation to the Government handbook and the criteria for following up issues.

To reply to Deputy Rabbitte, in regard to the Quigley report five cases which came within the terms of the guidelines have been processed so far. Two of these related to the appointment of an arts adviser at the Department of Arts, Sport and Tourism. I approved both of these appointments following appropriate prior consideration by the Government Secretariat, the Minister having brought them to the Government Secretariat for advice. The other three cases were on investigation by the Government Secretariat found not to be within the scope of the guidelines. Those were an IT consultant in the Department of Transport and a PR and communications consultant in both the Department of Transport and the Department of Arts, Sport and Tourism. In those cases they were not within the guidelines but followed the correct criteria. Usually when issues arise, they come under the normal public procurement guidelines and the Government handbook and the Department of Finance rules which are very straightforward.

Caoimhghín Ó Caoláin: I thank the Taoiseach for his kind remarks earlier and all Members of both Houses who contacted me and my offices over the period of my recent illness.

In relation to the group established in the Taoiseach's Department to oversee the awarding of public relations contracts and the information he has already shared with us this afternoon, surely there must be a wider remit than just oversight. Can he elaborate on the function and the expected performance of the group? It has been mentioned, without specific identification, that in the issue of e-voting some €3 million was expended on PR company work in the promotion of that failed intent. Will the Taoiseach state this is a serious amount of money? Is it his view that part of the role of the group would be to promote the use in the first instance of the Government press office and the respective PR officials in each of the Departments and that it should be only in the most extreme and special circumstances that outside PR consultants would be needed? Are there guidelines in respect of the decision to seek private consultancy in relation to press work and public relations and, if so, will he outline the guidelines to the House?

The Taoiseach: In regard to any contract in a Department, there is the criteria set down by the Department of Finance, the Cabinet book and directives that cover what Ministers or departmental sections can do in the promotion of any

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campaign. There is also the Government contracts committee. All of these lay down the rules. The issue in the Quigley report dealt with a PR communications area where there is a significant element of direct service to a Minister or where a Minister is suggesting the name of a person or enterprise for a consultancy contract. In that case the Quigley report recommended a strengthening of the guidelines in the Department of Finance and in the Government contracts committee. It also stated, to remove doubt, that the Secretary General of a Department would have to arbitrate in a first case. If he or she was in any doubt, it was permissible within the guidelines that it would be referred to the Government secretariat, which regularly arbitrates on issues that fall within the Government handbook or Government guidelines. For a normal contract, a departmental section or agency must comply with the guidelines of the Department of Finance and the contracts committee. These documents require rigorous compliance. No one can tender for a contract without fulfilling the requirements of the guidelines.

Departmental Staff.

11. **Mr. Kenny** asked the Taoiseach the number of political advisers or assistants appointed by the Attorney General; and if he will make a statement on the matter. [43911/06]

12. **Mr. J. Higgins** asked the Taoiseach if he will report on staffing arrangements in the Attorney General's office and in particular the amounts paid each year to each contract drafter who was utilised by the office in the past five years. [4735/07]

13. **Mr. Sargent** asked the Taoiseach the progress made on remedying problems with the online Irish Statute Book; the amount expended on this project to date; and if he will make a statement on the matter. [6335/07]

14. **Mr. Sargent** asked the Taoiseach if he will report on staffing in the Attorney General's office; and if he will make a statement on the matter. [6336/07]

15. **Mr. Rabbitte** asked the Taoiseach the role played by the Office of the Attorney General in regard to determining the level of fees to be paid to legal teams at tribunals of inquiry; and if he will make a statement on the matter. [7570/07]

16. **Caoimhghín Ó Caoláin** asked the Taoiseach if he will report on staffing arrangements in the Office of the Attorney General; the proportion of work contracted out; and if he will make a statement on the matter. [9640/07]

The Taoiseach: I propose to take Questions Nos. 11 to 16, inclusive, together.

Mr. Loughlin Deegan, a qualified solicitor, was appointed on 29 July 2002 to the position of special assistant to act as a liaison between the Attorney General and myself and other Departments on items relevant to the programme for Government. His duties also include briefing the Attorney General on items arising in the Dáil and Seanad or media which could impinge on, or be relevant to, the role of the Attorney General.

Mr. Deegan does not provide legal advice or legal services directly to Departments but provides advice and assistance directly to the Attorney General on the matters relevant to the work of the Attorney General. He provides assistance to the Attorney General in matters such as the drafting of speeches and public presentations.

The Office of the Attorney General has sanction for 135 staff. Of this number, 15 have recently been sanctioned by the Department of Finance and the office is recruiting these additional staff. Several competitions, organised on behalf of the office by the Public Appointments Service, are in train. These include competitions for advisory counsel grade III and legal researchers. Internal competitions are in train and others are being prepared. There remain a small number of administrative or support posts to be filled from the normal Public Appointments Service general service or decentralisation panels.

In addition to permanent staff, the office retains six drafters on contract. These positions are filled pursuant to Department of Finance sanction. All contract drafters engaged by the office have significant drafting experience either in the State or in common law jurisdictions. In the past, all have previously held senior drafting positions, including former heads of office of the UK Office of Parliamentary Counsel, the Canadian Federal Drafting Office and the Office of the Scottish Parliamentary Counsel. All contract drafters come highly recommended.

Typically, a contract drafter will be given a one-year contract which may subsequently be extended depending on the level of work dictated by the Government's legislative programme and the availability of permanent staff, which can be affected by term-time working arrangements, maternity leave etc. The need for contract drafters is kept under constant review.

The amounts paid in respect of the contract drafters are set out in the following schedule.

Thomson Roundhall delivered its report on 6 February 2007 on the electronic Statute Book. Of the recommendations contained in the report, consideration is being given to two options. The first option could be concluded within seven weeks at a cost of €37,000 and would correct the errors. The second, more technical and less urgent option would involve reformatting and would take 25 weeks at a cost of between €125,000 and €175,000. It is not intended to pro-

ceed with it initially. However, this route will be further considered in the context of the electronic Statute Book value for money review which is far advanced. The cost of the feasibility and costs report from Thomson Roundhall was €10,587.50, including VAT.

On the question of the role of the Attorney General in determining fees to be paid, all tribunal counsel fees are sanctioned by the Department of Finance and are paid from the relevant departmental Vote. In that context, the Office of the Attorney General offers a view as to the level of fees payable.

Additional information not given on the floor of the House.

Schedule — engagement of contract drafters 2002 to 2006

Please note that annual information is presented and that all the contract drafters may not have been engaged at the same time during the year.

During 2002, the office retained four contract drafters and paid amounts of €65,468, €68,755, €72,373 and €137,095.

During 2003, the office retained five contract drafters and paid amounts of €10,158, €69,528, €73,772, €91,390 and €142,270.

During 2004, the office retained six contract drafters and paid amounts of €35,951, €73,807, €81,206, €96,178, €121,682 and €137,762.

During 2005, the office retained seven contract drafters and paid amounts of €1,293, €41,675, €87,668, €114,680, €131,822, €136,462 and €154,668.

During 2006, the office retained eight contract drafters and paid amounts of €15,548, €61,839, €74,536, €92,600, €99,324, €115,904, €144,911 and €168,526.

Mr. Kenny: Does the Taoiseach regard the Office of the Attorney General as a non-political office? I understand the Attorney General has a special adviser who has a political role. As the Attorney General must give advice to the Government, is his office viewed as non-political? When does the Taoiseach expect we will have an on-line version of the pre-1922 statutes that are still legally effective? Persons who wish to gain access to them are very restricted.

Given the on-line version of legislation, which is the one most readily accessible to citizens, researchers, academics, legal practitioners, etc., has been seen to be less than 100% correct, has a trawl been carried out as to the number of items of legislation that are inaccurate in the on-line version? Is the Taoiseach's Department aware certain Acts published on-line are not fully accurate? Is an analysis of that deficiency currently ongoing, and does the Taoiseach have any information as to when, or if, that work will be concluded?

The Taoiseach: That was the issue to which I referred. Following the completion of the work, the Attorney General's office found an error in the chronological tables. The office has been seeking to correct the error in that work. As I stated in the reply, two possible options have been identified to correct the errors that have occurred. The first would not take too long. It involves seven weeks of work at a cost of €37,000. I presume that is the option that will be chosen.

Another option would take approximately six months to conclude. This would involve re-formatting the work, which is a more technical job. The Attorney General's office will have to make a decision based on value for money criteria. Considering the investment made, it would appear to be advisable to proceed, unless there was a reason not to do so. Most of the work on-line has not been affected. The work involved in the original project is being used, except where the deficiency concerned arises in regard to work carried out by the company that did the original work — Juta Limited.

This company was originally contracted to provide an electronic version of the Statute Book. A computerised process was used by the company to insert the hyperlinks into the electronic Statute Book. Where one item of legislation refers to another, the first item contains a link which allows the user to click directly into the second. This is a helpful resource which, in the majority of cases, makes the electronic Statute Book user-friendly. This facility works very well. However, in some cases, the technical process used by the original contractors resulted in some legislative texts being obscured.

The contract held with the outside contractor in question ended in 1998 and the company concerned has not been awarded any other contracts by the Office of the Attorney General since that time. A second outside contractor has periodically updated the electronic version of the Statute Book. The hyperlinking error has not been repeated by any of the new outside contractors working on the legislation from 1999 onwards. It is a question of correcting errors in work done prior to that date, which is not too expensive.

Deputies will be aware of the efforts being made by my Department and the Office of the Attorney General to modernise the Statute Book by repealing obsolete pre-1922 legislation. The second Bill relating to this area is currently before the House. It is Government policy to ultimately repeal all of the pre-1922 legislation through an ongoing process of legislative reform. In that context, there is little value in making pre-1922 legislation available in electronic form.

The post referred to in Deputy Kenny's question relates to a special assistant, who works with the Attorney General. It is not an adviser, as is the case in other Departments. That individual liaises with Ministers regarding issues in the Office of the Attorney General and also provides a useful point of contact. In the normal course of

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events, with so much legal and legislative work, and so many other cases passing through the Office of the Attorney General, it is key to have someone who can liaise. It is not a political issue, but it is very important to have someone who can fulfil that role. For some time, a special assistant has liaised between the Attorney General and the Departments on programmes for Government and day-to-day legislative issues. It is not in the political context of an adviser, since the role is quite different.

An Ceann Comhairle: We are out of time, but I will hear Deputy Joe Higgins very briefly, since he has been in the House all afternoon, having submitted a question.

Mr. J. Higgins: This is the last opportunity before the election to discuss this important issue. I will be very brief.

Can the Taoiseach tell us the three largest sums paid to contractors and state their nationalities? Is he aware of the extreme concern at the employment of so many contract drafters from abroad, including people who have been pensioned off in their home countries, instead of training young people as full-time drafters in the Office of the Attorney General?

The Taoiseach: As I said in my reply, some 15 additional staff have been taken on. We have some very able Irish drafters, but there are difficulties when someone is on maternity or special leave as, unlike many other posts, one cannot easily find experienced people. I agree that we should at all times endeavour to have our own draftspeople, and it is to be hoped that the extra staff will help.

I will not go into too much detail as this information is provided with the answer. The three largest sums paid last year were €168,526, €144,911 and €115,904, respectively. We have been using contract drafters for many years. There are normally between four and six in any one year, and other payments tend to be small, depending on the length of the person's employment. We have been lucky, since the House now passes 70 or 80 Bills each year, and without contract drafters we would never be able to keep abreast of the workload.

Priority Questions.

Tax Yield.

86. **Mr. Bruton** asked the Minister for Finance if he is satisfied regarding the structure of stamp duty, which greatly amplifies the growth of revenue from house buyers at times of rising house prices; and if he will make a statement on the matter. [10436/07]

Minister for Finance (Mr. Cowen): The Government is very aware of the importance of the construction sector to the economy, as evidenced by the large numbers working in the area and the sums that come from it in taxation. With the sector directly responsible for 13.5% of total employment, Government policy should be aimed at supporting an important driver of economic activity.

The provision of adequate numbers of new houses has been a key policy priority in recent years. We have seen numbers of house completions increase to over 93,000 in 2006, up from 52,000 in 2001. We are now at a stage where housing demand is beginning to match housing supply, and that is reflected in the market, with a significant slowdown in property inflation. That is clear evidence that our housing policy is working well.

The stamp duty code applies a single rate to the full value of the property, where the rate applicable depends on the value of the property concerned. Given the growing market of recent years, it is not surprising that the yield from stamp duty has increased. However, such growth cannot be taken for granted in future. However, as the Deputy is no doubt aware, no stamp duty is paid on the vast majority of new houses bought by first-time buyers and other owner-occupiers.

Consideration of ways to improve the structure of the tax would have to have regard, among other things, to simplicity and cost. For example, the estimated cost of introducing a system whereby stamp duty would be applied on a marginal basis for houses priced above the current exemption thresholds, based on the full year 2006 yield, is €553 million — that is, more than 42% of the yield on residential property.

In particular, the Government wants to assist those who are trying to buy their first home. That is why I increased the exemption and reduced stamp duty rates for first-time buyers in budget 2005 and why I increased mortgage interest relief for first-time buyers in budget 2007, with benefits to those about to purchase and those who had purchased in the last seven years. By making these changes, I was able to assist first-time buyers directly without impacting on the overall market conditions.

This must be a key consideration in the continuing evaluation of policy in this area given the vital importance of the construction sector to the economy.

Stamp duty is a significant contributor to the Exchequer, which helps fund public services such as health and education, while keeping the direct tax burden low, thereby facilitating continued economic success which is of benefit to all taxpayers. It has helped us to reduce taxes on work and enterprise with clear benefits for the economy as a whole.

Mr. Bruton: Would the Minister agree that a tax which accelerates so rapidly as house prices rise, is inequitable because of its extraordinary

structure? Is the Minister aware that the amount of stamp duty collected in 2006 was fourfold that collected in 2002? Is he also aware that in 2002 the stamp duty paid on a typical house was 4% and came to €9,000, while now, just four years later, the corresponding figure is 7.5% with the average person paying €29,000? Would the Minister agree that the structure of this sort of tax, with such a sharp acceleration in take from many young families is unfair? It needs to be reformed so that the tax is equitable in the way it is applied and is also proofed against this extraordinary rollercoaster of huge surges when house prices rise.

Mr. Cowen: The Deputy will be aware that the stamp duty code has applied a single rate to the full value of the property where the rate applicable depends on the value of the property concerned. That has been the nature of the tax since its inception. While there have been increases in the yield of this tax in recent years as a result of increased property prices, that is not something we can factor into future revenue yields either from that tax or the general Revenue take. Nor can we expect that market conditions, which have softened in recent times, will be renewed with the increased price inflation that would result.

When considering how to improve structures of taxes such as this, one must have regard, among other issues, to simplicity and cost. If the threshold issue was applied to current rates, the full cost of it would be over €550 million or 42% of the yield on residential property. We have been able to reduce the direct tax burden on income, which means there has been an increased contribution from capital taxes and stamp duties as a result. This must also be borne in mind.

Mr. Bruton: I would like to ask the Minister a straight question. Does he believe it is fair that the exemption limit for first-time buyers is now 40% below the average house price in Dublin? The exemption limit for second-time buyers — many of whom are families trading up from smaller homes — is just 23% of the average house price in the capital. In a tax code that is supposed to be fair, what is the meaning of exemption thresholds that are set so far below the price at which anyone can buy a house? Does the Minister not recognise that those sort of thresholds are unfair because they have been left there for so long without taking account of what has happened in the market in the intervening years?

Mr. Cowen: I changed the thresholds in budget 2005, increasing them considerably in respect of first-time buyers of second-hand houses. According to data available to the Department of the Environment, Heritage and Local Government, in the first half of 2006, over 50% of houses purchased by first-time buyers of second-hand properties in Dublin were valued at under €317,500 and were not liable for stamp duty. Those are the figures up to mid-2006, but statis-

tics for the third quarter are not yet available. In terms of total Revenue take, it is important to recognise the significant changes we have made in income taxation. The contribution these taxes make to the Exchequer must also be taken into account.

Price Inflation.

87. **Ms Burton** asked the Minister for Finance his views on the risk posed to the Irish economy by continued high inflation; his further views on the resulting loss of competitiveness in the Irish economy and the significant number of redundancies particularly in traditional manufacturing jobs, and the fact that Ireland lags behind other EU member states on a number of indices including broadband provision; and if he will make a statement on the matter. [10252/07]

Mr. Cowen: The prospects for the economy are favourable. Strong growth is expected this year with both GDP and GNP forecast to increase by 5.3%. With more than 2 million people now employed in the State and unemployment forecast to be under 4.5% this year, we are effectively at full employment. However, we recognise that clear challenges remain, which must be addressed if living standards are to continue to improve as they have done over the past ten years.

The Government is keenly aware of the importance of Ireland's competitiveness position concerning investment, exports and, hence, jobs. Inflation is one of the factors impacting on competitiveness. Competitiveness is also influenced by exchange rates, wage inflation, public spending growth and capital spending on infrastructure.

The annual rate of consumer price index, CPI, inflation was 4.8% in February, down from 5.2% in January. A better measure of underlying inflation is the EU comparable measure of inflation, the harmonised index of consumer prices or HICP. The HICP differs from the CPI in terms of coverage. The most notable difference is the exclusion of mortgage interest repayments from the HICP. Annual HICP inflation in Ireland was 2.6% in February, down from 2.9% in January. The recent pick-up in inflation was largely due to external developments over which the Government has no control — in particular, increased interest rates by the European Central Bank. This can be seen by the fact that the CPI, excluding mortgage interest payments, averaged 2.5% in the year to February. I am confident that inflation will moderate over the course of this year.

We all recognise that the Irish economy cannot compete on the same basis as in the past. To maintain and enhance competitiveness in the context of a higher-cost economy, a greater focus on productivity across all sectors of the economy is essential because in the long run, in a small economy like Ireland's, economic prosperity ultimately depends on our ability to sell goods and

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services abroad. Recognising this challenge, the Government has developed policies which are designed to help Ireland's competitiveness. Important policy issues in the medium term include developing our innovation potential, improving the regulatory environment, enhancing the human capital of the country, and developing our economic and technological infrastructure.

The Government will spend an average of 5.4% of GNP per year over the period 2007-13 on capital infrastructure under the new national development plan. We are also investing in education; our strategy for science, technology and innovation will support more science and technology graduates which businesses will need in the future.

The Government has also introduced incentives for research and development, which will also help us as we build towards a more knowledge-based economy. These initiatives will enhance our competitive position and allow us to produce goods and services more efficiently, while maintaining and improving our living standards.

While some jobs losses have recently been announced in exposed sectors of the economy, this Government has developed the conditions that created nearly 90,000 new jobs in the past year.

Additional information not given on the floor of the House.

Turning to the Deputy's reference to broadband, the provision of telecommunications services, including broadband, is a matter in the first instance for private sector companies. 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. Since October 2004, the number of broadband subscribers has increased from 63,000 to more than 500,000 by the end of 2006. Prices have also dropped and are in line with EU standards. There is no evidence to suggest broadband availability has been a negative factor for foreign or domestic investment. The Deputy should note that the Government has committed itself to ensuring that, in those parts of the country where the private sector is unable to justify the commercial provision of broadband connectivity, it will address it via a new scheme. When fully rolled out, that scheme will ensure that all reasonable requests for broadband from houses and premises in rural areas are met.

I am confident that the stable macro-economic environment this Government has created through the pursuit of sound public finances, will support the economy's competitiveness in the years ahead and will, in turn, provide the basis for achieving further economic and social policy objectives in the long term.

Ms Burton: The policy initiatives the Minister has announced to improve competitiveness are too little too late. I do not know if the Minister has had a chance to read the annual reports of the National Competitiveness Council and Forfás. According to that data, Ireland performs poorly across a range of infrastructural areas, including energy, waste and broadband, to mention but three.

How does the Minister explain that the price of electricity was 15% below the European-15 average in 1996, whereas now, after ten years of this Government and on his watch, the price is 13% above the European average? Our share of the world merchandise trade has fallen from its peak in 2002.

Has the Minister had a chance to consider what the annual competitiveness report says about this Government's gross economic mismanagement? During the best years the Minister left the Government with many indicators facing downwards and 35,000 manufacturing jobs have been lost during the last five years. What does the Minister have to say to workers leaving factory jobs, including high-end jobs in companies such as Motorola and what does he say about the competitiveness challenge?

Mr. Cowen: During the period referred to by the Deputy, 2002 to 2006, there was a reduction of 31,000 in manufacturing jobs but the economy created 250,000 jobs during the same period. The net benefit to the economy was in the region of 220,000 jobs and this is a significant indicator of overall competitiveness in the Irish economy. Ireland is still regarded as a suitable location for inward investment and new businesses in the indigenous sector due to increased demand, higher incomes, a bigger labour force, tax reforms and greater domestic demand. Other major European economies have been trying to create such a scenario for many years.

It is true that there has been turbulence in the energy markets relating to oil prices and so on. Independent regulators have been introduced to Irish utility markets that were previously monopolies. Competitive structures have come about through the appointment of regulators. Turbulence in the oil market has caused significant increases in electricity and gas prices and the regulator is examining ways to reduce the regulated price over a period, rather than leave it as it is.

Broadband coverage has increased from 63,000 to more than 500,000 subscribers since and prices have dropped in line with EU standards.

Ms Burton: I will repeat the figures in this regard. In 1996, before the creation of the regulator, electricity prices here were 15% below the European-15 average. The Government's attempt at regulation was supposed to benefit industrial, commercial and domestic consumers but since it began electricity prices have risen to

13% above the European average. Talk of regulators is well and good but the Government's actions in the field of energy have driven electricity prices ever higher and we are now at the top of the European table in this respect and at the bottom of the range on broadband.

Mr. Cowen: I do not agree with the Deputy's comments and I have indicated the changes that are taking place regarding broadband. The reforms agreed by the Government in the White Paper on Energy are a further indication of our commitment to bring more competition to the market and ensure the consumer gets a better deal on price. The introduction of the independent regulation of utility markets is occurring against a background of price freezes and reductions compared to prices of up to a decade previously.

Tax Code.

88. **Caoimhghín Ó Caoláin** asked the Minister for Finance his views on the possible impact on the economy of legislation currently before the US Senate to restrict US companies' deferral of taxation on foreign earnings to revenues from products and services both rendered and sold or consumed in the foreign country in view of the fact that this legislation is predicted to have a dramatic impact on US foreign direct investment here. [10454/07]

Mr. Cowen: First and foremost, I would like to assure the Deputy that Ireland continues to be an attractive location for US inward foreign investment based on a number of well known factors. Furthermore, Government policy continues to ensure that our strengths are maintained and promoted through, for example, increased spending in education and training and in overall investment in infrastructure under the National Development Plan 2007-2013.

While I am, of course, mindful of any international developments that could potentially impact on the level of foreign direct investment here, the Deputy will appreciate that the interpretation of specific foreign legislative provisions is a matter for the relevant authorities of the country concerned. That said, my understanding is that the legislation referred to by the Deputy, which was recently introduced in the US Senate, is aimed at locations considered as secretive offshore tax havens and not countries which are US tax treaty partners.

In this regard the Deputy will be interested to note that the double taxation treaty between Ireland and the US provides for a full exchange of taxpayer information between both countries.

Finally, I would like to assure the Deputy that, as is the normal case in such matters, a close watch is kept on any such developments.

Caoimhghín Ó Caoláin: Has the Government discussed these impending developments in US

legislation with US authorities at any level? In the course of his recent visit to the United States did the Taoiseach refer to them in his conversations with President Bush or other key political players he met there?

The Minister has confirmed an awareness of developments in this regard in the United States and will keep a keen eye on them but are strategies to cushion the effect of the development described in my substantive question being considered by the Minister, his Department or Government? The Minister must agree that it is imperative we recognise the potential impact of such legislation and that we must not be unaware of the reality of the situation as it applies to many US based inward investors operating in this jurisdiction. In the region of 470 such employing entities exist in this economy with a workforce of approximately 92,000.

Will the Minister comment on some of the more negative views expressed by economists in periodicals and newspapers here regarding the expected effect of the passage of this legislation? Do such opinions encourage a proactive approach by Government to the matter to stave off the worst potential impacts of the legislation?

Does the Minister agree that the passage of this legislation will demonstrate that low corporation tax alone is a poor basis on which to promote this jurisdiction as an attractive location for inward investment from the United States and elsewhere? We need a broader basis to attract inward investment in the economy.

Mr. Cowen: I first wish to welcome Deputy Ó Caoláin back to the House and wish him well in his recovery.

Caoimhghín Ó Caoláin: I thank the Minister.

Mr. Cowen: We have transparent tax arrangements in this country. We have positive rates of taxation, 44 tax treaties in place, a system of full exchange of information and the proper regulation of activities to the highest standards. We maintain a low general corporation tax rate by ensuring a wide tax base and the careful, prudent management of public finances. We collect €6.7 billion per annum in corporation tax. This tax arises from profits based on activity and substance. To take the international financial services sector as a specific example, the latest industry figures indicate that more than 19,000 people are employed in the three core sectors of banking, funds and insurance. Our system is transparent — deliberately — in order that everyone can see the attractions and benefits to the State. Other countries often have high nominal rates of corporation tax which mask the true lower rate in deductions through deals with individual firms. The Irish system does not operate in this manner and is transparent.

Ireland is bound by the same state aid code of conduct and rules of the European Court of

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Justice as all European Union member states. The EU treaty contains specific rules on the provision by member states of aid to industry. The European Union also has a code of conduct, a political agreement designed to curb harmful competition in business taxation, which is similar to the process at OECD level. Ireland is fully in compliance with the code and the OECD process. Our track record shows that we act swiftly to amend regimes to close down abuses and if similar circumstances arise in the future, we will do so again.

Ireland abides by the arm's length principle in these matters. We expect companies operating here to observe this principle and we have endorsed it in our tax treaties. As I indicated, there is no question of the legislation to which the Deputy refers having a "dramatic impact on US FDI here" for the reasons I gave in my primary reply because both Bills contain a list of countries drawn from the IRS filings and regarded as tax havens. Ireland does not appear on either list for the good reasons I have given in my secondary reply.

Caoimhghín Ó Caoláin: Taking on board the Minister's comments and not wishing to join those who predict a worst case scenario, nevertheless, does he not agree that a responsible Government would recognise that, where a threat exists, it is incumbent on Government to exercise all the influence it can not only to cushion the effect on foreign direct investment in this jurisdiction and economy but particularly to take the initiative and create an impetus behind the indigenous player to level the playing field for the indigenous entrepreneur who comes up with an idea and will have a stake in the country through the most difficult times, as has been proven repeatedly, and will not opt at the first opportunity to move lock stock and barrel to a low wage economy overnight, many examples of which we have seen in the recent past?

Mr. Cowen: This is not a low wage economy.

Caoimhghín Ó Caoláin: Of course it is not.

Mr. Cowen: The Ahead of the Curve industrial policy review provided confirmation that we have small and big businesses. More than 800,000 members of the 2 million workforce are employed in small and medium size enterprises, the great majority of which are indigenous. I introduced proposals in the most recent budget to comprehensively overhaul the business expansion and seed capital schemes to ensure investment is directed into areas that will create entrepreneurship and more jobs and increase skills. The research and development tax credit is applicable to small companies and other businesses.

Although an important factor and one I will continue to defend, our low tax rate is not the only reason foreign direct investment is attracted here. The question of what attracts FDI to a particular country is a complex one and a range of factors explain the reason Ireland is attractive. They include our English speaking, skilled labour force, on which we continue to work and have a strategy to improve, a flexible market, ease of access and proximity to the European mainland, membership of the European Union and access to its markets, membership of the euro area, a pro-business outlook, political stability and social partnership.

Price Inflation.

89. **Mr. Bruton** asked the Minister for Finance if he has assessed the contributions from different sectors to consumer price growth in the past five years; and the implications this has for Government policy. [10196/07]

Mr. Cowen: My Department assesses data produced by the Central Statistics Office on the contribution from different sectors to price growth. The CSO rebased in December 2001. The figures for the years 2002-06 show that consumer price inflation increased by approximately 12.5% over this period. Of this figure, it is estimated that approximately 10% is due to services sector price inflation, while 2.5% is due to goods inflation. It is important to note, however, that during this time the economy grew by 22% and 260,000 jobs were created.

Where it can, the Government is taking action to contain inflation by implementing responsible fiscal policies. For example, with the exception of an increase in indirect tax on tobacco in the 2007 budget, which was done for health reasons, indirect taxes have not been raised in the past three budgets. We have also reformed sectors such as the communications and insurance sectors and these are now showing low rates of inflation. The Government also removed the groceries order and data recently released by the Central Statistics Office show that this is beginning to have a moderating impact on food prices. I understand that the Minister for the Environment, Heritage and Local Government specifically requested that to support competitiveness in the economy and protect the interests of communities. Local authorities should exercise restraint in setting any increases in commercial rates and local charges in the context of their budgets for 2007.

We must also be aware that a number of important factors which influence inflation are outside Government control. For example, mortgage interest rates are set by the European Central Bank and mortgage interest added in the region of 2% to total CPI. Equally, energy prices in Ireland are set by independent regulators and

reflect international market prices and other factors such as investment costs.

Goods are generally traded internationally and, as a result, goods inflation is kept low by international competition. However, services are largely non-tradable and the relatively high rate of services sector inflation is a cause for concern. The Competition Authority is undertaking a number of detailed studies of how competition is operating in specific sectors of the economy and the Government will pay close attention to the results of these studies. Areas such as the restaurant, hotel and licensed premises sectors are of particular concern as it is estimated that they contributed approximately 3% to overall inflation in the past five years. This highlights the need for pay and profit restraint in these sectors to reduce price pressures and we must ensure that the wage increases granted under the social partnership agreement, Towards 2016, are reflected in productivity gains.

In addition to the steps already outlined, the Government is taking a broad approach to dealing with inflation. We are investing heavily in public infrastructure, which will enhance our ability to produce goods and services more efficiently and, therefore, help keep inflation down on a continuing basis. The economic conditions fostered by the Government will support the economy's competitiveness and provide the basis for our continued future economic success.

Mr. Bruton: I ask the Minister to comment on a few important features of inflation in the past five years. Is he aware that the prices of goods in the shops, once the old reliables of alcohol, fuel and tobacco are removed, have not increased in the past five years, whereas the prices of services priced or regulated by Government have increased by 40%? I note the Minister indicated that his colleague, the Minister for the Environment, Heritage and Local Government, has told the local authorities they must get their act together by reducing the burden imposed by commercial rates. Does he not agree that the first priority for Government in managing prices in its own sector is to get its act together? Does he accept that manufacturing, which has taken a price cut in the past five years, cannot survive if Government controlled sectors are so far out of line?

Will the Minister back up his statement that prices for products set by regulators are competitive when compared with prices in other countries? Gas is 50% more expensive and electricity much dearer than in the United Kingdom. On what grounds does he base the statement that the regulated prices set by the Minister and the regulators are competitive?

Mr. Cowen: I do not set prices, they are set by the regulators. There is an independent regulatory sector. The specific characteristics of an island market of this size mean that the electricity and

gas sectors differ from those of the United Kingdom and other countries. The Government's long-term strategy is to continue to reposition the economy towards the production of more knowledge intensive goods and services. As these tend to be less energy intensive, this development should help reduce our exposure to international energy price developments. The regulator must also take into account investment returns in terms of the nature of the market in which investment is being made. As I indicated, the size and island nature of our market must be taken into account in terms of the major utilities.

The impact of higher energy prices on the economy will ultimately be a function of how economic agents, including policymakers, react. In the past, higher energy prices resulted in higher wage demands and increases in public spending, both of which had a detrimental impact on economic performance. There is now a greater awareness that we cannot compensate ourselves for these increases. We are, therefore, coming from a position of insufficient competition in the marketplace in certain areas. The purpose of independent regulation of the market is to meet EU requirements and facilitate competition. Interconnection between North and South and east and west should open up possibilities to reduce inflation in these areas.

Mr. Bruton: Has the Minister examined the statistics provided by the CSO which show that the Government regulated sectors have price increases of two and a half times the rate of the rest of Europe? These other European countries are experiencing the same oil price increases, interest rate rises and international pressures of competition. It is only prices regulated here, however, that show these hefty increases.

The Minister is disavowing any responsibility for this. Is he not aware that it is Ministers who set prices for rail and bus services, television licences, prescribed drugs, health insurance and so on? Many of the sectors in which the greatest increases have taken place are those where prices are directly set. Is the Minister not aware that the regulatory framework is set by the Government and that it is his responsibility to cure the deficiencies he has acknowledged in our regulatory framework?

Mr. Cowen: I am not suggesting there are simply deficiencies in the regulatory framework. I am saying this is the discipline imposed on the market by the introduction of the independent regulatory framework. In the past, prices in these areas were regulated by Departments working through the commercial semi-State sector. All sides in this House long ago agreed that commercialisation of the semi-State sector is a requirement for our continued sustainable competitiveness.

Services inflation has added some 10% to overall inflation. It is a wide-ranging concept covering

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electricity, gas, telecommunications, alcoholic beverages consumed on licensed premises, meals out, housing, rent, mortgage interest repayments, insurance, public transport, entertainment and recreation, education, household services and miscellaneous services including child care, social protection and package holidays. Where inflation in health and education is running at close to 5% it should be noted that these sectors have relatively small weights in the basket of consumer goods and services and that their impact on overall inflation is relatively low. Many factors that influence health inflation, such as doctors' and dentists' fees, are outside Government control.

I said in my reply that the level of service inflation is a cause for concern and that we are working to deal it with as comprehensively as possible, recognising the changed structures of some of these markets and how they operate in Ireland.

Interest Rates.

90. **Ms Burton** asked the Minister for Finance his views on the fact that monthly mortgage repayments have increased by approximately €40 to €50 on a €300,000 variable mortgage as a result of the latest quarter point increase by the ECB on 8 March 2007; if he is aware that this is the seventh successive such increase since December 2005, that sub-prime mortgage holders are reported to be spending as much as 25% more a month servicing their mortgages than they did before interest rates started to rise; if he will implement measures to provide clear information for mortgage holders on the effect of projected future interest rate increases on their monthly payments; if his attention has further been drawn to the fact that the European Central Bank has indicated the likelihood of further interest rate rises; and if he will make a statement on the matter. [10253/07]

Mr. Cowen: The level of interest rates is determined by the independent European Central Bank, ECB, in fulfilment of its mandate to secure price stability for the euro area as a whole. The impact of ECB interest rate changes on household incomes in Ireland is an important element of the context for the Government's overall economic and fiscal strategy. This strategy has successfully delivered sustained economic growth, record levels of employment, low unemployment and rising incomes. It has also underpinned the achievement of a strong and responsible fiscal position within which significant tax and expenditure priorities have been achieved. It enables us to plan the delivery of a major programme of investment in our economic and social infrastructure under the National Development Plan 2007-2013.

Households currently experiencing higher mortgage repayments on account of rising

interest rates benefit significantly from a range of supportive economic and financial factors, including, for example, low income tax rates and a relatively high savings rate in respect of which savers are increasingly benefiting from higher retail interest rates. The Finance Act 2007 gives effect to those measures I announced on budget day that are designed to sustain our economic performance and improve both take-home pay and the affordability of housing. These measures include a doubling in the ceiling for mortgage interest relief for first-time buyers as well as increases in relief for other mortgage holders.

The sub-prime mortgage market in Ireland is small and exists to serve a need for mortgage finance by borrowers who experience difficulty in accessing finance from mainstream lenders owing to an adverse credit record or difficulties in verifying income. Sub-prime borrowers tend to refinance their mortgage in the standard mortgage market once they have restored their credit record. The Consumer Credit Act 1995 requires information on key aspects of mortgage lending to be provided to borrowers on a mandatory basis. This includes, in particular, information on the impact of an increase of 1% in interest rates in the first year of the mortgage.

The Financial Regulator's consumer director provides extensive information to help consumers make informed choices regarding mortgage products. The consumer director's cost surveys, consumer guides and fact sheets assist consumers in shopping around for the best available mortgage deal. Major efforts have been made to raise the level of awareness of the importance of responsible borrowing behaviour. Against the backdrop of the rising trend in interest rates, the Financial Regulator has published information for consumers on the potential impact of these increases on different mortgage products.

Mortgage interest rates in Ireland remain low by historic standards. This reflects both the current level of ECB rates, which are lower than those prevailing in either the United States or the United Kingdom, and the increasingly competitive nature of the Irish mortgage market which ensures that margins on mortgage lending remain low. I am confident the economic and fiscal framework now in place is properly aligned to the current requirements of the economy and can adjust to potential changes in the financial environment over time.

Ms Burton: The Minister referred three times today to the additional mortgage interest relief provided in the budget. Does he agree that the latest increase in mortgage interest rates, the seventh since December 2005, means the impact of the increase in mortgage relief has been fully absorbed for most mortgage holders? Welcome as the increased relief was, it is now effectively used up.

Has the Minister heard of the phrase "toxic debt", which is used widely in the United States

in reference to the sub-prime market? It refers to the situation of a family that has borrowed heavily, usually initially for housing purposes, before proceeding to refinance its borrowing, perhaps to take in other short-term borrowings such as car loans and so on. With continuous increases in the rate of interest, the net result for such families is a growing unaffordability of the debt they have accumulated.

The Minister referred to the tables published by the Financial Regulator on various mortgage prices and products. Does he agree these tables are not easily readable for most people? Many families are exposed on remortgaging and credit card debt, with the latter currently running at some 13%. What is the Government doing to help people who are moving into the danger zone of toxic debt and who are particularly vulnerable to interest rate increases?

Mr. Cowen: I do not accept that the increase in mortgage interest relief for first-time buyers has been wiped out by the ECB interest rate rises in recent months. It depends on the circumstances of the household concerned. In the case of a mortgage of €250,000 taken out for a typical loan period of 33 years for example, a 0.25% rise in interest rates results in an increased payment of some €38 per month. This compares with increased monthly tax relief of €53 for a married couple and some €67 for a single person. For a mortgage of €350,000 over 33 years, a 0.25% increase results in an increased repayment of €53 per month, compared with increased tax relief of €128 in the case of a married couple and €67 for a single person.

It was estimated at budget time that approximately 125,000 first-time buyers had interest payments of sufficient size to benefit from the increased level of relief. As interest rates have increased, it is likely that the numbers benefitting have also increased. I made my decision on this matter in a way that would help buyers and those who already have mortgages without affecting affordability via an increase in house price inflation. This was against a background of emerging evidence of a softening housing market. It was the right approach to take in the circumstances that pertained.

I have heard the term “toxic debt” in regard to sub-prime lending. It is a feature of the liberalised market in the United States where some companies have got into serious difficulties as a result of the sub-prime lending policies they have pursued. There is no evidence from the Financial Regulator that a similar situation exists here. The sub-prime mortgage market is relatively small. There is evidence that where people have regained credit with regard to how they are viewed as borrowers, they have moved from the sub-prime market back into the mainstream mortgage market.

4 o'clock

Ms Burton: I recall that when the Minister introduced the extra mortgage interest relief in the budget in December, he told us it would compensate for the increase in interest costs on a typical mortgage. Mortgage costs had risen in October and have gone up again since he made that announcement in December, and the bulk, if not all, of the extra interest relief has been absorbed by both interest rate increases. Will the Minister comment on that? Has he excluded the October increases from the effect on an average family? He seems to be playing with the statistics.

Mr. Cowen: I am not playing with statistics, just dealing with the Deputy's assertions. The decision taken brought a direct benefit to people involved in the mortgage market, not just to prospective buyers but to those already in the mortgage market for the previous seven years, totalling 125,000 first-time buyers. In this way, the greatest possible benefit could be given to the greatest number of people requiring assistance.

The Deputy knows interest rate policy is the independent ambit of the ECB. We have seen a number of increases of 0.25% over the past 12 to 18 months. Further increases are not expected, but one cannot anticipate what the ECB may do. It must be acknowledged that we are operating in a historically low mortgage interest environment against a background of greater disposable income and higher income growth. The fact that there are so few defaults on mortgage commitments, albeit against a higher interest rate environment in recent times — while the overall interest rate is low, there have been increases — indicates people have been able to meet their commitments.

The Deputy referred to those in the sub-prime market. There is evidence they have moved into the mainstream mortgage market because of the improved economic situation, which, thankfully has been open to them as well as to others.

Other Questions.

Tax Collection.

91. **Ms Lynch** asked the Minister for Finance the amount collected to date by the Revenue Commissioners through special investigations; and if he will make a statement on the matter. [10230/07]

Mr. Cowen: I am advised by the Revenue Commissioners that to the end of February 2007 they have recovered €2.297 billion from 31,950 taxpayers as a result of their programme of special investigations. The three major legacy investigations relating to bogus non-resident accounts, offshore accounts and single premium insurance products, account for the bulk of the amount recovered. The balance is accounted for by

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recoveries related to the Ansbacher investigation, the NIB-CMI scheme and tribunal related enquiries.

All Revenue's special investigations are now at an advanced stage and some are nearing an end. The follow-up phase of the bogus non-resident investigation is almost complete and the follow-up phases of the offshore and single premium insurance products investigations are well under way. The inquiry letter phase of the offshore investigation, which follows up those who did not make voluntary disclosures, started in 2006 and is expected to continue into 2008. The inquiry letter phase of the single premium investigation, which similarly follows up those who did not make voluntary disclosures, is scheduled to start at the end of this month and will involve the issue of approximately 5,000 inquiry letters initially.

Tax, interest and penalties continue to be collected as the investigations progress and this will be the position for some time to come.

The Revenue Commissioners inform me that these investigations have been very successful, not just in recovering outstanding taxes but in improving tax compliance in general in this country. The overall approach has been very effective and in some cases is being adopted by other revenue administrations. The powers of access, through the High Court, to financial information and, in particular, the powers provided in the Finance Act 1999 have proved to be of vital importance enabling Revenue to identify taxpayers with undeclared liabilities who did not come forward during the voluntary phases of the investigations.

Ms Burton: I thank the Minister for his response. Following these successes of the Revenue Commissioners, does he agree that the statement of the former Minister, Mr. McCreevy, that there were no pots of gold with regard to unpaid taxes, was untrue? There was always a special situation for particular people who were not subject to the same tax regime as the PAYE sector. I congratulate the Revenue Commissioners on pursuing the issue of unpaid taxes.

How many court orders or court cases have the Revenue Commissioners taken to gain access to financial information to help them pursue these cases? Are the Revenue Commissioners able to pursue the issue of credit card accounts held offshore that allow some individuals to pay for offshore purchases? How many cases have raised issues relating to inheritance tax arising as a result of the pursuit of various tax avoidance or evasion schemes?

Mr. Cowen: I do not have the details on inheritance tax or credit card issues in this regard as that information is not available to me. I will find out whether the information is available. These issues arise as a result of non-compliance by taxpayers, whether PAYE or non-PAYE taxpayers, in respect of undeclared income that may

have been moved offshore, used in single premium policies, resulted from bogus non-resident accounts, the result of deposit interest retention tax audits or arise from other issues that come up in tribunals or as a result of NIB or Ansbacher issues. These cases are being pursued on the basis of non-compliance. Some 31,950 taxpayers are involved out of a total of 2 million taxpayers. Of course, even one is one too many.

The recent annual report of the Revenue Commissioners stated that the level of tax arrears is about 2%, which in international taxation terms is a good indication of a far more compliant culture being in place than may have been the case in the past on account of non-compliance by individual taxpayers or the failure of the system to be sufficiently efficient or timely in ensuring it dealt with issues as they arose.

On the question of the process of obtaining High Court orders to access financial information to support investigations, I am advised that in the case of the bogus non-resident account investigation 18 High Court orders were granted and no further applications for High Court orders are anticipated as the investigation is almost finished. In the case of the offshore accounts investigation and the single premium insurance products, 21 High Court orders were sought and granted. It is expected a further eight applications may be required.

Mr. Boyle: Does the Minister have figures available as to the sums recovered as a result of special investigations by the Revenue Commissioners in 2006 into the construction industry? With regard to the Minister's role in asking the Revenue Commissioners to undertake particular special investigations, section 881 of the Taxes Consolidation Act makes it a crime to evade taxes knowingly and this has a retrospective application. The Minister recently closed a number of loopholes with regard to stamp duties, one relating to the use of shelf companies and another relating to setting up third parties in the sale of properties. Is it not in order that special investigations should be taken into these areas to see how much was lost to the State by allowing these evasion measures to take place?

Mr. Cowen: I am not so sure whether they were evasion or avoidance schemes. As the Deputy knows, avoidance schemes are not subject to recovery, but evasion is illegal and is subject to recovery in any circumstances and in any area of taxation. These matters are proceeded upon by the Revenue Commissioners. With regard to any issues they have sought to pursue, I have facilitated them either by way of legislation or administrative arrangement.

I do not have details of recently commenced inquiries into the construction industry which commenced during the course of 2006. Of the special investigations mentioned DIRT audits yielded €225 million, bogus non-resident accounts

€627.2 million, off-shore assets €856.2 million, single premium policies €422 million, Ansbacher €68.4 million, NIB-Clerical Medical Insurance €59 million and tribunals €39.4 million giving a total of €2,297.1 million to date.

Caoimhghín Ó Caoláin: Does the Minister have any idea of the number of investigations carried out by the Revenue Commissioners in 2006 into the veracity of claims by certain individuals to be non-resident for tax purposes? Is he satisfied the Revenue Commissioners have sufficient resources to monitor and assess new and developing means of tax evasion that some fly players in the financial sector might occasionally promote?

Mr. Cowen: As I said during the course of the Finance Bill debate all the criteria for non-residency are in line with international arrangements. The Revenue Commissioners monitor them in a way they do not disclose, in order to be able to carry out that monitoring. They are satisfied the people concerned are compliant.

92. **Ms B. Moynihan-Cronin** asked the Minister for Finance the tax incentive measures he will introduce to ensure Ireland meets the new target agreed by EU leaders of cutting CO₂ emissions by 20% by 2020; and if he will make a statement on the matter. [10244/07]

Mr. Cowen: The recent European Council set ambitious targets, in the context of climate change, for the reduction of CO₂ emissions by 20% by 2020 for the European Community compared with the 1990 levels. The Council also endorsed a binding target of a 20% share of renewable energy in overall EU energy consumption by 2020 and a 10% binding minimum target to be achieved by all member states for the share of bio-fuels in overall EU transport petrol and diesel consumption by 2020, to be introduced in a cost-efficient way.

The Government recently published a White Paper entitled *Delivering a Sustainable Energy Future for Ireland* and a bioenergy action plan for Ireland. It is also preparing a new climate change strategy. In the White Paper, it has made clear that renewable energy will be a critical and growing component of Irish energy supply to 2020 and beyond. Renewable energy is an integral part of our climate change strategy and sustainability objectives. The additional diversity which renewables bring to Ireland's energy demand will also make a direct contribution to our goal of ensuring secure and reliable energy supplies.

The White Paper, and the bioenergy action plan, outline a range of measures to incentivise the development and deployment of renewable sources of energy. It sets very ambitious targets for expanding the role of renewable energy, most notably the target of 15% of electricity consump-

tion to come from renewable resources by 2010 and 33% by 2020; a minimum target of 5% market penetration of renewables in the heat market by 2010 and 12% by 2020. The Government has also accepted the EU target of 5.75% bio-fuels market penetration by 2010 and at least 10% for 2020.

Additional information not given on the floor of the House.

While the promotion of renewable energy, including bio-fuels, is primarily a matter for my colleague, the Minister for Communications, Marine and Natural Resources, the taxation system, in conjunction with other policy measures, can play a part in attaining environmental objectives including the development and deployment of renewable sources of energy, including bio-fuels. In this regard the taxation measures which are already in place or are being introduced include a five year excise relief scheme for bio-fuels, costing over €200 million, which commenced in November 2006. The scheme provides for excise relief on up to 163 million litres of bio-fuels per annum; 50% vehicle registration tax relief for hybrid vehicles, flexible fuel vehicles and electric vehicles; extending the qualifying period from 31 December 2006 to 31 December 2011 for the scheme of corporate tax relief for corporate equity investments in certain renewable energy generation projects such as solar, wind, hydro or biomass technology categories, which have been approved by the Minister for Communications, Marine and Natural Resources; and extending to 31 December 2013 and enhancing the business expansion and seed capital schemes which can, among other manufacturing areas, be used for investment in companies engaged in renewable energy generation and recycling.

In addition, I announced in the budget the commencement of a public consultation process on adjusting VRT to take greater account of CO₂ emissions of vehicles. My colleague, the Minister for the Environment, Heritage and Local Government, has undertaken a similar exercise. Any changes will have effect from a target date of 1 January 2008. My Department will also examine, in the context of the preparations for budget 2008, the case for disallowing, totally or in part, capital allowances and leasing expenses for high CO₂ emission vehicles. Consultations will take place with the motor industry and the business sector as part of any review.

The overall level of excise relief available for bio-fuels under this scheme is that which the Minister for Communications, Marine and Natural Resources proposed in advance of budget 2006. It is regarded as a level which is sufficient to match Ireland's output potential for renewable energy crops for motor fuels over the coming years. These fiscal incentives were designed to kickstart the domestic bio-fuels

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industry and the evidence suggests that this is happening.

The Deputy might also wish to note there are additional non-fiscal measures that can be used to promote renewable energy, including bio-fuels, and reach the targets identified. In this regard to provide further market certainty and encourage projects of scale, the Government recently announced its intention to move to a bio-fuels obligation by 2009, with targets for market penetration for bio-fuels of 5.75% in 2009 and 10% by 2020.

The Government will examine other tax incentives or disincentives where these can be shown to have a clear cost-benefit in reducing CO₂ emissions.

Ms Burton: Is the Minister aware of the comments of his colleague the Minister for the Environment, Heritage and Local Government, Deputy Roche, that the Government was going to impose an additional tax on traditional light bulbs? Is the Minister for the Environment, Heritage and Local Government correct in saying that? What details of this additional tax has he worked out with the Minister for Finance and when is the proposed tax to be implemented? Is the Minister aware that currently the cost differential between energy efficient light bulbs and the traditional incandescent light bulb is sometimes up to a factor of ten? What plans does the Minister for Finance have to tax standard light bulbs?

What does the Government propose to do for people, such as pensioners, for whom the energy saving light bulb is extremely expensive compared with the traditional bulb? Is the Minister going to push the price of the traditional light bulb up to €6 or €12, the price of the energy saving light bulb in most shops?

Mr. Cowen: The Minister for the Environment, Heritage and Local Government has been indicating some of the proposals he will bring to Government in his climate change strategy.

Ms Burton: Has he not told the Minister about this tax? He announced it.

Mr. Cowen: May I make the point?

Ms Burton: He received a great deal of publicity on announcing it.

Mr. Cowen: Does the Deputy want an answer at all?

Ms Burton: I do. I am dying to hear it. I would love for the other Minister to be here too.

Mr. Cowen: The Deputy will find if she is ever in Government which hopefully will not be soon, that ministerial pronouncements that require taxation measures also require Government

approval and decision. We will deal with that as soon as the paperwork becomes available.

Ms Burton: The Minister for Finance did not hear about it. The Minister for the Environment, Heritage and Local Government did not even send him a note.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters.

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Cooper Flynn — the reason the criteria for primary medical certificate and disabled driver's tax concessions exclude applicants with arm amputations; (2) Deputy O'Donovan — the progress of the works at Dunmanway Garda station; (3) Deputy McEntee — the position regarding the provision of a new primary school in Laytown, County Meath; (4) Deputy Cowley — the need for the Minister to confirm that BreastCheck will commence from April 2007 for the west; (5) Deputy Burton — the closure of the waiting list for the urology unit at Connolly Hospital to non-emergency cases; (6) Deputy Gilmore — the future of the Morning Star and Regina Coeli Hostels for homeless persons in Dublin; (7) Deputy Deenihan — the need for the Minister to address the accommodation inadequacies at a school in Listowel, County Kerry; (8) Deputy O'Dowd — the funding provided to Our Lady of Lourdes Hospital and Louth County Hospital; and (9) Deputy Broughan — the need for the Minister to ensure that the site and campus of the historic Greendale Community School, Kilbarrack, Dublin 5 is retained for educational and community purposes.

The matters raised by Deputies O'Donovan, Burton, O'Dowd and McEntee have been selected for discussion.

Leaders' Questions.

Mr. Kenny: This Government has spoken many times in the past ten years about the delivery of a world-class health service. It was the Government's number one commitment before the last election and has turned out to be the number one hoax from Fianna Fáil and the Progressive Democrats. This has been the case for ten years, billions of euro have been spent by three Ministers for Health and Children, and the service is absolutely appalling in some circumstances.

At Our Lady of Lourdes Hospital in Drogheda the midwife staffing levels are far below what they should be. Mr. Patrick Kinder, the head of the maternity task force there, said this showed the extent of serious risk to women in the north east who are forced to rely on the services of this hospital. Women attending the maternity unit there must wait until the fifth month or 20th week

of pregnancy before seeing an obstetrician. No expectant mother, particularly a young mother with a first pregnancy, should be forced to wait 20 weeks to see an obstetrician when she should have that appointment within 12 to 14 weeks.

That level of "world-class service" is not unique to Drogheda. I received an e-mail from a woman in my county about her experience in Mayo General Hospital in February. She spent three days on a trolley in the accident and emergency unit. To judge from what she told me her experience was not an isolated incident. Despite the efforts of the fantastic staff to whom she refers, she said the overcrowding was reminiscent of a Third World service and not what should be expected in modern Ireland.

She wrote an eyewitness account on her trolley according to which on Sunday, 25 February she had no pillow and her blanket had a blood-type stain. There was no ladies toilet available, only the gents was working. There was no visible security. On Monday, 26 February a lady with pleurisy was placed opposite an entrance-exit door which opened onto the casualty waiting area. At times one could hear the wind whistling through. There was no place to have a shower. Trolleys blocked areas which bore a sign stating "keep clear at all times".

On Tuesday, 27 February the toilets were absolutely filthy. She said she could not begin to describe the nauseating stench. The patients' trolleys were taken and they were given chairs. When they asked why they were told the trolleys were needed for the day care patients.

That is the lady's summary of the world class health service the Government promised to deliver: more than 30 on trolleys, with no privacy, washing facilities, hot food or visible security. As an elderly woman was escorted down the public corridor her nappy fell off. What does the Taoiseach say to the people who must put up with this standard of care? What does the Taoiseach say to expectant mothers who must wait 20 weeks to see an obstetrician? Is that what the Taoiseach meant when he said his Government, comprising members from Fianna Fáil and the Progressive Democrats, including the absent Minister for Health and Children, would deliver a world-class health service to the people?

Mr. J. O'Keefe: God help us.

The Taoiseach: On the general question about a world-class health service, we have made real progress in the health service. We have over 100,000 dedicated professionals treating over 1 million patients in our public hospitals alone. There are 38,000 new staff, including 2,700 medical dental personnel and 9,000 nurses. Some 8,700 specialists were recruited in the past ten years and almost 1,000 consultant posts were created. Since I became Taoiseach, the numbers on hospital waiting lists have more than halved. In the past year, accident and emergency waiting lists have

almost halved and, because of good practice and resources, 60% of hospitals have nobody at all waiting in accident and emergency units for more than six hours. The Irish taxpayer is funding the increase in spending from €4 billion to €15 billion, as Deputy Kenny correctly stated.

It is hard for Deputy Kenny to analyse the system on the basis of one letter and I could quote letters written by very satisfied people. I take the Deputy at his word regarding the letter he quoted, notwithstanding all the great staff. The letter stated nobody was cleaning or looking after the toilets, food or anything. The Deputy will be aware that there are several hundred staff in the hospital in question, employed at a cost of tens of million euro. Perhaps the day referred to was a bad day and the staff were elsewhere.

Mr. Kehoe: The Taoiseach should not twist it.

Mr. Durkan: Every day is a bad day.

The Taoiseach: However, the Deputy cannot assert that all those things are true while acknowledging all the staff are great.

On the antenatal outpatient clinic at Our Lady of Lourdes Hospital, the HSE has confirmed that, because of the increased number of births therein, it has been very hard pressed to get the waiting list in line. There is no doubt that this is a real problem and I will not defend the fact that people are waiting for 20 weeks, if they are doing so. The HSE said it has a problem related to people having to wait a number of weeks for a routine appointment and this is certainly not good enough.

Management at the hospital already said it is trying to address these issues and that it has recently approved 22 new midwife posts, two specialist nurse posts and three new consultant anaesthetist posts with a view to improving its services. It has also confirmed that a new 25-bay emergency department is being developed at the hospital and it is to be opened early next year. Two new floors are also being built above the emergency department to provide more space. Obviously these are needed and the resources have been provided therein.

We are spending almost €500 million on the capital programme this year, as we have done in the past few years. Ireland and Norway are on top of the list of countries investing money in the capital programmes pertaining to their health systems. Obviously our system needs this investment and there is no doubt about this.

I have answered the Deputy's question on accident and emergency figures. The accident and emergency figures continue to be well over 50% down, as they have been the whole winter. We are now in what we consider the 24th week of the winter and there was one difficult week in which reductions of over 50% were not achieved. Even Deputy Kenny, from his position, will have to acknowledge this represents a big improvement

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in a year. It is still not good enough and that is why we are investing the resources I have outlined. I hope a big improvement will be made over the next year when all the facilities come on line. The Government continues to put in place the resources and staff and continues to make the necessary improvements and seek reform. This is the correct approach.

Mr. Kenny: The Taoiseach is probably correct in that he is on the run-in to being run out of office. When he visits hospitals, does he take the time to go down the corridors? We do not live in fantasy-land any more. Mr. Patrick Kinder, chairman of the taskforce dealing with Our Lady of Lourdes Hospital, does not live in fantasy-land and said the women of the north east are exposed to serious risk because they cannot see an obstetrician for 20 weeks once pregnant. That is a scandal. The lady who wrote to me from her trolley in Mayo General Hospital is not fantasising either.

In the past fortnight, I have been in St. Vincent's, Cavan, Mayo General, Galway Regional, Nenagh and Limerick hospitals, and in a number of others. In every one, people who built this nation are lying on hospital beds and trolleys with their medical problems exposed for all to see. A general practitioner in Kildare stated recently that 35 weeks elapsed between a screening test and a hysterectomy and that, in his opinion as a physician, the woman in question was essentially killed as a result. In Tralee Hospital last week, the consultants told me quite clearly that people are dying because of the endless waiting list for scope analysis and endoscopies. This is simply not acceptable.

I agree that when people get through the system and are treated in hospital, their care can be fabulous, but it is a scandal that the Government has, for ten years, failed to manage competently the accident and emergency system, thus causing all these problems.

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

Mr. Kenny: The general practitioner in Kildare is not fantasising, nor is the consultant in Tralee. It is not just a case of spending money on the system, but of reform, change and competent management, together with performance audits. These have not occurred under the Taoiseach's Government and that is why every Deputy in the House is getting endless streams of letters about the appalling circumstances that obtain daily in our hospitals. Is this the kind of world-class health system the Taoiseach and his absent Minister for Health and Children said they would deliver to the people?

An Ceann Comhairle: The Deputy should give way to the Taoiseach.

Mr. Kenny: By referring to a "world-class health service", was the Taoiseach referring to nappies falling off in public, elderly patients marching up and down in their underwear, filthy toilets and an endless series of waiting lists, including a waiting period of 20 weeks for expectant mothers?

An Ceann Comhairle: The Deputy should give way.

Mr. Kenny: As the consultant said, people die at the end of the line because they cannot have scopes in time.

The Taoiseach: I understand the agenda of the Deputy, who has visited all the hospitals in question. We are tracking each other in that I have been to most of them also. I have heard the negative comments but have also heard an endless number of positive ones. People who have been in for major cardiac surgery, heart and lung transplants, maternity care or other kinds of treatments, including people who believed they were on death's door, have said they were treated well. It is true that I have encountered problems and seen old buildings that in my non-professional view are past their sell-by dates and can never be addressed and that is why we are investing the resources.

There are 140,000 positions, including 100,000 full-time equivalents. There has been a great increase in the number of doctors, and the number of consultants has doubled. There are thousands of extra nurses and an additional €11 billion or €12 billion has been spent in a short period. Spending compares well *pro rata* against that of other countries and problems are being addressed.

I agree with Deputy Kenny that there are problem areas; there is no doubt about this. If the consultant in Tralee could use his influence to complete the consultants' contract, it would help to deal with some of the endoscopies. If he could put a word in with his union, in addition to talking to the Deputy and me, it would also help. The Deputy is correct that certain reforms are required. We are trying to make these reforms in the ongoing negotiations.

If, in any area of life, one goes around the country looking for problem cases, one may find them, but one must acknowledge that, according to independent surveys, the vast majority of the 1 million patients in our public hospitals last year were happy with the service. There are problems in accident and emergency wards, that is why we are building so many new units, why we are putting so many extra services into accident and emergency wards, why we are setting up primary care teams and injury clinics, why we have emergency consultants working in accident and emergency and why we have increased the staff in accident and emergency.

Many of the buildings are just not suitable for the necessary developments but there are construction programmes in every area. In Drogheda, there is an ambitious plan for the whole north east. The Teamwork Management Services report spelled out what is needed in that area. I admit the report points out that the present system, whereby five local hospitals in the north east deliver acute care and services for people with severe illnesses to a relatively small population, has exposed patients to increased risks and this must change.

Mr. Connolly: Exposing them to greater risks.

The Taoiseach: I know there are Members of the House who believe we should hold on to all of those hospitals, something we cannot do. This plan, which is costly and which the Government supports, will ensure the north east will get a modern, integrated and safe hospital and patient services.

Deputy Kenny knows that whoever is in Government for the next number of years, that plan will be unveiled. It is right to do this. We want to protect small hospitals that are unable to provide the services while on the other we want to argue for better medical services. We will continue to implement a better health service. We are not world class in every area, we know that, but we continue to resource the health service and make our services top class in many areas. We should acknowledge that.

Mr. Connolly: Does the Taoiseach know that 25% of medical patients in Drogheda Hospital spend their entire stay in the accident and emergency unit? This is what he holds up as a world class service. This is no world class service.

An Ceann Comhairle: There is no provision for Deputy Connolly to ask a question. I ask the Deputy to resume his seat or he will have to leave the House. It is obvious to the Chair that is what he has in mind.

Mr. Rabbitte: The Government has decided to give private developers a write off for the construction costs of private hospitals on the grounds of public hospitals. On 28 February, I asked the Taoiseach if it was the Government's intention to proceed with the signing of contracts to implement that scheme between now and the general election. The Taoiseach told me, "I am not aware of any contract. The Deputy can table a parliamentary question to the Minister for Health and Children. I am aware of no contract at any stage of negotiation."

The following day, as it happened, the Secretary General of the Department of Health and Children and the chief executive of the HSE were before the Committee of Public Accounts. My colleague, Deputy Burton, asked a similar question, to which the Secretary General replied: "I

understand the procurement process will proceed along a timeline which means contracts could be or would be expected to be, whatever phrase the Deputy wants to use, awarded some time in April, that is the latest information I have."

The Taoiseach would have us believe he knows nothing about this, the Secretary General says it will go ahead in April and the Minister for Health and Children goes on the radio this morning to say it is nothing to do with her, the HSE will sign any contracts. The Labour Party's desire to maintain an improved public health service is ideological, she says, a concept entirely alien to her and her party leader. She then said that it is not a sale anyway, it is a lease.

As luck would have it, at that meeting of the PAC, Professor Drumm was asked, "Is it a lease or is it a sale?" This is the man who is supposed to be handling the process. Professor Drumm said, "While I understand it is a sale, I must check." I do not believe for a second that Professor Drumm does not know the answer. I believe that like 85% of consultants in Ireland, he does not agree with what the Government is forcing on him. The Chairman, Deputy Noonan, reminded the Secretary General what he had been asked. He said: "Specifically, the Deputy asked whether contracts will be signed for the disposal of HSE land to the private sector between now and the general election." Mr. Scanlan replied: "My understanding is that the answer is "Yes" as that is the timeline being worked to."

How is it, with all the running around the Taoiseach is doing, as Head of the Government he has never heard of any of these contracts? Is this a lease or a sale? Will they be signed in advance of the general election and what is the estimate of the cost to the taxpayer of so doing?

The Taoiseach: I refer to the last day when we debated this issue when I said to Deputy Rabbitte that I did not know of any contract negotiations and that he should table a question. He obviously did the right thing the following day and asked the people directly involved. The Minister for Health and Children has answered since and answered again today in an interview. The Deputy knows the answer to the question because she answered it a few hours ago and he was obviously listening or read the text of the answer.

I also explained that day the general policy of the Government and the decisions we had made two years ago in the summer of 2005 regarding the issue. As I understand it, eight hospitals remain in the process: Limerick Regional Hospital, Waterford Regional Hospital, Cork University Hospital, St. James's Hospital, Beaumont Hospital, James Connolly Memorial Hospital, Blanchardstown, Tallaght Hospital and Sligo General Hospital. The examinations are under way to see if there are contracts done in these areas. As the Minister said today, she does not know at this stage whether they will take a

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period of weeks or months because negotiations are ongoing and the HSE will issue the invitation to tender to the selected bidders at the end of this week or early next week.

The HSE aims to evaluate the tenders and select the successful bidders over the period it requires to examine this. The Minister said today that some of those could be in April and that the final contract would be subject to planning approval. The system is to try to free an additional 1,000 beds for public patients that are currently being used for private cases. That has been our stated policy for the last number of years and those negotiations are continuing.

Mr. Rabbitte: Once again the Taoiseach has not answered any of the questions I asked. He said he does not know. Quite honestly, I do not believe that for a second. None of the Taoiseach's predecessors could come into this House and get away with the way the Taoiseach twists and obfuscates. Is the Taoiseach seriously telling me that the Government is maintaining this shift towards a for-profit system of medicine and he, the socialist Taoiseach, knows nothing about it? I do not believe that for a second. I ask again — is it a lease or a sale? Will the contracts be signed? The Minister for Health and Children said nothing about not knowing if it would be weeks or months today. The Taoiseach is right, I listened to the interview and she did not say that.

I am asking the Taoiseach if this is a lease or a sale and what the cost is to the taxpayer. Is the story at the weekend by the eminent political correspondent of *The Sunday Business Post* true, that the tender process will conclude by 30 March and sites will be “awarded”, to use his term, by 16 April? Is that the position? Will sites be awarded? How can the Taoiseach claim not to know the answers to something as major as this, on the biggest priority confronting our people, namely the state of the health services? I give him another opportunity to indicate whether contracts will be signed or are we engaging in some kind of *Aer Lingus* ruse about letters of intent that will prove to be irrevocable some months from now? This House is entitled to know the answers to those questions and the Taoiseach has been evading, obfuscating, twisting and distorting, ducking and diving. What is the answer to the question?

The Taoiseach: Deputy Rabbitte should listen because if he listened he might know the position. I said clearly that the Health Service Executive will issue the invitation to tender to the selected bidders at the end of this week or early next week. Is that clear to the Deputy?

Mr. Rabbitte: Tenders for what?

The Taoiseach: What do you think? The sites.

Mr. Rabbitte: What do I think? It does not matter what I think.

The Taoiseach: The Deputy asked me about private hospitals.

Mr. Rabbitte: I did not decide the policy.

An Ceann Comhairle: The Taoiseach, without interruption.

The Taoiseach: Deputy Rabbitte asked me about co-locating.

Mr. Rabbitte: Tenders for what? Is it to lease or to sell?

The Taoiseach: I know the Deputy appears stupid at times but he cannot be that stupid.

An Ceann Comhairle: Deputy Rabbitte, I ask you to allow the Taoiseach reply without interruption.

Mr. D. Ahern: He is a bit thick.

The Taoiseach: On the second question——

Mr. Rabbitte: Is it to lease or to sell?

An Ceann Comhairle: Deputy Rabbitte, please.

The Taoiseach: If the Deputy would listen. On the second question——

Ms McManus: The Taoiseach should answer the first one.

The Taoiseach: I have answered it.

Ms McManus: He has not.

An Ceann Comhairle: Deputy McManus, you are not the leader of your party. Your leader is entitled to hear the Taoiseach without interruption, as is the House.

The Taoiseach: Deputy Rabbitte asked me when we would go to tender or if there would be tenders. That was the first question.

Mr. Howlin: He did not ask that at all.

The Taoiseach: The second question he asked was whether it would be leased or if some other arrangement would apply.

Ms Burton: The sale.

The Taoiseach: It will not be a sale. The Minister, Deputy Harney, said today that she wanted to attract investment into the health service and contrary to some view, which is mainly Deputy Rabbitte's view, we will not give away any land.

The land would be leased. The private providers will profit share with a public hospital.

Mr. Quinn: Profit share.

Ms Burton: What does that mean?

The Taoiseach: That has been the position for a long time. To answer the second question, it will be leased.

In reply to Deputy Rabbitte's third question, the Government wishes to build eight private hospitals on these lands as soon as possible—

Mr. Stagg: With taxpayers' money.

The Taoiseach: —which will be far quicker than the public sector doing it, and take 1,000 additional beds for public patients to try to stop the current position. Deputy Rabbitte is right. I do take the socialist view on this matter. It is wrong that private beds in public hospitals are being only part paid — 40%—

Mr. Stagg: It took the Taoiseach long enough to discover that.

The Taoiseach: —by the private operators. It would be far better if we could build private hospitals that would take the private beds out of the public hospitals and put 1,000 public patients in to reduce waiting lists. In that way we would be able to have a faster and better health system.

Mr. Quinn: After ten years.

Mr. Stagg: Karl Marx would love that.

The Taoiseach: That is done in the Scandinavian countries, in socialist countries—

Mr. Rabbitte: No, it is not.

The Taoiseach: —and in countries throughout the world.

(Interruptions).

An Ceann Comhairle: Allow the Taoiseach continue without interruption.

Mr. D. Ahern: They do not like the truth.

The Taoiseach: The Labour Party would prefer to stand up here every day and moan and groan about waiting lists in public hospitals rather than—

Mr. Howlin: We want a public health service that works.

The Taoiseach: Deputy Howlin had his chance in this Department and he did nothing about it.

Mr. D. Ahern: He made a mess of it.

An Ceann Comhairle: The Taoiseach, without interruption.

The Taoiseach: It would be far better to have public patients dealt with in public hospitals than the current system where the State and the taxpayer strongly subsidise the private beds rather than have people on long waiting lists.

Ms Burton: The Government will now subsidise the private—

The Taoiseach: Is Deputy Burton the third health expert in the Labour Party? Those in the Labour Party should decide if they want to reduce waiting lists—

Mr. Rabbitte: Of course we do.

The Taoiseach: —or do they want to protect inefficiencies?

Mr. Howlin: We want a good public health service.

The Taoiseach: Is that what they want to do? I know their agenda on this issue.

Mr. Howlin: The Taoiseach is not listening.

Mr. D. Ahern: Ideology — that is Deputy Rabbitte's problem.

Caoimhghín Ó Caoláin: I, too, noted the Taoiseach's responses of 28 February on this issue. He indicated, and I ask him to revisit it this afternoon, that he had no knowledge of proposed contracts in regard to the co-location on public hospital sites of private for profit hospitals. I also noted on that occasion that he indicated he would give no guarantee to this House that he would not sign contracts for same prior to the dissolution of the current Dáil. Can the Taoiseach explain to the House his notion of socialism when he states that he cannot accept the presence of private beds in public hospitals but he has no problem in accepting private hospitals co-locating on public hospital sites? That is ridiculous. Will the Taoiseach not accept that is the case? Will he not accept also that while his response to Deputy Rabbitte's point is very weak, a full four weeks prior to the set of responses we are both now quizzing him on further, in response to a parliamentary question from myself, the Minister for Health and Children, Deputy Harney, indicated on 31 January exactly what was taking place regarding the eight sites mentioned? Is it at all possible that the Taoiseach could not have been aware a full four weeks later, on 28 February, that it was the intention to move towards the invitation to tender to each of the selected interests by early March?

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

Caoimhghín Ó Caoláin: All of that information is contained in the response to Question No. 867 from the Minister for Health and Children, Deputy Harney, the former Tánaiste. It does not hold much weight that the Taoiseach could not have known of such an important intent on the part of a key Minister and Ministry within his Cabinet and Government. How can the Taoiseach reconcile such a proposal? Why, even at this point, can he not give an assurance not to commit the State and future Government to a set of contracts, one or more depending on whatever number of the eight designated sites will move towards that within the coming weeks? Does the Taoiseach not believe it is wrong of him and his Government to commit this State and future Government to contracts that he, this Government, the Department of Health and Children and the Health Service Executive cannot currently deliver, and with a general election pending? That is not acting in the public interest, apart from the fundamental flaw in the very notion of co-location and the reality of closing the potential to develop public hospitals on public sites into the future.

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

Caoimhghín Ó Caoláin: That, in effect, is what he will be doing.

The Taoiseach: I think the Deputy is confused on the issue. The policy of co-location was enunciated in July 2005. There is no confusion about the policy. The question I was asked on 28 February was about the contracts. I am not involved in the detail of the contracts. I do not involve myself with any of the agencies about the stage of contract and negotiation they are in. I have no knowledge today, nor had I then, of the stage the contracts are at. The contracts are being dealt with by the negotiators in the HSE and I do not know whether they will be finished this week, next week or in six months' time. They have told me they will issue an invitation to tender to selected bidders at the end of this week or early next week. That will be in March. Where they go from there will be a matter for their negotiations but the Minister for Health and Children said today she expected some of those would be finished at the end of April. The overall issue on co-location is to achieve one central purpose, namely, to improve the services for all patients, particularly public patients at public hospital campuses.

For many years, which I do not think people quite understand, we have had 2,500 private beds in public hospitals ring-fenced for privately insured patients. In addition many public beds have been used for private patients. We have excessive use of the public hospital beds for private fee earning by consultants. That has been the system for decades. This system has reached its limits and it simply must change. Since we

enunciated the policy in summer 2005 we have said we want all the beds in public hospitals to treat all patients and we have moved on the first 1,000 of those. We will free up many of these beds by inviting the private sector to invest in new hospital facilities in a planned way and a way that integrates services in public hospital sites and protects the public interest. We believe this is an innovative way. We are not saying it is the first place in the world to do it because many others have done it.

We believe it is a good solution under a number of headings. In value for money, it will achieve new public beds at less than half the cost of direct construction of equivalent beds. That seems like a good idea to us. As we know from our own experience it takes years on end to try to get a public hospital from the time it starts to the time it is constructed, commissioned and staffed. By doing this we could get 1,000 public beds in operation far more quickly. The best commercial terms will be paid to the State for leasing the land. Nothing will be given away.

The second position is the speed of building. The private sector has a track record of building quickly. I have been criticised several times on Leaders' Questions as to why we can build in the private sector but cannot do it in the public sector. It is true. We have all the procurement and other arrangements, but we cannot do it as fast. That is a second good reason.

The third reason is that it is a new source of investment in health. The new private-sector investment will complement our public health capital programme, which is already the highest in the world as a proportion of national income. With billions of euro being invested in international property every year there is nothing wrong with channelling private investment into health. The next reason is that it gives equity for all patients. All admissions to a public hospital will be on the basis of medical need and all beds will be routinely available for public patients. As well as availability of new services the public sector will be able to purchase services from private providers at discounted prices. We believe all of those are good ideas, which will dramatically assist the public patient. That is the reason we are pressing ahead with this.

Caoimhghín Ó Caoláin: What evidence does the Taoiseach have to support the proposition he now defends — the notion and idea mooted by the Minister for Health and Children, Deputy Harney, and the Progressive Democrats? With his declared position the Taoiseach has now become a champion for it. Regardless of the position on leasing or selling, does the Taoiseach not recognise that this is a DBO — design, build and operate? Ultimately these people will have control. Is the Taoiseach not aware that the entire motivation behind this is profit-driven and has nothing to do with the delivery of care? Is he aware that all the Opposition parties in this

House are opposed to the proposition that is presented with one voice by the Government? Is he aware that he has no mandate for this proposal? The proposition did not appear in either of the manifestos of the Fianna Fáil or Progressive Democrats parties prior to the last general election.

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

Caoimhghín Ó Caoláin: Is the Taoiseach aware that nowhere within the health strategy or the programme for Government was there any reference to it and yet today he is again prepared to indicate a willingness to sign contracts that will bind future Governments and the State into arrangements with people whose intent is to create a whole new stratum of private, profit-driven health care in this jurisdiction? For the Taoiseach to suggest for one moment that this is about creating greater equity—

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

Caoimhghín Ó Caoláin: —in the interests of those dependent on the public health services shows how far removed from the reality of people's lives he has become. The Government has completely lost its way regarding health care.

An Ceann Comhairle: The Deputy should allow the Taoiseach to respond.

Caoimhghín Ó Caoláin: There is nothing he can do to assuage the fears of eminent consultants and those at the coalface of the delivery of health care who continually state in the case of this proposal that the Government has no clothes—

An Ceann Comhairle: I ask the Deputy to resume his seat and allow the Taoiseach to respond.

Caoimhghín Ó Caoláin: —and no basis for the proposition.

The Taoiseach: I do not really understand the Deputy's argument, but I will give him my answer having listened carefully to him. He asked me on what basis do we judge it. We base it first on international experience where Sweden, Germany, France, Spain, UK, Australia and others operate this system. In the past few years we have successfully brought into our health service, for both public and private, 7,500 nursing home beds, which we otherwise would not have, by having private investment in the service. We would be in a very difficult position if we did not have that today. I base it on the view of already having so many private hospitals in the State that operate very effectively. Many of them have been doing it for many years. I base it on the operation of the National Treatment Purchase

Fund, which we only introduced a few years ago and which is catering for 50,000 public patients who are getting the benefit of a private service. All of those provide good enough evidence for me.

This is where I do not understand the Deputy's argument. He claims that consultants tell him this will not work because they do not see it as providing equity. I suppose a consultant receiving the income from beds in a public hospital that are designated and ring-fenced as private would hold that view. I understand the argument from the Deputy's point of view — to protect the consultants in that position. I have nothing against the consultants.

Caoimhghín Ó Caoláin: Nice one, Taoiseach. I do not believe he will sell that to anyone.

The Taoiseach: I am trying to create the facilities in public hospitals to give more beds for public patients so public patients can get equity, good service and good medical staff. As I said when this came up the last day, I do not object to the same consultants also working in the collocated site in their private capacity. I object to public patients not being able to get into a public hospital because a large amount of the beds, fully subsidised by the taxpayer, are not open to public patients.

Mr. Stagg: They are open to public patients. The Taoiseach is wrong.

Ms McManus: We are all public patients.

(Interruptions).

An Ceann Comhairle: Allow the Taoiseach to speak without interruption.

Mr. Stagg: The Taoiseach is wrong.

An Ceann Comhairle: The Deputy is not a member of Sinn Féin. This is Deputy Ó Caoláin's and Sinn Féin's question. The Members are not even in the Sinn Féin Party and should allow Deputy Ó Caoláin to hear the answer to his question. Allow the Taoiseach to speak without interruption.

The Taoiseach: This is the position that has operated for decades since the Health Act 1948.

Ms Lynch: Now the Government wants consultants to be bilocated.

The Taoiseach: I am answering Deputy Ó Caoláin. I know the Labour Party view. It has a different position and I know what it is at in this. It is not about public and private patients.

Ms McManus: The Taoiseach does not know anything about anything.

The Taoiseach: It wants to protect another issue and I will deal with that on another day.

Ms Burton: What is the Taoiseach talking about?

(Interruptions).

An Ceann Comhairle: It is Deputy Ó Caoláin's question.

Mr. Stagg: What is the issue?

An Ceann Comhairle: Allow the Taoiseach to speak without interruption.

The Taoiseach: We are trying to make a fair system in public hospitals.

Ms Lynch: I could do better.

The Taoiseach: I believe we can do that this way very quickly. If we wait and take the long option of trying to provide 2,500 public beds on standalone sites, our experience is that it would take an age. We will continue as we are. Ireland and Norway have the highest expenditure on capital projects in the health service. To do it quicker would be to take 1,000 of the 2,500 private ring-fenced beds—

Mr. Howlin: Tax breaks.

Mr. Stagg: They are not ring-fenced.

The Taoiseach: —that are highly subsidised and to put them on collocated stances.

Mr. Stagg: It is illegal to ring-fence them.

The Taoiseach: The Labour Party asked a question but it does not want to hear the answer. It continues to interrupt. It is a sore issue for the Labour Party to find itself in a position — I can understand its argument but it will not say it—

Mr. Stagg: What is the Taoiseach on about?

The Taoiseach: The Labour Party went along with it. I meet the trade unions too and I know the Labour Party's argument, but Deputy Ó Caoláin has a different argument.

Ms McManus: It is pathetic that people are suffering because they cannot get hospital services.

The Taoiseach: Hecklers should not be allowed in.

An Ceann Comhairle: Sorry, Deputy, it is a Sinn Féin question. The Deputy is not the leader of Sinn Féin and she is not entitled to intervene. The Taoiseach to respond without interruption, please.

Mr. Cowen: The Deputy is highly unlikely to heed that suggestion.

The Taoiseach: I ask Deputy Ó Caoláin, as a reasonable person, to look at the argument. If we take 1,000 public beds and improve on that number in a short period, the consultant staff, about whom the Deputy said he is concerned, will still have the private beds but we will have more beds in co-located sites. There is no difficulty with that. The system will work perfectly well. It works well at present in a range of public and private hospitals and co-located hospitals. I have watched it work well for years and there is no difficulty.

Mr. J. O'Keeffe: The Government had its chance.

The Taoiseach: I ask Deputy Ó Caoláin not to join the ideological view. The issue is about maintaining private beds in a public hospital, totally subsidised, while at the same time public patients—

Ms McManus: Tax breaks—

The Taoiseach: That is what the issue is and I do not understand how the Deputy finds himself in that argument.

(Interruptions).

An Ceann Comhairle: Sorry, Deputies, the Chair appeals to Members to in future have orderly Leaders' Questions.

Mr. Stagg: The Taoiseach—

An Ceann Comhairle: Deputy Stagg, the Chair is speaking. Seven minutes are allotted for each question. The leaders of each of the parties take up the seven minutes, then they allow their members to interrupt and do not allow the member of Government, in this case the Taoiseach, to respond. The Chair will have to take action—

Mr. J. O'Keeffe: The election will take action.

An Ceann Comhairle: —and ask Members who interrupt to leave the House if they do not behave in an orderly manner.

Requests to move Adjournment of Dáil under Standing Order 31.

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

Mr. O'Dowd: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, that Our Lady of Lourdes Hospital and Louth County Hospital have been seriously underfunded for two years

and that local managers expressed grave concerns at this fact almost a year ago and that recently Mr. Patrick Kinder, chairman of the maternity services task force, said there was an urgent need to review staffing levels and accommodation needs of Our Lady of Lourdes Hospital in view of the serious risk posed by lack of full-time staff.

Mr. Broughan: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of local national importance, namely, that the Minister for Justice, Equality and Law Reform urgently responds to the Stardust relatives and victims committee regarding a memorandum submitted to him and the Taoiseach in November 2006 requesting the establishment of a commission of investigation into the appalling tragedy which cost 48 young lives at the Stardust night club, Artane, Dublin 5, and that the Minister immediately indicate when he intends to appoint a so-called eminent legal person to review all the new evidence relating to the Stardust disaster and if the Taoiseach will make an urgent statement on the matter. There are only a few weeks left of this session, perhaps four or five, and as it is an issue in his area—

An Ceann Comhairle: Sorry, Deputy.

Mr. Broughan: —the Taoiseach may wish to address it.

Aengus Ó Snodaigh: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of urgent national interest requiring urgent consideration, namely, on the fourth anniversary of the illegal invasion of Iraq, 78% of Iraqis now oppose the President of the US and allied troops, 69% believe their presence makes the security situation worse and the man famous for toppling the statue of Saddam Hussein in 2003 has said the Americans are worse than the dictatorship, every day is worse than the previous and the scale of the civilian death toll, which now stands at nearly 60,000, and the urgent need for the Government to reverse its alliance with the US Administration in the so-called war on terror and, in particular, the war on Iraq, by ending the use of Irish airports and airspace by US military and intelligence agencies.

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

Order of Business.

The Taoiseach: It is proposed to take No. 12, Health Bill 2006, motion to instruct the committee; No. 17, Health Bill 2006 — Order for Report, Report and Final Stages; and No. 4, Asset Covered Securities (Amendment) Bill 2007 —

Order for Second Stage, Second and Subsequent Stages.

It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 8.30 p.m. tonight and business shall be interrupted not later than 11.30 p.m.; the proceedings on No. 12 shall, if not previously concluded, be brought to a conclusion after 65 minutes and the following arrangements shall apply: the speeches shall be confined to a Minister or Minister of State and to the main spokespersons for the Fine Gael Party, the Labour Party and the Technical Group, who shall be called upon in that order, who may share their time, and which shall not exceed 15 minutes in each case; a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes; Report and Final Stages of No. 17 shall be taken today and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 9.30 p.m. tonight by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for Health and Children; Second and Subsequent Stages of No. 4 shall be taken tonight and the following arrangements shall apply: the proceedings on Second Stage shall, if not previously concluded, be brought to a conclusion at 11 p.m. tonight; the speeches of a Minister or Minister of State and of the main spokespersons for the Fine Gael Party, the Labour Party and the Technical Group, who shall be called upon in that order, shall not exceed 15 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 five minutes; the proceedings on Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at 11.30 p.m. tonight by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for Finance. Private Members' business shall be No. 67, motion re education — school places and class sizes.

An Ceann Comhairle: There are four proposals to be put to the House. Is the proposal for the late sitting agreed? Agreed. Is the proposal for dealing with No. 12, motion to instruct the committee in regard to the Health Bill 2006, agreed? Agreed. Is the proposal for dealing with No. 17, Order for Report, Report and Final Stages of the Health Bill 2006, agreed?

Mr. Kehoe: This week seven items of business will be guillotined. We oppose the guillotining of this Bill and requested more time at the Whips' meeting. This is not a fair way to carry out business.

Ms McManus: I express a debt of gratitude to you, a Cheann Comhairle, for ensuring that No. 12 allows for a debate of just over an hour on a very sizeable change in the form of amendments on Report Stage, which covers 28 pages. Were it not for your requirement for a debate—

An Ceann Comhairle: It was a requirement of a Standing Order of the House.

Ms McManus: It was at your initiative, as I understand it, as a result of the antics of the Minister for Justice, Equality and Law Reform. We now have, in the area of health, a position where major changes are being proposed to a Bill on Report Stage, yet it is being guillotined tonight. We are opposed to such antics by the Minister for Health and Children where amendments are coming forward which we would like to support in regard to the Freedom of Information Act and in regard to protection of whistleblowers, but we are not being given the chance to scrutinise them properly and to do our job to protect the public interest.

Extraordinarily, an item relating to the right to get married in one's own home has been tagged on to the Health Bill, the purpose of which is to set up HIQA. The only reason it is being tagged on is that the Government took that right away in 2004 when it introduced new legislation. This

is not the way to produce legislation that is robust and serves a public interest. We are opposed to the guillotining of this Bill and urge the Government to understand the importance of the work of this House. We have just listened to the Taoiseach tell us fairytales. We are in a position where we are preparing to guillotine legislation even though we have not had a chance to ensure that legislation is constitutional and will deliver what it promises. We are opposed to guillotining the Health Bill 2006.

Mr. Sargent: On behalf of the Green Party, I add our opposition to the guillotine on the Health Bill 2006. This is a complex Bill and one that has so many aspects that it deserves to be taken in more detailed and more focussed way. The Government is trying to hide what it contains, instead of revealing by debate.

Caoimhghín Ó Caoláin: In the last days before Christmas, in the last days before summer, in the last days of a Government are when we see the increased use of the guillotine for legislation. It is being used once more with the Health Bill 2006. It is not the way to go about business. I oppose the guillotining of the Bill.

Question put: "That the proposal for dealing with No. 17 be agreed to."

The Dáil divided: Tá, 69; Níl, 43.

Tá

Ahern, Bertie.
 Ahern, Dermot.
 Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Blaney, Niall.
 Brady, Johnny.
 Brady, Martin.
 Brennan, Seamus.
 Callanan, Joe.
 Callely, Ivor.
 Carey, Pat.
 Carty, John.
 Cassidy, Donie.
 Cooper-Flynn, Beverley.
 Cowen, Brian.
 Cregan, John.
 Cullen, Martin.
 Curran, John.
 Davern, Noel.
 de Valera, Síle.
 Dempsey, Tony.
 Dennehy, John.
 Devins, Jimmy.
 Ellis, John.
 Finneran, Michael.
 Fitzpatrick, Dermot.
 Fleming, Seán.
 Gallagher, Pat The Cope.
 Glennon, Jim.
 Grealish, Noel.
 Harney, Mary.
 Haughey, Seán.
 Hoctor, Máire.

Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.
 Kelly, Peter.
 Killeen, Tony.
 Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 McDowell, Michael.
 Moloney, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Éamon.
 Ó Feargháil, Seán.
 O'Connor, Charlie.
 O'Donnell, Liz.
 O'Donoghue, John.
 O'Donovan, Denis.
 O'Flynn, Noel.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Sexton, Mae.
 Smith, Brendan.
 Smith, Michael.
 Treacy, Noel.
 Wilkinson, Ollie.
 Woods, Michael.
 Wright, G.V.

Níl

Allen, Bernard.
Boyle, Dan.
Breen, James.
Broughan, Thomas P.
Bruton, Richard.
Burton, Joan.
Connaughton, Paul.
Connolly, Paudge.
Costello, Joe.
Crowe, Seán.
Cuffe, Ciarán.
Deenihan, Jimmy.
Durkan, Bernard J.
Enright, Olwyn.
Ferris, Martin.
Gilmore, Eamon.
Gregory, Tony.
Higgins, Joe.
Higgins, Michael D.
Howlin, Brendan.
Kehoe, Paul.
Kenny, Enda.

Lynch, Kathleen.
McGrath, Finian.
McGrath, Paul.
McHugh, Paddy.
McManus, Liz.
Mitchell, Olivia.
Murphy, Catherine.
Naughten, Denis.
Neville, Dan.
Ó Caoláin, Caoimhghín.
Ó Snodaigh, Aengus.
O'Dowd, Fergus.
O'Keeffe, Jim.
O'Shea, Brian.
O'Sullivan, Jan.
Quinn, Ruairí.
Sargent, Trevor.
Sherlock, Joe.
Stagg, Emmet.
Stanton, David.
Timmins, Billy.

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

Question declared carried.

Question, "That the proposal relating to Second and Subsequent Stages of the Asset Covered Securities (Amendment) Bill 2007 be agreed to", put and declared carried.

Mr. Kenny: Next week is an important and critical date in respect of the St. Andrews Agreement and the Good Friday Agreement. I understand the Chancellor of the Exchequer in Britain is to make a statement in respect of some further allocations of funding to deal with the implications of the setting up of the Assembly. Is it envisaged that the Government, even possibly at the weekend, might be inclined to issue a statement in respect of some of these major developments, be it the North-South interconnector, the road to Derry, the Erne canal or whatever, further than the commitments already made by the Minister for Finance? I share the Taoiseach's view on the restoration of the Assembly and support the Government's activities in that regard. I hope the parties involved will ensure that happens. Is it intended to issue a further statement in that regard?

Deputy Bruton and the Minister for Finance, Deputy Cowen, referred to the legislation covering the tax code, especially in regard to stamp duty. Does the Taoiseach intend to introduce any reforms in that regard?

The Taoiseach: No legislative change is planned in regard to stamp duty. On the first issue, ongoing discussions are taking place between ourselves and the Chancellor of the Exchequer on how to deal with these matters. Whatever we do will probably have to be resolved within the next 24 hours or so. As the Deputy is aware, the meetings are scheduled for Friday and Saturday morning and we are trying

to come to a conclusion on this matter. Whether more resources will be required, we have already completed Derry Airport and a number of issues were addressed in the national plan. All the parties have requested that we try to move further and these issues are being discussed.

Ms McManus: Will the Taoiseach clarify whether we will proceed with two pharmacy Bills? The original Bill proposed was a much shorter one and much of the second pharmacy Bill has been incorporated into the new Bill. Does that mean the Pharmacy (No. 2) Bill is now no longer included in the legislative programme?

The Taoiseach: The Pharmacy (No. 1) Bill will be taken in this session. I do not have a date for the Pharmacy (No. 2) Bill, but it will not be dealt with in the foreseeable future.

Mr. Sargent: I take it that section A of the list of promised legislation is the only one worth talking about in reality, given the timeframe of this Dáil session. I wish to ask about two Bills on that list, the first of which is the Charities Bill. That Bill was first promised in the Costello report in 1990. Is there any prospect of it being taken in this session, given the number of hospitals, in particular, that are fundraising as charitable institutions?

An Ceann Comhairle: Deputy Sargent should confine himself to the legislation.

Mr. Sargent: The second item of legislation to which I refer is the Electoral Bill. Given that he might need to think about it, perhaps the Taoiseach will reply on this matter tomorrow. The number of EU citizens other than Irish and British citizens who do not have votes in this country—

An Ceann Comhairle: The Deputy cannot discuss the content of the Bill. The Taoiseach to reply on these two items of legislation.

Mr. Sargent: That is why I suggested we might hear about it tomorrow during statements on the European Council.

An Ceann Comhairle: This matter will not arise tomorrow either.

Mr. Sargent: It might.

The Taoiseach: The charities Bill will be published this session, and I hope that we will be able to initiate it, although whether we can pass it before the summer is moot, given its size and complexity. We will certainly publish it, and I know that the Minister would like to take it. It depends on whether we can reach agreement between now and the summer. The electoral Bill has already been published.

Mr. Durkan: A Bill was promised to consolidate the Minerals Development Acts and to update legislation in line with reform proposals to deliver better government. The expected publication date is 2007. Will the Bill come before, after or during the general election?

The Taoiseach: The minerals development Bill is listed for 2007. Its heads have already been approved, and it has been sent for full drafting.

Mr. Howlin: I wish to ask about the Criminal Justice Bill 2007 published last Thursday. It is scheduled to be taken on Thursday and Friday of this week, with six hours allowed for the entire Second Stage. More alarmingly, I was informed today that the Committee and Report Stage amendments must be tabled by 11 a.m. on Friday. Some Deputies will have received the Bill only today. It is 128 pages long and fundamentally changes the criminal justice system. We have not begun to debate it.

An Ceann Comhairle: It is not on today's Order Paper.

Mr. Howlin: Regardless of the Order Paper, the normal practice is that we have a fortnight to consider a Bill. Despite that, many Deputies will have received the Bill in question only today. We will have a Second Stage debate, and not even all the spokespeople will be able to contribute on Thursday.

An Ceann Comhairle: The Deputy has made his point.

Mr. Howlin: I have not finished. Some of the debate will be decanted into Friday, which is not a normal sitting day, and the Bill is to be guillotined. By Friday, we will have had to have Committee Stage and—

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

Mr. Kehoe: Yes, it does.

An Ceann Comhairle: Not today. It will arise on Thursday morning.

Mr. Howlin: Perhaps I might put this to the Ceann Comhairle. The only circumstance in which his office might require Report Stage amendments to be tabled by next Friday would be a guillotined Committee Stage in the House. If it were envisaged that the Bill go to the select committee in the normal way, we would have a normal Report Stage. However, if Committee and Report Stage amendments are required to a Bill that we have only just received, we will be incapable of addressing any issues that arise during the debate, since we will hardly have started. This legislation is fundamental, and I ask the Taoiseach to grant us enough time for a Committee and Report Stage debate on the matter.

The Taoiseach: I understand the point and will ask the Whip to speak to the Tánaiste and Minister for Justice, Equality and Law Reform, Deputy McDowell. I know that the Deputy is unhappy regarding the time allowed for Second Stage, but I assume that allowing time for a Committee and Report Stage would go some way towards addressing his concerns.

Caoimhghín Ó Caoláin: With SIPTU once again highlighting disgraceful and worsening conditions—

An Ceann Comhairle: We will move on to the next business if the Deputy does not have a question appropriate to the Order of Business.

Caoimhghín Ó Caoláin: —for workers in the building industry, will the Government introduce the employment law compliance Bill? The abuse of workers' rights is disgraceful.

The Taoiseach: It has been listed as a priority.

Message from Seanad.

An Ceann Comhairle: Seanad Éireann has passed the Prisons Bill 2006, without amendment.

Messages from Select Committees.

An Ceann Comhairle: The Select Committee on Finance and the Public Service has completed its consideration of the Statute Law Revision Bill 2007, and has made amendments thereto.

The Select Committee on Enterprise and Small Business has completed its consideration of the Consumer Protection Bill 2007, and has made amendments thereto.

The Select Committee on Social and Family Affairs has completed its consideration of the

Social Welfare and Pensions Bill 2007, and has made amendments thereto.

The Select Committee on the Environment and Local Government has completed its consideration of the Carbon Fund Bill 2006, and has made amendments thereto.

Health Bill 2006: Instruction to Committee.

Minister for Health and Children (Ms Harney):

I move:

That, pursuant to Standing Order 170, Standing Order 125 is modified to permit an instruction to the Committee to which the Health Bill 2006 may be recommitted in respect of certain amendments, for which it has power to make provision in the Bill in relation—

(a) to protection—

(i) for employees from victimisation by employers, and

(ii) for all persons from civil liability

where those employees or persons make disclosures, in accordance with certain procedures or in certain circumstances, in respect of actions that—

(I) pose a risk to the health or welfare of persons, or

(II) lead to a substantial waste of public funds,

(b) to applying Schedule 3 of the Freedom of Information Act 1997 to confidentiality provisions in specified Acts and regulations, and

(c) to the Civil Registration Act 2004 to allow marriages to be solemnised in a place that is not open to the public in particular circumstances.

I thank the Ceann Comhairle and the House for allowing a debate on those issues, which are to be dealt with in the Health Bill 2006. I had intended to introduce the amendments regarding the first two issues on Committee Stage but was advised that they were outside the Bill's scope. The third issue, which relates to the Civil Registration Act 2004, is a technical amendment. However, it has serious implications for a very small number of people and must be dealt with urgently, as I will outline shortly. It is therefore necessary to take the opportunity offered by this Bill to introduce that amendment.

I propose to amend the Health Bill to insert section 101 to introduce legislation to provide for protected disclosure in the health sector. The section inserts into the Health Act 2004 a new Part that makes provision regarding the protected disclosure of information. The term "protected disclosure" means that where a person makes a disclosure in good faith in accordance with the provisions of the legislation, that person is protected from civil liability. If the person is an

employee in an organisation providing a health service, he or she is protected from victimisation by employers where making a disclosure in good faith in accordance with the provisions of the legislation.

In addition, any person who makes a report to a professional regulatory body can benefit from those provisions. However, to ensure that the provisions are not abused, the protections do not apply where the person making the disclosures does so knowing that the disclosure is false or misleading or where he or she made the disclosure recklessly without regard to whether it was false or misleading, frivolous or vexatious.

The legislation requires the Health Service Executive and certain health corporate bodies to establish procedures so that employees can report matters of concern where patients may be put at risk, there is waste of public funds, or legal obligations are not being met. In the case of the Health Service Executive, I am amending the 2004 Act to provide that the procedures be included in the HSE's code of governance, which of course must be approved by the Minister.

The HSE's procedures apply to service providers and any other person receiving assistance from it under section 39 of the 2004 Act or section 10 of the Child Care Act 1991. However, a service provider may, subject to the agreement of the HSE, establish its own procedures.

The procedures must provide for the appointment of an authorised person to whom employees can make reports. The authorised person must investigate the report and may refer the matter to one of the regulatory bodies listed in Schedule 2A or to a profession's regulatory body or, if he or she is of the view that a criminal offence has been committed, to the gardaí.

The provisions also allow for the continuation of investigations by the authorised person or another person appointed by the person in charge of the body where matters have been referred to the regulatory or professional bodies or the gardaí. That is to enable the relevant body to deal with any disciplinary matters that may arise from the disclosure. The employees of relevant bodies must use the established procedures if they wish to obtain protection under the legislation. Relevant bodies are defined under the Bill as the Health Service Executive; a service provider; any other person receiving assistance in accordance with section 39 or section 10 of the Child Care Act 1991; or a body established under the Health (Corporate Bodies) Act 1961.

The scheme also provides that the protections and sanctions apply to employees of private nursing homes who report matters to the Chief Inspector of Social Services and employees of private psychiatric hospitals who report matters to the Inspector of Mental Health Services. Any person who reports a matter to a professional regulatory body is also protected from civil liability under these provisions. The professional regulatory bodies are defined in the Bill as An

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Bord Altranais, the Dental Council, the Health and Social Care Professionals Council, the Medical Council, or the Pharmaceutical Society of Ireland.

If that person is an employee he or she is protected under section 551 from victimisation, whether he or she is working in a public sector or a purely private sector operation, as the definition of employee is sufficiently broad to cover both sectors. It should be noted that the definition of employee also covers those placed for the purpose of vocational training and those who work for agencies providing staff for health service providers.

In addition, where a person makes a disclosure to an authorised person of the Health Information and Quality Authority, or the chief inspector of social services, or the inspector of mental health services in the course of the performance of their functions, such disclosures, subject to the conditions set out in the legislation, are deemed protected disclosures.

Section 55A sets out the definitions for this Part. Sections 55B, 55C, 55D, 55E, 55F and 55G set out the circumstances in which a disclosure may be considered a protected disclosure, which I have already outlined. Section 55H obliges the executive and certain other relevant bodies to establish procedures to deal with protected disclosures. Section 55I sets out that it is a condition for those providing a service on behalf of the executive, or receiving assistance from the executive, to adhere to the executive's procedures or to the procedures they establish with the agreement of the executive. Section 55J sets out the obligations of relevant bodies in dealing with protected disclosures.

Section 55K stipulates that employees of relevant bodies may only make disclosures and attract the protections under this legislation if they comply with the established procedures, or if they are making a report to a professional regulatory body or to an authorised person of the Health Information and Quality Authority, or the chief inspector or mental health services inspector. However, this section provides that an employee of a relevant body may make a disclosure directly to one of the regulatory bodies listed in Schedule 2A if: the employee has reasonable grounds to believe that the immediate reference to that body is justified by reason of the urgency of the matter to which the disclosure relates; or the employee has reasonable grounds to believe that there has been no investigation of the matter; or if an investigation has taken place that there has been no action or recommended action on the matter to which the disclosure relates.

Section 55L provides for protection from civil liability of any person making a protected disclosure. Section 55M sets out the provisions for the protection of employees from victimisation for making protected disclosures and the procedures for seeking a remedy from a rights commissioner

or the Labour Court where an employee alleges that they are being victimised for making a disclosure. Section 55N deals with matters concerning the proceedings of the Labour Court in respect of this legislation.

Section 55O deals with the enforcement of Labour Court decisions. In particular, it provides that if an employer fails to carry out a determination of the court, an application can be made to the Circuit Court and the Circuit Court can apply interest penalties in addition to the amount of compensation decided by the Labour Court.

Section 55P is a technical provision regarding evidence and attendance at a hearing of the Labour Court. Section 55Q sets out in more detail what the term penalisation means. Section 55R is a technical provision ensuring that a change of ownership of a business does not frustrate the provisions of the legislation. Section 55S makes it an offence to make false reports and provides for the prosecution of such offences. Section 55T provides that the legislation will not affect the Protections for Persons Reporting Child Abuse Act 1998. That Act provides protection from victimisation and civil liability for persons reporting the abuse of children.

The introduction of protected disclosure provisions in the health sector will result in greater public confidence in the safety and quality of our health care and social services. We need to promote a culture of openness in the health service where health service employees are encouraged to raise any concerns in regard to the safety and welfare of patients. The provisions we will look at today will improve the level of protection provided to employees in the health service who raise such concerns in good faith.

The provisions also ensure consistency of approach throughout the health service in regard to procedures for the protected disclosure of information by employees. Moreover, the provisions will support the existing statutory frameworks governing health professionals and those proposed in the Medical Practitioners and Pharmacy Bills.

I will now deal with the amendment of the Third Schedule of the Freedom of Information Act 1997. The Bill provides for the application of freedom of information legislation to the Health Information and Quality Authority. All its records will come within the scope of that Act and the public will have rights of access as defined within the Freedom of Information Act. The provisions of the Bill, as published, also ensure clarity regarding the transfer of records and the preservation of rights concerning existing records and current staff of the Irish Health Services Accreditation Board and the social services inspectorate.

I take the opportunity presented by this legislation to update the Third Schedule of the Freedom of Information Act 1997 with regard to non-disclosure clauses within other health legislation. Certain health legislation provides for confiden-

tiality provisions which, if they are not listed in the Third Schedule of the Freedom of Information Act, mean that they take precedence over that Act. I am therefore including a range of Acts and regulations in the Third Schedule. I am also providing that where legislation to establish statutory bodies places an explicit duty of confidentiality on staff and others, that legislation will be included in the Third Schedule of the Freedom of Information Act. This is to remove any doubt as to the application of the Act to these bodies.

The list proposed in the amendment arises from the most recent review of health legislation by my Department, which has identified a number of confidentiality clauses not listed in the Third Schedule and which should be so listed to remove any doubt as to the application of freedom of information rights of access. Most are staff confidentiality clauses within legislation to establish new bodies. Others arise from the transposition of EU directives that require confidentiality in the acquisition of commercially sensitive information. These changes stem from a formal review under section 32 of the FOI Act. They reflect the recommendations of the information commissioner and the report of my Department to the Oireachtas Committee on Finance and the Public Service.

The first part of the amendment concerns primary legislation. The amendment lists the staff confidentiality clauses within the legislation establishing the Health Insurance Authority, the Food Safety Authority of Ireland, and the Office of Tobacco Control. The amendment also ensures that the strict confidentiality of the work of the health repayments scheme appeals office does not prohibit the consideration of FOI access in appropriate circumstances.

The second part of the Schedule relates to secondary legislation. The amendment lists the staff confidentiality clauses within the statutory instruments establishing the following: the Crisis Pregnancy Agency; the National Council for the Professional Development of Nursing and Midwifery, the Health Research Board, the National Haemophilia Council, the National Health Council on Aging and Older People, the National Social Work Qualifications Board, the National Treatment Purchase Fund Board, the Pre-Hospital Emergency Care Council, St. James's Hospital board, St. Luke's Hospital board, and the Women's Health Council. The amendment also clarifies that the confidentiality of the patient record within a nursing home does not prohibit the consideration of access to information under the provisions and protections of FOI.

The remaining non-disclosure clauses listed in this part of the amendment arise from the transposition of EU directives that contain specific protections for commercially sensitive information. Inclusion of these in the Third Schedule means that, while the commercial sensitivity of the information will be recognised, the provisions

of the FOI Act can apply in so far as the original directive permits. The information commissioner has recommended that these be included in the Third Schedule for this purpose and I agree with this approach.

The proposed amendments to sections 51 and 52 of the Civil Registration Act 2004 arise from the urgent need to continue to facilitate the marriage of seriously or terminally ill people who, by reason of their illness, are unable to travel to a public venue for their marriage. The current legislation, which makes provision for special arrangements for the marriage of persons who are seriously ill, is due to be repealed on the commencement of the marriage provisions, Part 6, of the Civil Registration Act 2004, which will take place within the next few months.

Section 52(1) of the new Act provides that a marriage may be solemnised at a venue chosen by the parties to the marriage with the agreement of the registered solemniser and, in the case of a civil marriage, the approval of the authority — that is, the Health Service Executive.

Section 51 of the Act makes it a substantive requirement for all marriages that they take place in venues which are open to the public. In other words, it is one of the requirements for the validity of a marriage. Recent legal advice received by my Department indicates that section 51, as currently worded, may cause difficulties concerning the solemnisation of the marriages of people who are seriously ill, which occasionally take place in their own homes or in hospices. The effect of the proposed amendment to section 51 is to remove the requirement that the venue be open to the public in cases where a medical report has been furnished confirming that one or both parties are unable to attend such a venue due to illness. The effect of the proposed amendment to section 52 is to remove the requirement that Health Service Executive approval is required for venues in such cases which involve civil marriages. Such marriages could then continue to be solemnised in private homes or other such venues as required, subject to the agreement of the registered solemniser who is performing the ceremony and the approval of a superintendent registrar or an tArd-Chláraitheoir. The amendment would secure the constitutional right to marry of persons in such circumstances and avoid these tragic situations being exacerbated by the stress of uncertainty over the legal rights of partners and children.

Apart from the urgent need to secure the right of people to marry in these circumstances, this amendment is urgently needed to ensure the smooth commencement of the remainder of Part 6 of the Act. If this issue is not dealt with now, the commencement of Part 6 as it currently stands could either prevent the marriages of seriously ill people or place in doubt the validity of such marriages, if they proceeded. Alternatively, the commencement would have to be delayed to facilitate discussion of this issue at a later date. Such a

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delay would, in turn, impede the modernisation of the marriage registration service, as envisaged by the Act, and prevent other couples from having civil marriage ceremonies at venues other than registry offices, which the Act also permits for the first time.

I thank the House for considering these matters and move that the amendments be discussed as part of the Bill.

Dr. Twomey: Would this legislation protect me if I were to send the Minister for Health and Children, Ms Harney, a letter detailing the concerns expressed to me by a constituent regarding practices in a hospital, nursing home or health care facility in County Wexford? I think the answer to that is “no”. The Deputies and Senators of Oireachtas Éireann are not considered trustworthy enough to be covered by this legislation. People trust us, to some degree, as public representatives, to carry information on their behalf with a certain amount of protection from the State to help look after their interests.

Information given to me as a Deputy may be false and this is something that we must be wary of. Under this legislation it will not be possible to get protection when a constituent passes on information without announcing it in public as a parliamentary question that receives parliamentary protection. I will not be able to write to the Minister requesting she explore concerns expressed to me by a constituent at a clinic. The Minister is suggesting that people with concerns, for example in Wexford or the south east, must instead make their complaints about a person in a health care facility to an individual in an office who may work with or be married or related to the person in question. The Minister is not that stupid and knows that it will not be long before issues of confidentiality relating to who has come before a deciding officer come down the grapevine.

The legislation relating to whistleblowers is useless and not worth the paper on which it is written. People will not be willing to approach a person in the structures the Minister has established, though they will receive whistleblowers' protection. The Minister should have learned from the Leas Cross matter, though it is clear she has made no inquiries as to what happened in that case. If a person who made complaints about Leas Cross had to adhere to these procedures he or she would have been ostracised by those working for the HSE. The Minister must change this legislation so that people can have access to others who they trust with complaints and to ensure a certain degree of anonymity in the system.

The Minister must have a contract with the HSE. If a general practitioner, GP, trainer went to the HSE suggesting his or her trainee had an alcohol problem there could be a risk because, to the best of my knowledge, the GP trainers who

train the next generation of Irish GPs have no contract with the HSE. If GP trainers have no contract with the HSE how will the Minister protect them when they express concerns about trainee GPs? If the concerns are expressed in reports that go back to the central office and the information is incorrect they may be subject to legal action. GP trainers cannot protect patients of the future under this legislation because the Minister has no contract with them and is making no effort in this regard. She is blindly letting this happen.

The HSE was set up under the Health Bill 2004 and it took two years for the Minister to sign off on Part 9, the complaints procedure. Regarding Leas Cross, I have seen nothing that gives me confidence that the HSE will not try a cover-up or whitewash if something goes wrong. It is clear that neither the Minister nor Professor Drumm bothered to read the Leas Cross report on protecting patients by Professor Des O'Neill.

Ms Harney: I have read it.

Dr. Twomey: I do not believe the Minister has read it because she has done nothing about the issue. She would not produce this kind of rubbish if she had read the report.

Ms Harney: The Deputy attacked me some weeks ago for engaging in overkill on the matter and said inspections were too severe.

Dr. Twomey: The Minister will occasionally have to think about what people say to her.

Ms Harney: The Deputy suggested we were engaging in overkill on the subject of Leas Cross.

Dr. Twomey: To some degree the HSE did engage in overkill on the matter because it tried to implement standards that had not been signed off. The HSE was on autopilot and when that goes wrong one must be concerned as to what could happen. It is the Minister's job to ensure that these things do not happen.

The Minister has not yet signed off on some of the standards that are being employed in nursing homes across the country, though she had a press conference on them with the usual grandiose statements.

Ms Harney: I did not have a press conference on them.

Dr. Twomey: The Minister did not sign off on them yet they are being used throughout the health service. Is the Minister in charge of the Irish health service? The Minister knows that this legislation will not protect anybody. Senior management, who chose to ignore things going wrong for many years, will not take responsibility for their actions. Usually an unfortunate individual down the line is made a scapegoat and pays the

price for things going wrong. This legislation is more of the same.

The Minister spoke eloquently on the two midwives who bravely stepped forward but her legislation would do little to protect them. They would be expected to approach an individual in Our Lady of Lourdes Hospital, where the problem existed in 1998, to make the complaint. There was significant public support for Dr. Neary when he was exposed because people do not expect such things to happen. The two midwives happened to be in a solicitor's office when they made their statements and the solicitor followed up on them. The midwives are not protected by this legislation and could be charged under it. In this legislation the Minister has failed to protect the midwives she spoke of so much.

Ms Harney: The midwives are protected as things stand as they were not victimised and their complaint was acted upon. The example of the midwives is a good one.

Dr. Twomey: They would not be known publicly.

Ms Harney: They have chosen not to make themselves publicly known.

Dr. Twomey: They went to a solicitor and so had a way to keep their identities hidden. They will not be covered in this legislation to approach a solicitor in the same way because a solicitor is not the authorising officer.

Ms Harney: They contacted the health board which acted on their information.

Dr. Twomey: The Minister agrees the legislation will not even protect those who exposed Dr. Neary and the events at Our Lady of Lourdes Hospital eight years ago.

Ms Harney: They are protected, even under existing law.

Dr. Twomey: They would not be protected under the Bill.

Ms Harney: They would be protected.

Dr. Twomey: I fail to see how that is the case. Perhaps the Minister will explain how the two midwives in question would be protected because my reading of the legislation is obviously wrong. The reason the Bill will fail is that the Minister did not provide an option allowing people to contact a truly independent person. She will not achieve the objective she has set for the so-called amendment on whistleblowers. The provision is a sop to hide her failures in this area over the past eight or nine years during which she has paid scant regard to the protection of patients in the health care system. She is trying to rush through a

number of Bills to prevent her from being exposed as having disregarded patient protection.

The only way to protect patients is to establish a patient safety authority with full responsibility in this area, as the Labour Party and Fine Gael Party have proposed. People would trust such an independent body to inquire into their complaints. The Minister obviously does not like information of this nature entering the public domain. Her failure to establish an independent patient safety authority notwithstanding, one would at least expect her to regard Members of the Oireachtas as suitable authorising persons on condition that they made inquiries in a discreet manner through the appropriate Minister. Deputies do not abuse parliamentary privilege because they respect the institution of the Oireachtas. The Minister could have made such a provision. She failed miserably and has made a lukewarm attempt to cover up the gross failings of the Government in the area of patient safety.

Ms McManus: I have grave concerns about the Government's general policy of pushing legislation through the House at breakneck speed without affording Members sufficient time to obtain legal advice or scrutinise and debate the various changes it proposes. We are paid to do this job but are not being given a chance to carry out our remit. This approach, which is particularly evident in the area of justice, is also notable in the area of health.

The only reason the House is debating this motion for one hour is that the Ceann Comhairle initiated changes in Standing Orders in response to the practice of introducing swathes of amendments on Report Stage. This practice, a characteristic of the Tánaiste and Minister for Justice, Equality and Law Reform, is evident in the amendment to the Health Bill. It prevents Members from ensuring legislation being passed meets needs.

A chunk of amendments has been introduced at the 11th hour to deal with fundamental issues. The right to speak, the right to know and the right to marry are basic human rights but Deputies do not have an explanatory memorandum for the various amendments being proposed. While we received a note, the normal practice in presenting Bills is to provide an explanatory memorandum to inform Deputies and ensure we are on the right track. In the absence of such a memorandum, I must confess that I do not feel sufficiently well equipped to live up to my responsibilities in this regard.

The Labour Party takes seriously the issue of whistleblowing on which it introduced a Bill in 1999. The Government accepted the Bill tabled during Private Members' business and referred it to committee. It has behaved badly since, however, because the select committee has not met to discuss the legislation. Although subsequently included again on the Order Paper, no action has been taken to progress the legislation.

[Ms McManus.]

The Government gave a commitment to provide protection, sector by sector, to allow people to feel safe when reporting something amiss in their sector. If that is Government policy, one would expect it to have a standard template under which the same type of conditions and safeguards for protecting disclosure would apply to each sector. In such circumstances, we would not need to continually reinvent the wheel. Does the health sector have particular requirements which do not exist in other sectors? I do not imagine that is the case. While working in the health sector carries a great deal of responsibility because one deals with life and death, the act of disclosing information to an appropriate person does not vary. The original whistleblowers Bill introduced by my party related to enterprise and employment.

If there is a template for whistleblowing protection, why on earth did the Minister not introduce this amendment, which she knew she would publish, as part of the original Bill? On Second Stage she alerted the House that measures to address this issue were coming down the tracks. This showed a certain incompetence on her part in that she knew what she wanted to do but did not include the relevant provisions in the Bill in the normal fashion so as to enable public scrutiny. Deputies are a small circle. Those affected by this issue have not had an opportunity to make an input to the proposals. Whatever the restrictions applying to Members, those applying to the public at large and people affected by this issue are absolute. Given that the Minister knew what she wanted to do, the question arises as to why the proposals in the amendment were not in the original Bill.

It transpires that the Minister did not have the right to state she would introduce an amendment on Committee Stage because she had no powers to do so. At the end of Committee Stage she informed the select committee that she would introduce the amendment on Report Stage. I believe her admission that she did not have any knowledge about how this was done. Having asked for a short debate, I discovered that the particular requirement was already addressed by Standing Orders. This is not a good way to process legislation.

Deputy Twomey asked whether people can have confidence that the person to whom they are reporting is truly independent. Without such confidence this process will not work. The case of the two midwives who finally blew the whistle after 18 years of practice in the case of Dr. Neary should be salutary. To this day, we do not know their identities and while the Minister may argue that this is by choice, we must ask why they would choose to maintain anonymity after all the good they have done and all the courage they have shown. The reason they choose anonymity is not fear or cowardice but well grounded.

This is an important issue in terms of getting the legislation right. The Labour Party is fully committed to the principle of protecting whistleblowers. We want to support the Minister in extending the Freedom of Information Act to new areas in the health service. As Minister of State at the then Department of Enterprise and Employment, Eithne Fitzgerald did the country a great service when she introduced a Freedom of Information Act that was regarded at the time as living up to a difficult challenge. It has proven to be progressive even though the Government tried to cut back its provisions. The fundamental principle of freedom of information is now established in our culture.

I cannot help but smile when I hear the Minister speak about a culture of openness in the HSE. Problems still exist in that organisation. Even now the culture of openness is more an aspiration than anything else. My colleague, Deputy Moynihan-Cronin, gave me a letter she received from the HSE dated 12 March relating to issues relevant to this Bill. I understand it was couriered to her. This letter was issued in response to her inquiries about nursing home inspections, including such questions as when they would be available and the reasons that some had not taken place. This information was sought by her on 5 December last but no response was forthcoming until 12 March.

There is much tokenism from the Government in regard to openness and transparency but the evidence indicates otherwise. Reference is frequently made to evidence-based practice in the health sector. This is also a good standard for politics. The evidence does not support the existence of a culture of openness and transparency. Extending the freedom of information legislation to the professional bodies or whatever does not necessarily deal with the issue in terms of how the HSE is operating. We all support efforts to ensure there is more access and that the norm is openness rather than concealment. However, the Minister must recognise that we are dealing with a vast organisation — one of the largest employers in the country — that is almost impenetrable not only from without but often also from within. That is what I hear from staff in the health service.

The amendments relating to the registration of marriages cause us to question the competence of the Government. It introduced legislation in 2004 to enable people to get married in more congenial conditions and surroundings. This was a positive initiative and we all supported it. We are still waiting, however, for that legislation to come into operation. One of the most remarkable discoveries in wading through these 30 pages of amendments is that the right people used to have to be married in their own home where, for example, one of the parties suffered from a chronic illness, was taken away by the Government without it even realising it had done so. This was only

brought to its attention because the legislation could not be implemented.

This Bill was originally intended to establish an inspectorate for nursing homes but it became a Bill to establish HIQA. In addition, it now provides safeguards for whistleblowers and also entitles people to get married in their own home. I assume there will be no more surprises. Again, one must question the competence of the Government in providing good legislation. Several of the amendments to the Schedules, for instance, include an asterisk and accompanying note informing us that a “printing error has resulted in incorrect line references”. What standards are applied that we end up with these notes and asterisks? Can these printing errors not be rectified before Report Stage?

This may seem a minor point but one must bear in mind the importance of this Bill. Its original purpose, the establishment of a nursing homes inspectorate, became the new purpose of the establishment of HIQA. I hoped this body would be empowered to deal with facilities across the health sector. I was deeply disappointed, however, to find that hospitals, for example, do not come under HIQA’s remit. It is likely to be something of a toothless tiger if that function is not included from day one.

The Minister, Deputy Harney, does not work out her actions in advance. This is the Minister whose greatest achievement was to force through the establishment of the HSE without adequate planning and preparation and without even a chief executive officer to manage the change. We have been living with the dire consequences ever since.

Ms Harney: What is wrong with the legislation?

Ms McManus: I did not say there is anything wrong with it. Perhaps the Minister is not listening.

Ms Harney: In her assertion that I forced it through, the Deputy implied the legislation is faulty. We would be talking about it still if the Deputy had her way.

Ms McManus: The Minister had her chance to speak. My point is that the Government’s legacy is appalling in terms of ministerial management.

Ms Harney: That is Deputy McManus’s opinion.

Ms McManus: It seems the Government was determined that the HSE would be established irrespective of whether the necessary preparation took place. It has proved to be a disastrous political decision. In other countries, the authorities ensure changes are managed in a manner that is competent and effective and that also ensures transparency. None of those elements is in place

and the HSE is under great strain. I ask the Minister to think about that instead of arguing.

Ms Harney: Deputy McManus is incorrect.

Caoimhghín Ó Caoláin: I will share time with Deputies Gormley and Finian McGrath.

The memo from the Department of Health and Children’s legislation unit to the Government Chief Whip’s office, which was copied to Opposition spokespersons, states that the Government made a decision on 7 March 2006 to address the issue of whistleblowing on a sectoral basis. It further stated that Ministers were instructed to introduce whistleblowing provisions in draft legislation being prepared in their respective Departments. We find in the case of the Health Bill, however, that the Government’s amendments on disclosure of information and the Freedom of Information Act were ruled as being outside the scope of the Bill.

Could the Government not have anticipated such a ruling when it made its decision to incorporate whistleblowing amendments into legislation that was already advanced in drafting? This has created a messy legislative situation. An already unsatisfactory Bill, as I described it on Second Stage, is having two distinct new elements grafted onto it. We must go through a round-about procedure to deal with these amendments. Has this situation arisen in the case of other Bills as freedom of information amendments were applied to them? How will the Government deal with this in future Bills? Perhaps the Minister will throw some light on these questions in her reply.

It is interesting that the memo to which I referred also states the Health Bill provides the only opportunity in which to make the necessary amendment to the Civil Registration Act 2004. As civil registration bears no relation to the subject matter of this Bill, we can conclude that the Government anticipates little or no further legislation coming before the Dáil and that the general election will be called in a matter of weeks. Perhaps the Minister of State will enlighten us on that.

It is right that whistleblowers should be protected, nowhere more so than in the health services. Brave people in these services have repeatedly exposed wrongdoing and neglect which has resulted in injury and sometimes loss of life. It was a courageous midwife who blew the whistle on the appalling scandal in the obstetrics and gynaecology department of Our Lady of Lourdes Hospital in Drogheda. Michael Neary’s professional peers protected him for years from the consequences of his brutal actions on dozens of women, and even tried to protect him after he had been exposed. Every protection should be offered to those who out of selfless motives act in the public interest. They should not be penalised. Too often it is the person who reports the wrongdoing who is punished while the culprit escapes censure.

[Caoimhghín Ó Caoláin.]

I agree that some deterrent is needed to prevent false reporting, however I am opposed to the provision in Government amendment No. 37 for terms of imprisonment for false reporting. That is over the top and I appeal to the Minister to withdraw that part of the amendment as the fines for this offence are more than sufficient. It is entirely inappropriate to impose custodial sentences, and we have few enough places available to accommodate people.

On the civil registration amendment, I am concerned at the way this is being tacked on to this legislation to fill a gap in the 2004 Act. This seems to be another example of legislative drafting going wrong. I agree we should facilitate those who wish to hold marriage ceremonies in their homes and I have no difficulty in facilitating them by way of this amendment. However, questions arise with regard to the way the Government does such business, not for the first time as the recent sexual offences legislation has shown.

Mr. Gormley: This amendment to the health legislation has not received the type of scrutiny I would like to give it as it has come late in the day. It has become a feature of this Administration that much of its legislation is rushed and put through for optics. We are approaching a general election and the Government wants to clear the decks and be able to say it has dealt with the whistleblowing issue which is being tacked on to the health legislation, and everything is fine.

I and many Opposition Deputies do not have the resources to deal with legislation foisted upon us in this manner. I hold three portfolios and do not have the numbers of staff the Minister of State has to examine these issues in detail. If we are to be serious about legislation, the Opposition must be shown some respect. I know there is a tendency in Government to see the Opposition as a nuisance and to dismiss it. Legislation rushed through in this manner has many flaws.

I have questions with regard to what was called in the Minister's speech, "an authorised person". Whistleblowing is important in exposing corruption and mismanagement. Long before Leas Cross became an issue, I outlined an instance where an employee of a nursing home came to me as a public representative and informed me of appalling conditions, mistreatment of patients and bad food etc. This nurse would not report the situation to her superiors and all she would do was make anonymous phone calls to the then Eastern Health Board, but those calls were never acted on. Her question now would be, what sort of protection would be afforded her under this legislation. The midwives in Our Lady of Lourdes Hospital could well ask the same question.

When people come forward and inform "an authorised person", can we be sure they will be treated properly subsequently? We are told they can inform these "authorised persons" and their disclosures will be known as "protected disclos-

ures". People want to know how safe this system is. Over and over again, I have seen situations where whistleblowers are not protected. I am sure the Minister of State is as aware of such cases, even where people go to a local authority to complain about disorderly neighbours.

I take the point made by Deputy Ó Caoláin, but sometimes false or exaggerated reports are made to the detriment of an individual. Similarly, there is often a level of intimidation and a great deal of fear with regard to making reports, with the result that people do not wish to provide their names. In particular, this is often the case with regard to local authority issues and people complain instead to public representatives. Deputy Twomey made the valid point that we are on the receiving end of so many complaints that we know the score. There is a role here for public representatives. We should be in a position to pass on such information, but, regrettably, that is not covered in the legislation.

Mr. F. McGrath: I thank the Chair for the opportunity to speak on this motion. It is important when talking about the health service that we have a vision and plan for its development. The health service belongs to the people, the taxpayers and citizens of the State. No-one should hold the high moral ground in debate on the health service nor should the issue be used as a political football. It is important to point out that the majority of Deputies and Senators support the health service and health service staff who do their best to improve the service.

When I was elected in 2002, it was as a member of the independent health alliance which aimed to support reform, investment and change in the development of the health services. During debates in recent years I have been critical of the faults of the health service, but at the same time I have strongly supported the issues and sensible proposals made by Deputies, particularly my colleagues the Independent Deputies, for the development of the health service.

We must have strong legislation and do our best to assist and protect whistleblowers. By whistleblowers I mean people with a genuine grievance or who have recognised something wrong with regard to practices in the health service. I am not talking about cranks and accept we need to be very cautious about false reporting. On the amendments, it is going too far to talk about imprisonment. This is too harsh as fines are adequate to deal with the situation.

Our focus must remain on patients in the overall debate. We must declare it is unacceptable to have patients on trolleys in accident and emergency units, particularly in a country awash with money. Many policies are emerging in the run-up to the election as people want to give away more money. Patients are still on trolleys after ten years of this coalition in Government. That is not acceptable to me, to the doctors, the ancillary staff, the consultants or the nurses. We need

reform and investment and this Government must wake up to the reality that we need more beds to provide proper services for patients.

We must continue to develop community care, particularly for general practitioner services. I welcome the recent developments especially on the north side of Dublin because we need quality services to assist accident and emergency services. We must also develop specialist services. Some of the best doctors and nurses on the international stage work here. They entered the profession to save lives and help patients and we should give them our maximum support. They in turn have a responsibility to realise they are working for the taxpayers and need to respect citizens when it comes to change and development, and reform of the health services generally.

I received an e-mail from John Edwards on 5 February last, from the United States, in which he states we must stop using phrases such as access to health care which mean less than universal care and which person, family or child we are willing to leave behind without the care they need. We need a universal solution. This is relevant to today's debate because we need a quality health service and long-term plans to develop that. We should not be afraid of studying and learning from countries which have excellent services and a broad vision of society. I encourage the Minister of State to develop services for people with disabilities who are often forgotten.

Rushed legislation is always dangerous as we should have learned from the past. We all want a quality health service and we should support that demand.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I thank the Ceann Comhairle and the House for facilitating this motion. I will respond to some of the less than positive comments about aspects of the proceedings, for example, about the whistleblowing provisions. These are based on principles in legislation in other jurisdictions which in general provide for adherence to certain procedures. The authorised persons will be independent. If a person is victimised he or she has recourse to a rights commissioner, and the Labour Court and is protected from civil liability. The midwives in Our Lady of Lourdes Hospital would have been protected by virtue of the definition of employee.

I do not believe, however, that the Opposition spokespersons oppose the fundamental principles underpinning the amendments. How can they oppose whistleblowing, improving freedom of information, and facilitating marriages for those who are too unwell to get married in a public place? The House has considerable interest in these principles and understands the benefits for the health service and for individuals that will result from these amendments.

The provisions for the protected disclosure of information by employees represents a milestone in the health services. It is essential that

employees feel empowered to make disclosures in good faith in the best interests of patients and service users. A culture of openness must be an integral part of the health service if we are to continue to improve standards of safety and quality and to ensure the patient is always to the forefront. The amendment we will consider today to provide for the protected disclosure of information—

Dr. Twomey: On a point of order, as the Minister of State seems to be responding to the Second Stage speeches and is reading his own speech could he please answer two of my questions? Would this legislation cover the two midwives from Our Lady of Lourdes Hospital who went to a solicitor? Would it protect someone who came to me as a Member of the Oireachtas?

I did not ask many questions in my Second Stage speech but expected a yes or no answer to those questions.

Mr. T. O'Malley: My understanding is that the midwives would have been protected.

Dr. Twomey: On what basis?

Mr. T. O'Malley: As employees of the health board.

Dr. Twomey: They went to a solicitor. Is the solicitor an independent authorising officer?

Mr. T. O'Malley: If they had followed the proper procedures they would have been protected.

Dr. Twomey: They went to a solicitor which is not the proper procedure. They should go to an authorised person within that unit.

Mr. T. O'Malley: Is the Deputy referring to what happened in the past or what may happen in the future?

Dr. Twomey: If the incident occurred today they would not have followed procedures by going to a solicitor.

Mr. T. O'Malley: They would be protected if they used the procedures outlined here to report to management.

Dr. Twomey: The solicitor is not management.

Mr. T. O'Malley: I will refer to this later.

Dr. Twomey: They are obviously not following procedure if they go to a solicitor because the solicitor is not part of the management of the local Health Service Executive office. The legislation would not have covered them.

Mr. T. O'Malley: My understanding is that they would be.

Dr. Twomey: We have a problem here already.

Ms McManus: This Act does not cover them.

Mr. T. O'Malley: They would be covered by client confidentiality if they went to a solicitor.

Dr. Twomey: Who makes the complaint? Can the solicitor carry the complaint back to management?

Mr. T. O'Malley: I will have to return to this question later.

Dr. Twomey: The solicitor cannot say what they are doing so to that extent they are covered by client confidentiality but this legislation does not protect them. That is a different matter.

Mr. T. O'Malley: My understanding is that they are protected.

Dr. Twomey: What would happen if they came to me?

Mr. T. O'Malley: I do not know the answer to that question. They must use the procedures set out in the Bill in order to be protected.

Dr. Twomey: They are not protected unless they go to somebody—

Mr. T. O'Malley: They must go to the authorised person.

Dr. Twomey: They must go to somebody in the Health Service Executive where they work in order to be protected by this legislation.

Mr. T. O'Malley: The authorised person will be independent.

Ms McManus: In what way? Will the Minister of State describe in what way this person will be independent?

Dr. Twomey: What is independent? Does the Minister of State mean an Independent Deputy such as Deputy Finian McGrath? What does the Minister of State mean by independent? There is nothing independent about the Health Service Executive and the way most people are employed to work for it.

Mr. T. O'Malley: That is a judgment.

Dr. Twomey: The Minister for State should not be so naive. What is independent? We should know what this means. Does it refer to a High Court judge or a solicitor?

Ms McManus: How will it be defined?

Acting Chairman (Mr. Glennon): I ask the Minister of State to conclude. This issue can be dealt with on Report Stage.

Ms McManus: It is a secret.

Dr. Twomey: It is a top secret in the HSE.

Ms McManus: It is a secret and this is supposed to be a “culture of openness”.

Mr. T. O'Malley: The amendment we are considering today to introduce provisions for protection of the disclosure of information in the health service will allow employees to know that they will be listened to, will not be penalised in the workplace for speaking out in good faith and will be protected from civil liability in making disclosures in good faith, and that disclosures will be examined.

In respect of the amendment to Schedule 3 of the Freedom of Information Act 1997 it is important to remove any doubt about the appropriate right of access under that Act to information held by health bodies. The provisions of the amendment stem from a former review under section 32 of the Act and reflect the recommendations of the Information Commissioner and the report of my Department to the Oireachtas Joint Committee on Finance and the Public Service.

The amendment to Part 6 of the Civil Registration Act 2004, deals with the law relating to marriages. Under section 51, a marriage must be solemnised in a place open to the public. Sadly it may not always be possible for a person who is seriously or gravely ill and who wishes to marry to attend a public venue. We all hope that such circumstances are extremely rare but we need to ensure that provision is made for those who find themselves in such circumstances. As outlined, the proposed amendment to section 51 will remove the requirement that the venue be open to the public where the appropriate authority is satisfied, on the basis of a medical report, that one party is, or both parties are, too ill to attend a public place and gives approval to the person solemnising the marriage for holding the marriage elsewhere.

In human terms, the amendment will mean a tremendous amount to people in difficult health circumstances. Apart from this incalculable benefit, it is important that any question mark be removed in respect of section 51 so Part 6 of the Civil Registration Act overall can be commenced as planned, thus ensuring the modernisation of the marriage registration service, as envisaged by the Act.

I look forward to Report Stage of the Health Bill 2006, during which I have no doubt there will be a very useful and constructive examination of the amendments.

Question put and agreed to.

Health Bill 2006: Report Stage.

Acting Chairman (Mr. Glennon): Amendments Nos. 1 to 4, inclusive, in the name of Deputy

Twomey, have been ruled out of order as they all involve charges on the Exchequer. Amendments Nos. 5 to 8, inclusive, are related and may be discussed together.

Amendments Nos. 1 to 4, inclusive, not moved.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I move amendment No. 5:

In page 12, between lines 40 and 41, to insert the following:

7.—The object of the Authority is to promote safety and quality in the provision of health and personal social services for the benefit of the health and welfare of the public.

I hope Deputies Ó Caoláin and Twomey, who tabled amendments Nos. 7 and 8, respectively, will be satisfied to withdraw them on the basis of what I propose, especially given that I had strong regard to what was said during Committee Stage on this subject. As legislators, all Deputies are aware of the need to draft legislation carefully, having regard to what we wish to achieve. Consequently, in framing any legislation it is imperative to distinguish between functions and objectives. Functions are specified in a concrete manner because they relate to the activities that the body in question is required to carry out and they are interpreted accordingly in any legal proceedings involving their consideration. The objectives of any organisation, be it in the private or public sector, are goals it strives to achieve through the proper performance of its functions. Objectives are strategic and serve as means to guide the organisation in carrying out its business.

The functions of the Health Information and Quality Authority, HIQA, are clearly set out in section 7. On the amendments of Deputies Twomey and Ó Caoláin, explicit provision for the setting of standards is already made under this section and the overall objective of promoting safety and quality is implicit in the functions assigned to the authority as a whole, as it is in respect of every health service agency.

To make the Deputies' amendments would be to introduce a vague and unquantifiable element to the authority's functions. However, having considered the points raised on Committee Stage, I believe it would be helpful to set out in the Bill the core objective of HIQA. Its objective is to promote safety and quality in the provision of health and personal social services for the benefit of the health and welfare of the public. Amendment No. 6 expressly provides as a function of the authority that it will seek to further this objective to the extent practicable, and this marries the functions with the objectives to the greatest practicable degree. The joint effect of both amendments is to make certain that the core objective acts as a guiding principle for the new authority in carrying out the tasks associated with its wide

remit and ensures the importance of patient safety is rightly recognised.

Dr. Twomey: One of my problems with HIQA was that patient safety was not its core objective. The role of the Social Services Inspectorate is to examine standards in all institutions involved in health provision. HIQA's role does not just concern social services inspection but also the evaluation of technologies. This is a nice euphemism that slipped through in the explanatory memorandum. Another of its functions is the exact same as that of the National Institute for Health and Clinical Excellence in the United Kingdom. I have raised this on Second and Committee Stages and therefore the Minister of State will be fully aware of the role of that institute. Quite clearly, the core problem with the institute, which is supposedly built around patient care or safety, is that it decides whether one can receive treatment according to a cost-benefit analysis. If one is expected to live for so many years and one's treatment costs so much, one will receive it, but if one is expected to live only for a short time and the cost of one's treatment exceeds a certain figure, one will not receive it. This does not comprise a patient safety issue, even by the widest stretch of the imagination of a member of the Progressive Democrats. The Minister of State will agree with me in this regard.

The same problem applies to HIQA. When trying to create an ethos of patient protection, it is inappropriate to include among the functions of the organisation that deals with standards and safety issues in nursing homes and hospitals a function that would deny a person medical treatment because of its cost or because he or she will not live long enough.

We must all have an idea of costs and I would like nothing more than a cost-benefit analysis of the co-location of private hospitals on the grounds of public hospitals but unfortunately the Government cannot get around to carrying this out. Putting accountants in the same room as patient safety staff will confuse the ethos of HIQA and it will therefore not work very effectively. My first four amendments, Nos. 1 to 4, were deemed out of order because they attempted to address this.

The Social Services Inspectorate and the Mental Health Commission should have been amalgamated as part of a patient safety authority. My colleagues in the Labour Party would very much agree with this because we do not want to stigmatise those with mental illness as different from patients in the rest of the health service. Instead of breaking down barriers and destigmatising certain sectors, especially the one for which the Minister of State is supposed to be responsible, the Government is drawing in an even darker pen the line between patients with mental illness and patients in other areas of the health service.

[Dr. Twomey.]

I will not press my amendment on the basis of what I have said but I believe the Minister of State has made a mistake.

Amendment agreed to.

Mr. T. O'Malley: I move amendment No. 6:

In page 12, after line 41, to insert the following:

“(a) subject to this Act and to the extent practicable, to further the Authority’s object;”.

Amendment agreed to.

Amendment No. 7 not moved.

Dr. Twomey: I move amendment No. 8:

In page 12, after line 41, to insert the following:

“(a) to ensure the highest standards of patient safety;”.

Amendment, by leave, withdrawn.

Mr. Stagg: I move amendment No. 9:

In page 13, line 1, after “quality” to insert the following:

“(which shall as far as practicable be common standards of quality for services whether provided by the private sector or the Executive)”.

This amendment is self-explanatory. The idea of only having provision for one sector is an omission the Minister may have missed.

Mr. T. O'Malley: The standard set by HIQA will apply to the public health service, which is made up by the HSE and service providers funded by the executive. HIQA standards will also apply to services provided by the private sector on behalf of the executive. Moreover, the new inspection system provided for in the Bill with the establishment of the office of the chief inspector of social services will encompass private nursing homes. HIQA can also operate accreditation programmes for the public and private services. The spirit of the amendment, therefore, is to be found in the Bill.

It is important to refer to the Commission on Patient Safety and Quality Assurance that the Minister recently established. It will look at the issue of the licensing of hospitals and have an associated enforcement regime. A requirement for all health care providers, public and private, to be licensed for service delivery by the State would ensure that minimum standards of professional qualification and premises quality must be complied with. Accordingly, I do not intend to accept the amendment.

Mr. Stagg: The Minister of State is being vague. The Bill should deal with the reality, not the spirit. While there may be a spirit in the Bill, the reality is the meat of the issue. The Minister of State says the spirit is there but then tells us a commission will be appointed to look at what we are suggesting he can do now. I am not prepared to withdraw the amendment on that basis.

Mr. T. O'Malley: The private sector can avail of the accreditation services of the authority and the patient safety commission will address the issue of licensing all hospitals, private and public, and I expect the commission’s report next year. The matters referred to are in the Bill and, consequently, I will not accept the amendment.

Dr. Twomey: What will the commission do?

Mr. T. O'Malley: It is the Commission on Patient Safety and Quality Assurance.

Dr. Twomey: What will it do?

Mr. T. O'Malley: It will inspect all matters of safety pertaining to health. It was set up by the Minister and the chairperson is Dr. Deirdre Madden. She will report to the Minister.

Dr. Twomey: Is there a difference between private and public hospitals at the moment that this will specifically examine?

Mr. T. O'Malley: There is no difference. The commission will develop proposals to ensure clear responsibility among senior management and clinical leaders within our health system for performance in quality and patient safety. It will put in place more effective reporting of adverse clinical events and complaints to learn from them and ensure the rest of the health system learns from them and provides a clearer role for patients and carers in feeding back on care received and ways to ensure health care practice is consistently based on what has been shown to work in other centres. It will look at a statutory system of licensing of public and private providers of health care and better integration of the work of different regulatory bodies in the health system to achieve a joined up approach and a sharing of best practice. Those are composite principles of safety.

Dr. Twomey: Is there a difference between public and private hospitals?

Mr. T. O'Malley: I said there is no difference.

Acting Chairman: I must ask Deputies to refrain from a question and answer session and to deal with Report Stage in the normal fashion.

Amendment put and declared lost.

Mr. Stagg: I move amendment No. 10:

In page 13, between lines 1 and 2, to insert the following:

“(i) hospitals,”.

I will learn from the Minister of State’s answer.

Mr. T. O’Malley: This amendment refers to setting standards for hospitals. Section 7 sets out the functions of HIQA and section 7(1)(a) provides that HIQA will set standards on safety and quality.

Mr. Stagg: What is HIQA?

Mr. T. O’Malley: The health interim quality and—

Dr. Twomey: The health information and quality authority.

Mr. T. O’Malley: It will set standards on health and safety for the HSE, or a service provider in accordance with the Health Acts, the Child Care Acts and the Children Act, and private nursing homes. Deputies McManus and Ó Caoláin are anxious to establish beyond doubt that HIQA will have responsibility for setting standards on safety and quality in hospitals and for monitoring compliance with standards set. I assure them that is the case under section 7(1)(a) as currently drafted. Under the Health Act 2004, the HSE has responsibility for delivering health and personal social services or arranging the delivery of these services on its behalf. Hospital services are provided directly by the executive under the Health Acts and by voluntary hospitals on behalf of the executive and are therefore included within the relevant definition. Accordingly, this amendment is unnecessary and its inclusion might create the impression that providing standards for hospitals would be of a higher priority than for other services.

Mr. Stagg: The Minister of State is suggesting that the Labour Party spokesperson and Deputy Ó Caoláin are foolish people who cannot read the Bill but the Bill is drafted in such a complex manner that it does not refer to anything directly or simply.

7 o’clock It is a poor standard of legislation. It is not clear what it is about. When senior parliamentary spokespeople and senior legal representatives who advised the Labour Party on the matter do not know what it was about, I think the Minister of State must be wrong on this issue. The limited scope of the Bill indicates that the Labour Party and the Sinn Féin spokespeople are right and the Minister of State is wrong. He should re-examine this and state it clearly in the legislation so that even barristers know what they are reading. If they are confused and suggest amendments that the Minister of State says are entirely unnecessary, there is something wrong with the legislation as written. I will press the idea that hospitals will be included. In fact, I ask the Minister of State

directly, will St. Vincent’s Hospital in Athy be covered by this legislation?

Mr. T. O’Malley: All hospitals supplying services on behalf of the HSE, either public or private, would be covered.

Amendment, by leave, withdrawn.

Debate adjourned.

Estimates for Public Services 2007: Message from Select Committee.

Acting Chairman: The Select Committee on Education and Science has completed its consideration of the following Revised Estimate for the Public Services for the service of the year ending 31 December 2007: Vote 26, Education and Science.

Private Members’ Business.

Pupil-Teacher Ratio: Motion.

Ms O’Sullivan: I move:

That Dáil Éireann noting that:

- the educational needs of children are more difficult to meet in large classes;
- there is growing concern among parents and teachers at the lack of progress on class sizes;
- the Government has reneged on the commitment contained in An Agreed Programme for Government that the average size of classes for children under nine would be brought below the international best-practice guideline of 20:1;
- there are more than 100,000 primary pupils and 35,000 second level pupils being taught in classes of 30 or more;
- Ireland has currently the second highest average class size in the EU; and
- additional teachers are also urgently required to meet the needs of pupils with special educational needs and those from disadvantaged areas;

calls for:

- the setting out of a timetable for meeting the commitment on class sizes given in An Agreed Programme for Government and to put in place the steps needed to ensure the recruitment of the additional teachers required and the provision of the extra classrooms required;
- the reduction of class sizes to the European norm;

[Ms O'Sullivan.]

- a reduction in maximum class sizes to 25:1 in mainstream classes and 15:1 in schools where there is chronic disadvantage;
- sanction for the appointment of additional special needs teachers to meet current needs and to implement the terms of the Education for Persons with Special Educational Needs Act 2004; and
- greater engagement between the Department of Education and Science, the planning authorities and local communities so that school needs can be delivered on a timely and orderly basis.

I wish to share time with Deputies Burton, Costello and Lynch.

Tonight is the third time in the past three years that the Labour Party has used its Private Members' time in the Dáil to raise the issue of class size. In April 2005 and May 2006, we tabled similar motions to the one I have moved on behalf of the party tonight. We have considered this issue and the logistics of how we can reduce class sizes in Ireland to what children in other European countries enjoy, and we intend to do so in the next Government.

It is important to stress that we are serious about this issue. It has been raised in a large number of public meetings with very large attendances throughout the country, and pointing out that the Labour Party has raised this issue three times in our Private Members' time is an indication that we take it very seriously and intend to reduce the class sizes to European norms.

We will not repeat the empty rhetoric of the Fianna Fáil-Progressive Democrats programme for Government, which promised that all children under nine will be in classes of fewer than 20:1 and then proceeded to ignore that promise. The number of children in classes of 30 or more has increased rather than decreased. Failure to keep promises like that is what makes people lose faith in politics. That is one of the reasons we were all greeted with a fair degree of scepticism when we attended the Irish National Teachers Organisation meetings throughout the country in the past few weeks and it is the reason I intend, on behalf of the Labour Party, to outline the measures we will take to reach our commitment.

Essentially, there are three elements required, extra teachers, extra schools and classrooms and the revenue and capital resources to pay for them. It is not rocket science. They are three basic elements and they can be delivered if there is the political will.

We must factor in also the expected growth in the school-going population, which is estimated at an extra 100,000 in the next ten years, and a system must be put in place to pinpoint where

those children will be living. Essentially, this is about forward planning, which we have not seen in the system here. That is something other European countries do as a matter of course. On the other hand, the Government has stood by and wrung its hands as if the problem had jumped up to bite it, and it had no idea how those young children were suddenly there with eager faces ready to take up their constitutional right to education.

Laytown in County Meath is a prime example of that. This has been an ongoing issue for some time. I read in the newspapers in the past week that a site may or may not be bought for a temporary school to address urgent need while the permanent one is being built. The parents there do not know what to say to their children. Will they be going to school or will they not? Will they be going to school in the locality? Will they have to travel long distances by bus or are there any spaces within bus distance of Laytown? Neighbouring schools in east Meath, such as Le Chéile Educate Together in Mornington, have faced similar problems.

The parents of Laytown spent so much time on this issue they came before the Joint Committee on Education and Science to talk to us about the solutions they believe are necessary to address the needs of these growing communities in terms of the provision of schools. They made some worthwhile proposals in that regard, but it should not be up to the parents who have suffered so much in a particular area to come up with proposals to provide school places for children. That is the job of the Government, particularly the Minister for Education and Science.

This is a fiasco born of a failure of political leadership. It is time the Government took charge of providing schools. Otherwise, we will continue to play catch-up on crisis management of numbers, particularly in the growth areas around our cities. The Labour Party has come to the view that a radical change of approach is needed to allow us plan and deliver schools and classrooms to be ready when the population needs them. My colleagues have examples in their locations of schools that are bursting at the seams, with no place to put the extra children and where it is constantly a case of crisis management.

We propose that the National Treasury Management Agency be given the task of gathering the information on where and when extra classrooms and schools will be needed and of acquiring the sites on which to build them. This should be done in co-operation with local authorities. We plan to introduce legislation to implement the recommendation of the All-Party Committee on the Constitution to ensure that land can be acquired by compulsory purchase order for educational purposes. That proposal was made some years ago but there has been no attempt by Government, despite the fact that it is a recommendation of an all-party committee, to implement the recommendation. While this pro-

posal will probably require a substantial capital investment initially, it will save money in the longer term because the State will no longer be held over a barrel by developers who know they can practically name their price because a school is urgently needed and suitable land is in such short supply.

For example, a gaelscoil in my constituency, of which I am sure the Minister is aware, has been waiting, in atrocious temporary conditions, for more than a decade for a site to be bought because the Office of Public Works is reluctant to pay the inflated price to the public purse that is being asked for the site deemed most appropriate for the school. I am aware there are similar cases in other constituencies, and the sites are probably much more expensive around the greater Dublin area. Failure to plan is costing us money and forcing children to spend years in dilapidated, unhealthy classrooms.

There is a rash of prefabs throughout the country which are costing a considerable amount of money, whether they are being bought or rented, to the public purse. If we plan in advance and buy the land at a cheaper rate before it becomes so urgently needed that the developers can almost name their price, we will need a short-term increase in capital money but in the long term we will save money to the public purse and ensure children do not have to spend, in many cases, all their school life in a prefab.

If the provision of schools and extensions in expanding areas is a specific task for the National Treasury Management Agency, which is a Government agency with expertise and experience in this area, that will leave the Department of Education and Science's building unit and the OPW with the much more manageable job of assisting existing schools in upgrading their buildings and replacing unsuitable classrooms and prefabs.

The reason we have concentrated on the building aspect of the solution to the issue of class size is that it has been the most intractable. It is the reason most children in County Kildare, for example, must be five before they get into school and the reason in the northern part of that county only 2.2% of children are in classes of fewer than 20 and 31% are in classes of 30 or more. That statistic is a national disgrace and it is not much better in several other counties. More than 100,000 primary school children and 35,000 post-primary students are in classes of 30 or more.

If we do not address this issue now, we do a great disservice to the children of Ireland and to our future. One can imagine being a five year old in a room with 32 other five year olds trying to follow what one adult is trying to help them understand. If they do not grasp it, are they able to get the teacher's attention and will he or she be able to give them the time to explain? I think not in a class of that size, and that is the experience throughout the country for very young children for whom this is their only opportunity. If

they slip back in the early years, it is much more difficult to catch up at a later stage.

One of the striking aspects about the INTO meetings has been the huge numbers of parents attending and the passion of their contributions. Parents considerably outnumbered teachers at these meetings. I was struck by how strongly the parents in my constituency felt about this issue, and I know that has been the experience in other parts of the country. They know their children are not getting the attention they need in large classes.

Children with special needs are particularly vulnerable. Most mainstream classes now have a number of children with learning support needs and many have not been allocated that support despite recommendations from psychologists and other professionals. The implementation of the Education for Persons with Special Educational Needs Act has proved a bitter disappointment in many cases. The weighted model for the allocation of resource teachers in primary schools has delivered support based on numbers rather than need and many disadvantaged schools with large numbers of children with learning difficulties have lost rather than gained teachers. Basic literacy competence has not improved in some schools in the past decade because while we have a child-centred curriculum, we do not have a child-centred allocation of resources to implement the curriculum.

There are many difficulties in schools throughout the country with regard to the allocation of those special resources, particularly in post-primary schools that do not have *in situ* resource teachers. Issues arise also regarding a shortage of speech and language therapists and a number of other specialists. The suggestion is that now that we have the legislation everything is sorted out for children with special needs, but that is very far from the reality in schools throughout the country.

I spoke to a number of young teachers after the INTO meeting I attended, which was packed to the doors, with some people having to overflow into the next room. Those young teachers were clearly idealistic and hugely positive about the vocation they had chosen. However, they were all very frustrated and disappointed that they could not do their job as it should be done. I was really struck by these young teachers who were trying to cope with very large numbers of children and wanted to be good teachers — and were good teachers. However, in the circumstances they were finding it extremely difficult to implement what is still described as the new curriculum in primary education, which is child-centred with the opportunity for children to work individually. It is not a talk-down curriculum. However, it is very difficult to implement it in large classes. These teachers simply could not give the kind of attention each child needed.

This brings me to the second element in reducing class sizes to EU norms, which average at 20:1

[Ms O'Sullivan.]

and in which we are second from bottom of the table. Only the United Kingdom has larger class sizes than we have. We need to continue to increase the number of teachers graduating from our colleges of education and universities every year. I congratulate the INTO on the work it has done on the teacher numbers required. I welcome the fact that we have a considerable number of additional teachers in the system, for which I give the Minister credit. However, it does not need to be an either-or situation. The capacity exists if there is the will to deliver. The will certainly exists in the colleges of education. The numbers who apply for undergraduate and postgraduate primary education courses and for the higher diploma in education and second level teaching-related courses continue to increase as indicated by the most recent CSO figures. The colleges are more than willing to expand their place numbers, provided they are given the necessary resources.

However, I do not accept that a choice needed to be made between class size reduction and special needs and newcomer children. The Minister knew that special needs children were to be mainstreamed as it was Government policy. In setting its priorities the Government should have known that these children would need such supports. As it has been Government policy to bring in workers from other countries to develop our economy, the number of newcomer children should not have been a surprise. The commitment in the programme for Government on class size should have been incrementally implemented over the five-year lifetime of the Government. It was a very specific commitment that both parties signed up to. Therefore it should have been politically driven and monitored.

However, we have a Government that is in charge of everything but in control of nothing. It is part of a pattern of apportioning responsibility for all the crises, from the health services to traffic gridlock to someone or something else. It claims to be helpless to do anything about all the children, sick people and cars clogging up our schools, hospitals and roads? The Government is responsible and was elected to take the actions that will make things work.

This is an issue that should be a priority for all elected representatives. Education has been at the heart of social and economic progress in Ireland. We have traditionally invested in it in so far as our wealth permitted, but that is no longer the case. While 5.4% of GDP was spent on education in 1994, it has fallen to 4.6%. We are near the bottom of the EU and OECD tables on the portion of our national wealth that we spend on education, particularly pre-school, primary and second level. The Labour Party will, in government, put education back in the centre of spending priorities again. We are committed to allocating the resources, capital and revenue, that will be needed to reduce class sizes to EU norms, which average 20:1. We know that a commitment to

average size and pupil-teacher ratios are not enough in themselves. It is of no use to a child in Dublin West who is in a class of 38 children to know that elsewhere there are only ten children in her cousin's class. We also need to set maximum class size targets as specified in the motion. The measures we are proposing for the building programme will allow us to achieve such targets in a set timeframe.

The *ad hoc* reactive system that operates at present has seen PE halls used as classrooms, playground space eaten up by prefabs and children spending their entire school years in unventilated, squashed, damp, unhealthy conditions. I spoke to the mother of an autistic boy last Friday who told me that the local school attended by the rest of her children has a problem taking her son, who is ready for mainstream, because of concerns that there will not be room in the classroom for the adult who will be needed for a limited period of time to help him to cope with the transition from the one-to-one system he has had to full participation in the class. I know that my colleagues can outline other cases of classes with insufficient space.

We are aware of the problems that are being stored up for these children into the future if we do not comprehensively address their needs as they develop. This is solvable if the will exists. I urge all Members to support the motion. I am disappointed that the Government has tabled an amendment. We should have united in supporting the motion which concerns planning for the next generation. It can be done and the resources exist to do it.

Ms Burton: What is another year in terms of primary school education, particularly in Dublin West? It is another period of agony for parents and children as they wait to find out whether they will get a school place at primary or second level. Last August the Minister made her first visit to Dublin West in a formal capacity to see a primary school. I noticed that she came when the school was empty apart from one token child in a school uniform to allow the school appear spacious. The very successful Castleknock community college has 60 children on a waiting list for a place. Across the road in St. Patrick's school in Diswellstown, the one the Minister visited last year when it was empty of children, has 200 children seeking 89 places. These figures indicate the lottery for parents with four or five year olds seeking a school place.

I recently spoke to a parent with a daughter already in Mary Mother of Hope school in Clonee. Another daughter of his turned four in January and although this is a sibling place she is 23rd on a waiting list for a place in the school. I am told more than 60 children are now on that waiting list. I have sent the Minister personal correspondence about the much-loved village school in Mulhuddart, which is apparently to be closed at the instigation of the Minister and her col-

league, the Minister of State. The children are to be transferred to a new super-sized primary school with capacity for more than 1,000 pupils, to be located two to three miles away from the existing school, about which no consultation took place with the parents. The class teachers have suggested to existing pupils that if they have a brother or sister due to start next year he or she will be in another school two or three miles away.

The Minister has ducked and weaved and avoided responsibility to an extraordinary degree regarding Dublin West. I also refer to Diswellstown in the Clonee area that is serving a population living in more than 8,000 houses built in the past ten years. The Minister promised a second level school for the area, but it now appears that it will not be built until 2008-09 or later. All the parents in these areas, as the Minister must recall from her visit last year, are working and buying houses with large mortgage repayments. They are paying their taxes and are not the people with Ansbacher accounts. They are doing it right and paying their way. They are contributing to society. Is it too much to expect that they might get a school place for their children?

Last year after months of tabling parliamentary questions, the Minister finally supplied an answer on class sizes. Nine schools in Dublin 15 had 89 classes of 30 children or more out of a total of 155 classes — 57% of the classes were super-sized classes. I have no reason to believe the situation this year is any different and although I have asked for the information repeatedly by way of parliamentary question, this term and last term, and although the Department collected the statistics towards the end of September, the Minister obviously believes the Dáil can go into recess and the general election without feeling obliged to acknowledge the figures for Dublin West. In other areas the Minister appears to have much concern for education but her performance and that of her predecessors in regard to Dublin West is truly appalling. The core reason for what has happened is that her party is in hock to the developers who are building the houses and making fortunes and neither she nor her predecessors have had the courage to get the sites. She is telling us she will do it now. She told us last week there will be a new VEC-patroned primary school for children who get into no school. When will we know about this? The school places are being allocated in Dublin West at present.

To my knowledge there are 400 children in Dublin West with no school to go to at either primary or second level. Can one imagine the uncertainty in those families? The parents of those at primary level are trying to make a hard decision. Should they hope for the best that the child will get a place and give up their preschool place or crèche place? What does the Minister advise these parents to do? Should they hold on in the hope that in May when the general election is on the rounds that she and the Taoiseach will cobble together another solution? She is building

super-sized primary schools in Dublin West. No primary school in Dublin West is to be for fewer than 1,000 pupils. This is a bit of political magic because this is to happen on a site half the size of that for traditional primary schools. On some of these half size sites there is to be an Educate Together school on one side of the site and a traditional Catholic parish school on the other side of the site. What about activity and children being free to run around? These are three-storey schools in half size sites with twice the number of pupils. If this is what the Government is delivering to the parents of Dublin West all I can say is that when the general election comes, I hope they will give their answer.

Mr. Costello: I welcome the opportunity to discuss the crucial issue of class size and compliment Deputy O'Sullivan on tabling the motion.

Education is another of the coalition's monumental failures. This time the failure cannot be blamed on the Progressive Democrats as Fianna Fáil has held the education and science portfolio for all of the past ten years. Probably the most glaring failure of all is the failure to reduce class size. Everybody knows that the number of children in a class determines the amount of time and attention the individual child receives from the teacher. Everybody also knows that if a child has learning difficulties and there is no time to address these difficulties in the classroom there is a real danger that child's education may be adversely affected and impacted upon.

Small classes and early intervention contribute enormously to good quality learning and give a child the maximum opportunity to progress at the earliest stage in life and education. The present nationwide campaign by the INTO highlights the extraordinary failure of the Government to properly resource Irish education. While Ireland is top of the league of wealthy countries in the EU and the OECD it is second from the bottom in terms of class size. The average class size in Lithuania is 15, in Ireland it is 24. There are more than 100,000 pupils in primary schools taught in classes of more than 30 pupils. This is totally unacceptable.

In 2002 the Government agreed in An Agreed Programme for Government that the average size of classes for children under nine years of age would be brought below the international best practice guideline of 20:1. No action whatsoever was taken on this commitment by the Government until three years had expired. Consequently, little or no progress has been made in reducing class size to date. If the Government had delivered on its promise, two-thirds of all classes would have fewer than 20 pupils and all younger children up to the age of nine would be receiving the individual attention they are entitled to and so often need. In reality, more than 80% of primary school children are in much bigger classes than were promised five years ago when this Government took office. It is a sad and

[Mr. Costello.]

dismal fact that this Government has reneged on its promise to eight out of every ten pupils in schools in Ireland today.

What is needed — what we will deliver in Government in any agreed programme and what is lacking in An Agreed Programme for Government to date — is a five year plan with targets set and audited for each year in terms of additional recruitment of staff, teachers, extra classrooms, planning ahead for new schools and the extra resources required to deliver on those commitments.

Cherishing the children of the national equally must be our priority at all times. This was very difficult when Ireland was an impoverished country for more than 75 years since these words were written in the Proclamation in 1916. Now we are a wealthy country but have become an impoverished society in the critical areas of health, housing and education. That is the real failure of the Government. It has failed the people, young and old, who most need its assistance. The Minister's boast on education which is contained in the amendment is embarrassing. It reads that she "welcomes the fact that last year there were 80,000 less primary school children in classes of 30 or more than in 1997." It took ten years for the Minister to remove 80,000 children from classes of 30 or more not from classes of 20 or more, as was the target, or as in Lithuania, from classes of 15. What an empty embarrassing boast. The Minister should be ashamed to state that as part of her amendment.

In her amendment the Minister refers to investment in school buildings and modernisation under the National Development Plan 2007-2013. Hard pressed parents throughout the length and breadth of Ireland know only too well of the failure of the Government to engage in spatial planning, to plan ahead so that when new developments take place no provision has been made for educational and community facilities. Houses without schools are par for the course for this awful Government.

In my constituency, Gaelscoil Barra has been waiting for ten years for a new school in Cabra. Children have been taught in old dilapidated pre-fabs since 1997 when this Government came into office.

On the eve of the 2002 election the Taoiseach avoided a protest march from Parnell Square by promising a new school if and when he was elected to a second term of office. Now five years later the Minister has replied to a series of parliamentary questions from me in recent months and years in which she said she is working hard on delivering the school. What is she doing? She is still seeking a site after ten years and has begun to employ the services of her colleague, the Minister of State at the Department of Finance, Deputy Parlon, who has responsibility for the Office of Public Works. I wait in anticipation to see what the Taoiseach pulls out of the hat this

time as the election looms over the coming weeks.

This is a Government of failure. It fails to provide for the elderly in terms of the health service and our children in terms of the education service.

Ms Lynch: I wish to put the record straight. It is a mistake to think the Government made a promise to reduce class sizes to 20:1 at the last election. It was not during that election but during the 1997 general election that the promise was first made. It was repeated at the last election. The hypocrisy is amazing when one considers the Government did not deliver it in its first five years and made the promise again, which it has still not delivered. People need to be reminded that a ten-year old promise has still not been delivered on.

When the Minister, Deputy Hanafin, was appointed, it was as if it were a badge of honour that she said after several months that it could not be done. She asks what are we all cribbing about. I have some examples of what we are cribbing about.

Class sizes in Cork are the worst with more than 30,000 children in Cork city and county in classes of 30 or more. Overcrowded classrooms are not just bad for the child who needs special attention but also for exceptionally bright children. Overcrowded classrooms mean the teacher simply does not have enough time to give each child the individual attention he or she needs. As Deputy O'Sullivan has said, planning for education is not rocket science. In an area with young couples, it should be known they will have children in five years and schools will be needed then. There is an intervening period to ensure educational facilities are planned and provided.

Last week, I received a telephone call from an angry parent with a child who falls into an unusual category. It is a category that will become less unusual with more women entering the workplace. There was no preschool available for the child in that part of Cork city. The principal of a progressive school in the area decided to set up a class, in which there were 16 children, which she called Just Four. The birthdays of these children fell in June, July and August. In the normal run of affairs, those children would have started school in September when they would be too young. The special class, Just Four, was devoted to preparing those children to enter primary school; the class motto was "Preparing to Learn".

Recently, the principal was informed by the Department of Education and Science that the class's resources were to be stopped. Those children, because they are already enrolled in the school, will have to go into senior infants. They are not old enough for it but it is the only way they can remain in the school. The caring Minister and her officials in the Department are aware of this situation as the principal has been in regular contact with them on this matter. The school

is in band 1 of DEIS but does not have an Early Start programme or its Just Four class. The principal has been informed she will receive funding for a preschool on the existing school site. That, however, does not solve the problem of those children who must go into senior infants.

At the other end of the cycle is the leaving certificate. I may be in a minority but I believe the leaving certificate as an examination is very egalitarian as each student is only identified by a number. I was glad that Professor Áine Hyland, despite the former Minister's coaxing, found it was a most equal process. How a child gets to the leaving certificate point can often show where inequality exists. Like the children in the Just Four class, some children will go through school without the facilities found in other areas and will not be in an equal situation going into those types of examinations. That is the type of inequality that must be addressed.

In Cork city, from the gate of St. Vincent's girls' primary school, one could hit the North Mon boys' primary school with a stone. However, one school is in band 1 and the other in band 2 of DEIS. This is despite the fact that siblings attend both schools. The needs and social problems of the area are the same but the two schools are in different categories. It is outrageous but it seems the Department of Education and Science is a law unto itself, doing exactly as it pleases. It can deliberately disadvantage children who need all the support that should be available to them. It can do this by removing them from particular bands and not providing the facilities to give them an equal chance when they come to the end of the educational cycle. The Minister knows this as I have spoken to her on several occasions about it but she will continue to allow this to happen. She will give us reams of statistics concerning the average class size, 500 extra secondary school teachers and so forth. Yet, there are children in classes of 25 and 30 where, regardless of ability, none of them receives the attention he or she needs.

When the Minister tells us about her concerns for education and class sizes, it is by her deeds we shall know her. So far, the Minister's deeds are nothing to write home about. There are areas that require special attention. It is imperative that certain schools have Early Start programmes but they do not. The teachers in those schools are not getting the type of incentive or encouragement they need to encourage children not just to stay in school but to achieve their best potential. They cannot do so because they simply do not have the resources.

It is the teachers who must face the parents, not the Minister for Education and Science or politicians when they knock on doors, and explain their children are in overcrowded classrooms and cannot be taught on an individual basis. That is not right. The Minister can make all the excuses and claim it is up to the boards of management. That typical response from the

Department of Education and Science is not true. The allocation of resources is a matter for the Department of Education and Science which, in turn, is a matter for the Minister. It is with the Minister that the buck stops. We pay our Ministers well because they have particular responsibilities. This is probably the one case where I will say that size does matter. The size of a class will determine the attention a child will receive which in turn will determine their prospects. It will have a major impact on all our futures.

Minister for Education and Science (Ms Hanafin): I wish to share my time with Deputy Carey.

Acting Chairman: Is that agreed? Agreed.

Ms Hanafin: I move amendment No. 1:

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

- commends the Government on putting 10,000 more teachers in place;
- supports the priority given in recent years to providing vastly improved services for children with special needs and those from disadvantaged areas;
- notes that as a result approximately 50,000 children from disadvantaged areas are already in much smaller classes;
- further notes the major increases in staffing supports for children with special needs, the improvements in the process for accessing such supports and the Government's commitment to the full implementation of the Education for Persons with Special Educational Needs Act 2004;
- welcomes the fact that last year there were 80,000 fewer primary school children in classes of 30 or more than in 1997;
- appreciates that another 800 primary teachers will be put in place next September, with the focus on reducing class sizes;
- commends the fact that there is now one teacher for every 13 students at second level;
- further commends the Government on the unprecedented level of investment in school buildings in recent years and the improvements that have been made in school planning; and
- welcomes the provision of €4.5 billion for the school building and modernisation programme under the National Development Plan 2007-2013.

[Ms Hanafin.]

The priority the Government has given to education is unparalleled. In 1997, we took over from an Administration in which the current leaders of the two main Opposition parties had voted to freeze direct school funding and cut teacher numbers. Investment in school buildings was minimal and provision for children with special needs in mainstream schools was virtually non-existent. We set out to return education to the centre of Government policy, to increase investment and to improve outcomes, and we have succeeded in those aims. A total of 10,000 extra teachers have been put in place. Primary class sizes have been reduced to their lowest level ever. Supports for children from disadvantaged areas and those with special needs have been dramatically improved. Under the largest school building programme in Irish history, thousands of existing schools have been modernised, while many more new ones have been built.

We are rightly proud of the significant increase in resources for education that has been put in place in a relatively short time, but it is the improvement in outcomes that matters most to us. More young people than ever are finishing school. With the creation of 45,000 extra college places and the success of targeted access initiatives, real breakthroughs have been made in the participation of students from disadvantaged areas in third level education. At the same time, we have laid the foundations for a vibrant fourth level sector as the key to attracting even greater investment to Ireland. We are fully aware of the many needs which have still to be addressed, but we are proud we have provided for the most sustained increase in funding and participation in the history of Irish education.

Ms O'Sullivan: I apologise for interrupting, but is a script being circulated?

Ms Hanafin: Yes. The Private Members' motion before the House concentrates on the areas of class sizes, special education and school planning. Having visited more than 400 schools in two and a half years and met parents, teachers and students throughout the country in small one or two-teacher schools and in large schools with more than 1,000 pupils, I have seen at first hand the progress we have made. I am happy to have the opportunity to outline what is being achieved.

First, I will address class size, which is an issue we take seriously. There are now 10,000 more teachers on my Department's payroll than there were in 1997. A total of 8,000 of these are primary teachers. As a result of these increases in staffing, not only are children with special needs and those from disadvantaged areas getting better support than ever before, but primary class sizes have been reduced to their lowest level ever. When the Government came into office there were 80,000 more children in classes of more than 30 than there are now. It is worth saying that.

Over the past ten years, a revolution has taken place in our schools, with the largest increase in teacher numbers in Irish history. The average primary class size has been reduced from 27 to 24. With all the extra support teachers now in place, there is now one teacher for every 17 primary pupils, down from one for 22 in 1997. While more remains to be done to reduce class sizes further, it should be acknowledged how much progress has been made in this area in recent years.

It should also be acknowledged that, in providing 5,000 extra primary teachers since 2002, the Government had to decide how best to use these posts. If all of them had gone into classroom teaching, our class sizes would be a lot smaller than they are today. However, we decided, rightly in my view, to target children with special needs and those from disadvantaged areas in the first instance, and in so doing we have greatly improved the teaching support available to such pupils.

Ms O'Sullivan: It was the Government that made the commitment.

Ms Hanafin: With these areas now largely addressed, in the current school year extra teachers were provided to reduce class sizes and, as Deputies will be aware, the Government has already committed to providing another 800 primary school teachers next September.

In the course of this debate, some Members will bring up examples of primary schools with which they are familiar that have large classes in particular grades and will try to claim these are typical of the situation in our school system as a whole, but that is not the case. Not only is the average class size at national level now 24, but all primary schools are staffed on the basis of a general rule of at least one classroom teacher for every 28 pupils. This is down from one teacher for 29 pupils in the last school year and it is being reduced to one for 27 from next September.

It is important to appreciate there are a number of different reasons a particular school may have a large class in a given year. Large classes can result from a significant fluctuation in enrolments from one year to the next. They may also be the result of a decision by the school principal not to have multi-grade classes. When I examine why a particular school has a class of 35 pupils in a particular grade, the reason is that there is another class in the same school with just 15 pupils.

I appreciate that splitting classes may not always be an option because, for example, there might be a large group in junior infants and a small group in sixth class and so on. However, where it is possible, I believe principals should consider the benefits of having smaller multi-grade classes as against having large differences in class sizes at different levels in the school.

Ms O'Sullivan: What if they have no classrooms?

Ms Hanafin: Multi-grade classes are the norm in the majority of primary schools which are small schools that have four teachers or fewer. There is no evidence that being taught in a multi-grade setting is to the detriment of the child. The opposite is the case. Perhaps more principals should consider multi-grade classes where they are in the best interests of pupils who might otherwise find themselves in large classes. During this debate, we will not hear of the small rural schools that have only two or three teachers, the island schools where there is only one teacher or the very disadvantaged schools, to which I will return.

The Government accepts that smaller class sizes at junior level can make a difference. That is why we have reduced and will continue to reduce class sizes in our primary schools. However, there is considerable evidence to show reductions in class size must be accompanied by a change in teaching styles to achieve all the benefits. Teacher quality and the work the teacher is doing in the classroom are even more significant than the size of the class. The two go hand in hand.

For my part, I have prioritised increased investment in teacher professional development to ensure teachers get the ongoing training they need to stay at the top of their game and maintain the high quality we have at present. My Department has also conducted and commissioned excellent research, such as the recent report on reading levels in our schools, which provides invaluable information and guidance for teachers on practical ways to improve outcomes for pupils. Examples of best practice in a range of curriculum areas have been sent to schools and new support services have been set up to assist them. I am committed to ensuring the highest quality of education in our schools. I know all partners will work with me to ensure that this is the case, as we continue to increase the numbers of teachers in our schools.

The Private Members' motion also refers to class sizes in disadvantaged schools. I am happy to inform the House there are now in the region of 50,000 primary school children from disadvantaged areas in classes of 15 or 20 at junior level and 20 or 24 at senior level. The number of children benefiting from smaller classes was expanded with the introduction of the DEIS action plan. This plan was an independent, objective process based on information provided by schools. Teacher numbers is only one factor that impacts on children's achievement. For this reason, smaller classes is just one of the many different types of extra support being provided under DEIS.

Anybody who thinks that simply reducing the sizes of classes in disadvantaged areas is all that is needed to improve outcomes does not under-

stand the nature of educational disadvantage and the multifaceted approach needed to tackle it. It is because the Government understands all the different factors involved that we have ensured that, in addition to smaller classes, children in primary schools serving the most disadvantaged communities are also benefiting from special literacy and numeracy programmes with intensive extra tuition to help pupils with difficulties at an early stage. In addition, after-school and holiday time supports, including homework clubs and summer camps, are provided. Extra funding has also been provided for school book schemes and school meals.

We are also conscious of the positive impact working with parents in disadvantaged areas can have on children's progress. Accordingly, the home-school-community liaison scheme has been extended. New teachers have been recruited for that scheme and a new family literacy initiative is being developed in co-operation with the National Adult Literacy Agency and other partners. We believe this comprehensive package of extra support for children and their parents will improve attainment levels in disadvantaged areas.

We know the scale of the challenges facing children and young people in disadvantaged areas but we are confident they can be overcome. Even before the DEIS plan was put in place, there was evidence that the extra investment targeted at disadvantaged areas by this Government between 1997 and 2005 made a difference. By 2005, 85.8% of Irish 20 to 24 year olds had attained upper second level education or equivalent, up from 82.6% in 2000. This has put Ireland considerably ahead of the EU average of 77.5%.

This progress is reflected in the fact that the number of young people from areas such as Finglas, Ballymun and the inner city going to third level doubled between 1998 and 2004. I accept we need to do much more to improve educational outcomes in disadvantaged areas, which we are doing under DEIS, but the progress made in recent years should be acknowledged.

I am sure Deputies will be pleased to hear there is now one teacher for every 13 students at second level, down from one for 16 in 1997. As Deputies are aware, schools are accorded a considerable local discretion in the way in which they organise matters of subject choice, teacher allocation and class size. That naturally leads to variations in the size of classes, with some being very small where not many students opt for a subject or level. The most recent edition of the OECD report *Education at a Glance* gave an indication of how the size of second level classes in Ireland compared with those in other OECD countries in the 2003-04 school year. The report found that the average class size at junior cycle in Ireland was, at 19.8, considerably lower than the OECD average of 23.8. While it is for school principals to decide how they organise their classes, it is clear that in the last year for which comparative

[Ms Hanafin.]

data are available our second level class sizes compared well with those in other OECD states.

The motion before the House this evening also refers to special education, another area in which major progress has been made by the Government. It is the improvement in supports for children with special needs in recent years of which I am most proud. There is no doubt that the record of the State over decades in providing for children with special needs was very poor and that we are still playing catch-up. However, significant advances have been made, improving the lives of many children with special needs and their families.

There are now 15,000 adults in our mainstream primary schools working solely with children with special needs, compared with a fraction of that number a few years ago. As well as providing for substantial increases in staff, we have also improved procedures for accessing extra support. A guaranteed allocation of resource teaching hours has been made to all primary schools, replacing the need for an individual assessment for each child. That was never promised and never part of any programme for Government.

Ms Enright: They are still needed.

Ms Hanafin: The increased allocation will ensure that, for the first time, each school will have resource teaching to meet children's individual needs. That was the priority that we set, and I stand by it. We have put a team of 80 local special educational needs organisers on the ground to work with parents and teachers and help them get the appropriate support for their children.

At second level, nearly 1,900 whole-time-equivalent additional teachers are in place to support pupils with special needs, compared with approximately 200 in 1998. In addition, there are more than 500 whole-time-equivalent learning support teachers and approximately 1,400 whole-time-equivalent special needs assistants in our second level schools. More than €820 million is being provided for special education in 2007 — €180 million, or nearly 30%, more than in the 2006 Estimates.

Further improvements in services are on the way, with the roll-out of the Education for Persons with Special Educational Needs Act 2004. The Act provides for an educational assessment for children with special needs and the entitlement to an individual educational plan. It also provides for parents to be consulted and informed at different stages of the process. Parents will also have recourse to an independent appeals board, which will have the power to compel bodies, including the Health Service Executive, to take specific action to address matters before it.

While many sections of the Act have already commenced, the remaining sections relate mainly to the statutory assessment and education plan

process for which it provides. The National Council for Special Education, NCSE, recently submitted its implementation report to me, which sets out its views and recommendations on a plan for the implementation of the Education for Persons with Special Educational Needs Act 2004. That is being considered by my officials.

Guidelines regarding devising and implementing individual education plans have already been issued to schools by the NCSE. It is the council's intention that those guidelines provide a benchmark for best practice pending the implementation of the Education for Persons with Special Educational Needs Act 2004 and that schools use them to draw up school policies and procedures regarding individual education plans in advance of the mandatory requirement for them to do so. Once the relevant provisions in the Act have been commenced, it is envisaged that the guidelines will have statutory effect.

I assure Deputies that the Government will continue to prioritise extra resources for children with special needs to allow the full implementation of the Education for Persons with Special Educational Needs Act 2004.

The final issue before the House tonight relates to the school planning process. Reversing the effects of decades of underinvestment in existing schools and providing new ones in areas of growing population has been a major priority for the Government. Under the largest school building programme in the history of the State, we are spending over €540 million on school buildings in 2007, compared with only approximately €90 million in 1997. Thousands of schools have benefited from the €3 billion provided for school buildings since 1997. A great many more will benefit from record investment of €4.5 billion in the school building and modernisation programme under the National Development Plan 2007-2013. The level of work being done under the school building programme is at an all-time high.

While increased investment has been a central reason, changes in how projects are managed have also made a major difference. Not only are we spending more than five times what was provided for school buildings in 1997; the innovations made in the design and delivery processes for school building projects are also helping to achieve ever greater success.

Some 1,100 schools have been approved for projects under the summer works scheme this year. That innovative scheme, which allows schools to get small projects done over the summer holidays, did not exist when we entered office, and schools waited very many years for improvements such as rewiring, new roofs and windows. Now, when the school gates close for the summer, the builders move in, and the students come back to an improved environment just a few months later.

To reduce red tape and allow projects to move faster, responsibility for smaller projects has been

devolved to school level. I recently announced details of more than 250 schools approved for works under the small schools initiative and the permanent accommodation scheme, neither of which existed until 2003. Standard designs have also been developed for eight- and 16-classroom schools to facilitate speedier delivery of projects and save on design fees.

In addition to those changes, particular focus has been put on improving forward planning through the publication of area development plans and greater co-operation with local authorities. In 2004 my Department adopted an area-based approach to school planning whereby, through a public consultation process involving all interested parties, a blueprint for schools' development in an area is set out over a ten-year timeframe.

The areas covered in the pilot phase of that new approach to school planning include the rapidly developing areas of north Dublin, south Louth and east Meath, and the N4-M4 corridor running from Leixlip to Kilbeggan, including all rapidly developing towns and villages in that belt. In addition to improving our own planning processes, we are also naturally anxious to ensure that education be central to the planning decisions being made by local authorities. As Deputies will be aware, my Department must be informed by local authorities of all development planning processes at county and sub-county level. That ensures that the Department is alerted about new and expanding residential areas and affords an opportunity to safeguard appropriate zoning provision for educational purposes.

However, as well as ensuring that sufficient education provision is included in local authority development plans, there is significant scope for greater co-operation between my Department and local authorities to fast-track the delivery of schools and community facilities. Agreement has been reached with Fingal County Council on a new partnership approach to do precisely that. Under that arrangement, and based on the school planning projections of the Department, Fingal County Council will identify and acquire appropriate sites where schools with enhanced sporting, community and arts facilities are to be built.

In practice, the local authority will identify the sites when adopting local area plans. The council will go on to acquire sufficient land as recommended by the Department on which an appropriately sized school or schools for that local area can be built. In return, the design of the schools on those sites will be varied to meet community needs identified by the council. The range of enhanced combination facilities will include full-size sports halls, stage and dressing rooms, community meeting rooms, all-weather pitches and playgrounds. Those 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.

The Department will benefit from major savings on the cost of school sites, as the council will make land in its ownership available at a reduced cost and negotiate the purchase of lands from developers at a lower cost. In return, the Department will invest part of the savings achieved in enhanced sports or community facilities, which will also be funded by the county council. That model will be used in Fingal to deliver approximately 20 schools. I am anxious to see that partnership approach replicated throughout the country and urge Deputies to use any influence they have on their local councils to encourage them to follow Fingal's lead.

Another provision allowing local authorities to ensure that schools are in place when needed is, of course, the strategic development zone process. Using that model, the Department is working closely with South Dublin County Council and developers to produce an integrated solution to education and community facilities in Adamstown that matches the delivery of new housing. The strategic development zone for Adamstown requires that housing and supporting infrastructure, including schools, be provided in a phased manner. It is a condition of the strategic development zone that, on completion of phase 2, with a maximum of 1,800 housing units, a primary school of eight classrooms or a post-primary school of 12 classrooms be in place. Each additional housing phase requires the provision of further school accommodation.

Such an approach ensures that schools are in position ahead of, or in line with, demand, and it should be adopted by other planning authorities regarding major new housing schemes. Major progress is evident across the whole spectrum of education. It is particularly evident in the improvements in school staffing, prioritising children with special needs and those from disadvantaged areas, reducing class sizes this year and last year, and providing unprecedented investment in school buildings. We know that challenges remain, but we are also confident that we have put the investment, policies and priorities in place to address these challenges.

Mr. Carey: The House will agree that the Minister has outlined a comprehensive overview of measures put in place both by this Government and the previous one. At this stage in the life of the 29th Dáil, we should be hearing some kind of visionary statement from the Opposition parties. However, having read through the Private Members' motion last week when it was first published and having re-examined it today, I consider it to be a missed opportunity on the part of both main Opposition parties, but particularly on the part of the Labour Party which tabled the motion. I wonder what the Opposition would do if its

[Mr. Carey.]

Members were in power. Which of the measures outlined by the Minister would they not adopt?

Together with the Minister, I take great pride in the fact that our children are being taught in good quality buildings and that priority is being given to children in disadvantaged areas and to those with special needs.

Ms O'Sullivan: Deputy Carey has not seen the school buildings I have seen.

Mr. Carey: Whenever either the Fine Gael or Labour parties have held the education portfolio, it is a pity that it has been a record of—

Ms O'Sullivan: What about “Early Start” and “Breaking the Cycle”?

Mr. Carey: Hold on a second. I remind the Members opposite that it was a Minister from the current Opposition ranks who closed down Carysfort training college at a time when it was obvious that the population was beginning to grow. They cannot have it both ways.

Ms Enright: The Government closed St. Catherine's.

Mr. Carey: The Opposition says it was responsible for starting the Celtic tiger but closing Carysfort college was unpardonable. A Minister from the Opposition parties tried to stop children under five being enrolled in primary school.

Ms Enright: They cannot enrol in Newbridge now because there is not enough room.

Mr. Carey: I have been teaching since 1967. I moved into a so-called new school in 1974, which was hardly more than a hovel. Its roof has had to be replaced three times in the intervening period and it has had a major revamp. If Governments comprising the main Opposition parties had made the necessary investment in those years, such a revamp would not have been required. I have heard that parents cannot find school places for their children, but the vast majority of school students where I taught were bussed to schools in the inner city. There was no planning either, but I will not dwell on the past. I wish to talk about what this Government's record demonstrates. When we came into office in 1997, ground-breaking legislation was introduced, which now underpins education. Ministers, including Deputies Martin, Woods and Hanafin, have been responsible for the body of legislation covering primary and secondary education.

Ms Enright: What about poor Minister, Deputy Noel Dempsey?

Mr. Carey: Anyone with any association with teaching will remember the famous rules and regulations in primary schools comprising circular

letters each September as they came in from the Department. There was no consultation or advanced planning. Nothing was being done at the time.

I do not want to go back over everything the Minister said but it is important to remember the investment that has been made in schools. The vast majority of schools in the Dublin area that required upgrading have been upgraded. Some three weeks ago, I visited a school with an enrolment of approximately 110 infants. I counted 27 people working with that group of children, including ancillary staff, classroom teachers and resource staff. There are challenges of course and that is as it should be. We need to examine how teaching is currently delivered and the Minister adverted to this in her speech. This brings me back to what I said earlier. It is a great pity that some valuable resources were taken out of the teacher training sector at that time. I hope that this Government, along with others who might be associated with planning future education policy, will examine innovative ways of ensuring we have the best possible teaching practices available.

Some time ago, we saw a report by inspectors who found that a substantial number of trainee teachers were not effectively delivering the lessons they were being asked to teach in the classroom. There is no doubt that hard questions need to be addressed by the teaching unions and those who operate teacher training colleges as to how we can improve the pedagogy which is a fundamental requirement of any good educational system. From time to time, it is no harm to compare ourselves with other countries through OECD reports. We should not be afraid to look at the blind spots we may have in our system. A number of years ago, who would have envisaged that we would require so many specialist teachers of English in our schools? That probably could not have been anticipated but the matter now needs to be addressed. Language instruction has not always been the strongest point in Irish education, whether it concerns the teaching of Irish, English or foreign languages. That area needs to be addressed and we have an opportunity to do so now. While much has been achieved, some school classes are still too large but the numbers are decreasing all the time. I have no doubt that, given the investment in a further 800 teachers this year and another 800 or more in the coming academic year, class sizes will be reduced.

We need to examine teaching methodologies. In 1974, when I moved into the school to which I referred earlier, the building had shared areas. Unfortunately, however, such areas became unfashionable later and within five years we were broken down into standard classrooms again. In retrospect that was not a good move. With the current availability of resources, there are now opportunities we did not have heretofore, which will allow us to examine better teaching methods. It is not always about information technology, although sometimes that is essential. I do not

wish to disparage the importance of IT, but a lot of teaching involves standing in front of a class and making a serious effort to impart knowledge to students. I am not suggesting that it should be done by rote, but teaching does involve some old-fashioned reinforcement of information that children cannot otherwise acquire easily.

Recently, I saw a report on the Cherry Orchard model whereby the progression of preschool, primary and secondary education is provided almost seamlessly on the same campus. I firmly believe the day is fast approaching when that model will be adopted everywhere, although I accept it is not always possible.

School principals can work together under the aegis of the home-school liaison scheme. In Ballymun, for example, 16 principals meet regularly to plan, develop and implement an agreed syllabus for that area, in co-operation with parents and the Department's inspectors and other specialist staff. That is the way forward. I am grateful for the opportunity to contribute to this debate and I look forward to hearing the visionary statements from the Opposition.

Ms Enright: I welcome the opportunity to speak on the motion put forward in the name of Deputy O'Sullivan and her colleagues in the Labour Party. I wish to share time with Deputies Connaughton and Kehoe.

This motion is timely as the appalling record on education of the Government must be put on the record of the Dáil. I was interested to hear the remarks of the Minister for Education and Science, Deputy Hanafin, and her colleague, Deputy Carey, who started with a dissertation on the Opposition and then pointed out, in his own words, the issues that need to be addressed. The Deputy seemed to forget that his party has been in office for almost ten years and has had ample opportunity to deal with the issues before us tonight, many of which have not been addressed.

Mr. Carey: The record speaks for itself.

Ms Enright: Every stage in the education system is equally important, from preschool to third and fourth level learning. Education is a vital tool with which people can change their lives and livelihoods. However, if a child or a young person falls outside the education system early in his or her schooling it is extremely difficult to get them to re-engage in learning at a later date. In short, this means that both preschool and primary education is of particular importance to all people and getting the best start, in educational terms, makes all the difference.

We know that the unacceptable rate of early school leaving at second level has been unchallenged by the Government and I was amazed by the Minister's statement in this regard tonight. She suggested that more young people than ever are finishing school. Replies to several parliamentary questions we tabled have indicated that 1,000

children still fail to make the transition from primary to post primary level and that there is a sharp urban-rural divide on retention rates to leaving certificate level, with Dublin city running at 69% compared to Roscommon at 86%. Only 72.1% of boys and 83.3% of girls complete the leaving certificate examination and answers to parliamentary questions in recent years indicate that this statistic has not improved. I do not see how more young people than ever are finishing school, as the Minister suggested, unless there has been a population bulge in recent years that has increased the overall number of young people.

We have documented evidence that the literacy standards of children from disadvantaged backgrounds have not improved over the lifetime of this Administration. The seeds of many of these educational problems are sown at a very young age, yet the Government has failed to recognise this fact by supporting preschool and primary education.

While this evening's motion deals with primary level education, I wish to briefly comment that the lack of preschool opportunities for many children in our society is a crying shame. I accept that Ireland, unlike many European countries, does not have a strong tradition of preschool education. However, the educational benefits that accrue to children in the short term and the long term from access to preschools are well documented. A deeply regrettable lack of vision on the part of the Government has meant that the provision of preschool has not been advanced. The Government has been in power for a full decade, yet it has not put forward a clear statement or plan of action to ensure that all children have access to preschool education within a defined timeframe.

At primary level the inadequacies of the Government are very clear. Though maximum class guidelines are set at 28 pupils per teacher, the reality is that more than 110,000 primary school children are in classes of 30 or more. At a time when the education system is going through a period of rapid change and expansion, the delivery of new buildings continues at a very slow pace. Teachers now face many new challenges, such as the diversity in our schools and classrooms, but the Government response has been slow, insufficient and out of touch.

Fianna Fáil and the Progressive Democrats are quickly moving from out of touch to out of time. The Government has had a chance to govern and has failed children, young people, teachers and parents. Why, after ten years of government by Fianna Fail and the Progressive Democrats, is the process of getting clearance for a new classroom akin to climbing a Mount Everest of red tape? Why, after ten years of government by Fianna Fail and the Progressive Democrats, are many schools still unclear as to their position on the school building programme and how long they will have to wait for new school buildings? Under the Minister it is no longer possible to check the

[Ms Enright.]

progress of applications on-line. At least that was possible when Deputy Dempsey, whom Deputy Carey forgot to mention, was Minister for Education and Science.

Why, after ten years of this Government, have schools, given the go-ahead for new buildings, yet to see a new block or brick laid? A Fine Gael survey recently found that, of the schools given the green light for new works in the past 18 months, more than 80% had not proceeded to construction stage. Why, eight years after the establishment of the national educational psychological service, are 50% of primary schools still outside the realm of the service? The Minister repeatedly refers to the weighted system but she is missing the point as it is a waiting system that faces our children. Almost every school in the country has children awaiting an assessment and the provision of a different, weighted, system does not address the needs of many such children.

Why, five years after all teachers were promised a laptop computer to help them to teach, are they still waiting? Why, three years after the announced introduction of standardised testing at primary level, are we still waiting for the tests to take place? At the education estimates committee meeting earlier today I asked the Minister for Education and Science a question on standardised testing and she admitted that her Department would only gather the results from this testing from schools in the delivering equality of opportunity in schools, DEIS, programme. This means that the standardised testing results for thousands of schools will not be gathered; that there will be standardised testing but no information on the results of that testing. Not only will the results not be published, they will not even be available to the Department of Education and Science so these tests will achieve nothing. The results will be private information available only to the individual schools in question. That is ridiculous and it makes a joke of standardised testing.

The Government has failed to join the dots and we can no longer afford to look at every problem from the heart of central Government. A new approach is required, one which reforms how the Government works, how individual schools function and how local authorities and planning and development laws incorporate the needs of wider society. It seems this type of co-ordinated approach to planning for the future of our education system is not in place. Over the coming five years it is estimated by the Department of Education and Science that the number of children at primary school level will increase by close to 60,000. We will need about 2,300 classrooms to accommodate them. Who among us has confidence that if this less than dynamic duo of Fianna Fail and the Progressive Democrats is returned to power we will have these necessary classrooms by 2012?

In conjunction with better planning from central Government, a key aspect of the Fine Gael approach to primary education is to empower schools to plan for their own development and address the specific challenges they face. Day in and day out, schools are working with vulnerable children and young people. Many have initiatives in place, some without direct funding, some with funding from other Departments, that are helping to keep young children in school and improve their education. For one school keeping children engaged and learning might depend on giving them a decent breakfast. For another the way to a child's mind might be through a homework club or a computer class. In education, what works should be supported.

Fine Gael is committed to establishing a schools excellence fund, starting with €100 million, which schools can access directly to provide additional services for pupils. In addition to more mainstream supports this fund would be used by schools to support innovative initiatives to tackle literacy and numeracy problems and to support the recruitment of new teachers.

Overcrowded classes will be tackled as, despite grandiose promises to reduce class sizes, the Government has failed to improve the situation in many classrooms in all parts of the country. Given the projected increase in pupil numbers at primary level the matter must be prioritised for action.

The Minister for Education and Science washed her hands of the issue of class sizes as quickly as she could when she assumed office. In Government Fine Gael will concentrate additional resources on dealing with the 110,000 children in classes of 30 or more. We want to see class sizes reduced across the board, but we believe that the real drive must first be to address the unacceptably large classes in schools. In tandem with a reduction in unacceptably large class sizes, we believe that it is crucial that junior classes have fewer numbers as the formative years in a child's development are most important.

We are all aware of the significant problems that schools in urban areas face, with 35 and 36 children being taught in many classrooms. However, we cannot overlook rural schools where, in addition to the problem of overcrowding, there is the challenge of teaching children of different ages and stages in multi-classes. I disagree with the Minister who made this sound like a very simple thing to do — teachers mixing junior and senior infants with first and second class pupils in one classroom will attest that it is a near impossible task that requires support.

A review of retention figures is necessary as we need to build some flexibility into the current system which allows schools to lose a teacher if one family and one child leaves a community. We must examine the rules governing developing schools to ensure that schools which are growing

in size substantially and quickly are awarded the resources they need.

In terms of local planning, the disconnection between the provision of housing and the provision of schools must end. I accept that the system in Fingal is working, but that is not replicated around the country. I was recently approached by a planner who wanted to know if a school was to be provided in a particular area so he could make a decision. He felt it would be irresponsible of him to make a planning decision without knowing if one would be provided, yet there is no legal compulsion for him to take such responsibility. I was not in a position to answer the question as answering questions on planning decisions is not the job of any TD. However, this incident indicates the lack of a proper planning structure. Fine Gael will ensure that local authorities have the power to require that the provision of sites for community buildings such as schools, or payments towards such facilities, will be part of new residential developments. While local authorities award planning permissions for new housing, they often take a back seat in planning for school development. Why should the authority that awards planning for housing developments not also consider the future educational needs of those living in its area? To ensure local authorities can plan properly for the educational needs of their communities, the Fine Gael Party, in Government, will ensure that all local authorities draw up specific development plans for the provision of educational facilities in their areas over ten-year periods. We will also prioritise the delivery of preschool education for all young children. Increasingly, educationalists point to the preschool period, usually the year before a child enrolls in full-time education, as being of critical importance.

There is no single solution to the problems our schools face. An agenda for action on a number of fronts, which places a high priority on delivering for children with special educational needs, driving down class sizes, giving schools greater autonomy in planning for their future and meeting the needs of their pupils, and reform of our approach to education, will lead to the best solution to the challenges our schools face. The Government promised many things to parents, teachers and pupils but failed utterly to deliver on its commitments. Our agenda for reform is achievable and, when delivered, the education sector will be significantly enhanced to serve the best interests of all children and young people.

I have no doubt the best fiction on television this weekend will be on RTE 1 at 8.30 p.m. on Saturday when we will hear Fianna Fáil rededicate itself to unfulfilled promises on class size for the third election in a row. I ask people to think seriously about falling for such promises again.

Mr. Connaughton: I congratulate the Labour Party and Deputy O'Sullivan on tabling this important motion. I distinctly recall that the

Fianna Fáil and Progressive Democrats parties announced with great fanfare a definitive programme to dramatically reduce class sizes before the previous general election. This programme did not materialise.

Parents, teachers and boards of management in every school will not allow the Celtic tiger to come and go without having the issue of class size addressed. I have not seen anything like the crowds who attended recent public meetings on this issue. Last week, 1,000 people turned up for one such meeting in Loughrea. They did not come for fun but because they believe the Government has not delivered on certain promises and want to know if Fine Gael and the Labour Party would be better. I sincerely hope we will do certain things better than the Government when we get the chance.

Addressing the problem of class sizes will mean recruiting extra teachers and rejuvenating the schools building programme in parallel. I am a long time dealing with this issue and I have never seen such trouble as that experienced in having a small extension made to a school, whether the smallest school in County Galway or the biggest school in the largest urban town. Why are ten specific steps necessary, usually over a ten-year period, to bring a school building project from conception to completion? Given that we can build 90,000 houses in one year without any trouble, why can we not build a few additional school classrooms without such a rigmarole? Where is the featherbedding? Is the number of people and agencies involved such that the Department cannot cut to the chase to ensure works are completed quickly? How can a Government stand over the current position? Most young parents are asking these questions. Following the forthcoming general election, the new Minister for Education and Science will be able to take immediate steps to overcome the current bottleneck.

In County Galway alone, 2,600 children are in classes of between 36 and 40 pupils. Can Deputies imagine a teacher trying to do his or her best in an overcrowded room? I have had no involvement in the education sector other than in my capacity as a parent. Some of my children have been through the system and become teachers.

In large classes teachers control rather than teach. They are barely able to control their classes and are unable to teach, facilitate interaction between pupil and teacher and bring out the best in their students, as they have been trained to do. How can one expect a teacher to be able to achieve these objectives in a classroom in which there is no room to swing a cat?

In fairness to Deputy Carey it is evident he has served as a dedicated teacher. Unfortunately, I must conclude.

Mr. Kehoe: I welcome the opportunity to speak to this important motion and thank the Labour Party and its spokesperson on education, Deputy

[Mr. Kehoe.]

O'Sullivan, for tabling it. During the most recent general election campaign, the then Minister for Education and Science gave a commitment to reduce class sizes. When the current Minister for Education and Science, Deputy Hanafin, was appointed she did not row back on the promise. The Government should be ashamed of its failure to meet its commitment.

I and Deputies from both sides of the House have attended meetings organised by the Irish National Teachers Organisation. Last week, more than 400 parents, teachers and others attended one such meeting in County Wexford, which was bursting at the seams with people who have a genuine interest in class sizes. I was struck by how members of Fianna Fáil and the Progressive Democrats spoke out of both sides of their mouths. A Fianna Fáil councillor said she could not understand the reason the problem of class sizes had not been raised in Dáil Éireann. She forgot to check the facts beforehand as she would have discovered that Fine Gael and the Labour Party have tabled several Private Members' motions on this issue and Government Deputies voted against them, as they will do tomorrow night.

Deputy Connaughton referred to the schools building programme. The Department must undertake an internal review of the programme. I have made so many telephone calls, written so many letters and tabled so many parliamentary questions to an official named Alan McIntyre that I could be forgiven for mistaking him for my brother. The school building section of the Department in Tullamore is a scandal. I apologise to Deputy Enright in whose constituency the office is located. An internal review must be carried out quickly to sort out the problems in the schools building programme. This review must be given priority if class sizes are to be reduced. While I accept it is not as simple as recruiting additional teachers, the Government has not made any major proposals to simplify procedures for completing schools building projects.

Cecilia Keaveney: It introduced the devolved grant.

Mr. Kehoe: The Deputy had an opportunity to speak and will have another one tomorrow night.

A teacher told the INTO meeting in County Wexford that, having taught a class of 30 or 35 pupils in Dublin, he moved to a new Educate Together school in Gorey where he teaches a class of between ten and 20 pupils. This, he said, had made a big difference in terms of teaching and controlling his class and allows him to spend extra time with each pupil.

The Government tells us it has done this and that in the area of special needs when it has not done anything in this area. If the Minister were to attend my clinic or that of Deputy Connaughton, she would quickly find out what

issues concern parents. During a recent Adjournment debate, I raised the issue of a child who, although unable to hold a pencil in his hand, has failed to secure assistance from the Department.

Acting Chairman (Mr. Sherlock): As it is 8.30 p.m. I ask the Deputy to move the adjournment of the debate.

Mr. Kehoe: I support the Labour Party motion. I hope the Government will support it when debate resumes tomorrow. We are giving the Government the chance to back up what it has said at the meetings organised by the INTO throughout the State.

Mr. Connaughton: The Government told INTO representatives across the country that action will be taken, but that will not happen.

Debate adjourned.

Health Bill 2006: Report Stage (Resumed) and Final Stage.

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

Caoimhghín Ó Caoláin: I move amendment No. 11:

In page 13, between lines 19 and 20, to insert the following:

“(c) to report on any failure by the Executive to take appropriate enforcement action in the event of non-compliance with the standards referred to in *paragraph (a)*.”

Tá brón orm nach raibh mé ábalta a bheith i láthair ag tús an díospóireacht ar an Chéim seo. I am sorry I was not in the Chamber for the commencement of Report Stage, but I had to attend a meeting.

This amendment is designed to strengthen the hand of the authority to hold the Health Service Executive to account. It provides for ongoing monitoring by the authority of the executive's compliance with its rulings. The HSE must be fully held to account. There can be little doubt in the minds of any in this House that the HSE has become what I can only describe as an enormous and unaccountable quango, with no democratic accountability whatsoever. With all its flaws, the former health board system had a much greater level of accountability and transparency, most importantly courtesy of the input of democratically elected members of local authorities, who played an important role in its work.

The HSE has become an enormous and unaccountable quango and that is perfectly illustrated by the way in which information relating to its work is now more difficult than ever for Members to ascertain. Members of this House will know that only too well. We have seen the ever-increasing percentage of questions tabled to the Minister

for Health and Children and the Ministers of State at the Department that are referred directly to the HSE. The figure in this regard represents an increase of almost 35% on what applied during the previous Minister's term in office. Despite the repeated promises and commitments made by the parliamentary affairs division of the HSE, we continue to encounter inordinate delays in responses to parliamentary questions. In my experience, these delays are generally measured in months rather than days or weeks.

I and other Members warned of this lack of democratic accountability when the health boards were abolished. In return, the Government promised greater efficiency and committed to the better delivery of health care services across the board, but the opposite has happened. We now have a seriously deficient health service at every level, from acute hospital services across the entire range of services. There are grave concerns and difficulties are experienced by service users. There is great discontent among direct employees, those who deliver the service at the coalface, and this has been particularly exemplified recently by the members of the Irish Nurses Organisation and the Psychiatric Nurses Association.

The public hospital system is clearly in a deepening crisis, the primary care strategy has been virtually abandoned, MRSA is endemic and the HSE is being used to implement the privatisation of services through what can only be described as the infamous co-location project, which is very much the baby of the current Minister and which reinforces the two-tier system that is at the root of many of our problems. The HSE and the Minister must be held to account. The HIQA may provide the means to do this, and therefore, I urge the adoption of this amendment. I hope the Minister of State, Deputy Tim O'Malley, is in the position to give us an affirmation of its acceptance.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): This amendment is very similar to one moved by Deputy McManus on Committee Stage. The position is as follows. Under section 7(1), HIQA is required to monitor compliance with standards it sets, other than those standards set on services inspected by the chief inspector of social services. Under the Bill, "designated centres" are residential centres for children in need of care and protection, residential services for people with disabilities and residential centres for older people, including private nursing homes. Designated centres must be registered by the chief inspector of social services if they are to operate. If designated centres do not meet HIQA standards, they will not be registered by the chief inspector.

The Bill also amends the Health Act 2004 to require the HSE to have regard to other standards set by HIQA in so far as is practicable and subject to the resources available to the execu-

tive. It is envisaged that service agreements between the HSE and service providers, under the 2004 Act, will contain appropriate provisions regarding adherence to HIQA standards. Given the extensive powers given to HIQA for monitoring compliance with standards, I believe the level of compliance will be very much evident. Accordingly, I do not intend to accept this amendment.

Caoimhghín Ó Caoláin: I am disappointed the Minister of State's response is negative. I am not certain whether the response to the previous ten amendments followed the same pattern. However, if this is the pattern of the Government approach, it is on a collision course with Opposition voices. The Government seems unprepared and unwilling to accept reasonable amendments which seek to improve and strengthen the legislation which is severely deficient.

It is critically important that the HSE is held to account and that it is seen to be the case that there is open, transparent accountability applied to all its work and decisions and that the public's confidence is built through such an exercise. That confidence cannot reach the standards we desire until such time as the structures are changed to ensure there is democratic accountability and that the Minister who presides over the Department and the HSE — although she would have us believe she does not — or someone in that role in the future once again takes full and accountable charge of the delivery of health services in this jurisdiction. This is very important.

Again, I commend the amendment to the Minister of State and appeal to him to reconsider the response he already offered.

Mr. T. O'Malley: I have reconsidered the amendment, but do not intend to accept it.

Amendment put and declared lost.

Amendment No. 12 not moved.

Dr. Twomey: I move amendment No. 13:

In page 13, line 35, after "population" to insert the following:

"in terms of the provision and delivery of services and the regulation of

(i) the demand for,

(ii) supply of, and

(iii) number of,

residential places throughout the State".

Does HIQA have any plans to provide for how services will be provided in nursing homes? What is the Government response in regard to demand and supply and the number of residential places throughout the State?

Mr. T. O'Malley: Consistent with the national health information strategy, section 7 confers a

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number of information related functions on HIQA. Those functions are interrelated and are designed to ensure the authority can examine and evaluate existing information systems, provide advice and make recommendations to the Minister and HSE about deficiencies and set appropriate standards for the HSE and service providers.

I understand the intention behind the Deputy's amendment, but believe it could limit HIQA in its information evaluation function and consequently impact adversely on its other information functions. As a specialist body, HIQA must not be constrained in how it examines our complex health information environment. The new section setting out the objectives of HIQA is sufficient to provide proper guidance in this area. The sort of information the Deputy seeks to include in the provision is by its nature the sort of management information with which the HSE should be concerned and is far too detailed to be included in legislation. For these reasons, I do not propose to accept the amendment.

Amendment, by leave, withdrawn.

Ms McManus: I move amendment No. 14:

In page 14, line 33, before "is" to insert "has been, within the previous 2 years, or".

This amendment concerns the issue of what is covered in the section, whether it covers what is current or previous years.

Mr. T. O'Malley: While I appreciate the principle behind this amendment, it is not a good idea for HIQA to revisit past events. HIQA is a new body with a new mandate and its role will be to prevent the mistakes of the past recurring, through quality-based and patient safety driven standards, accompanied by better information systems rather than by investigating them.

We have a range of existing mechanisms that can be used to investigate historical matters, for example, the legislation introduced by the Tánaiste and Minister for Justice, Equality and Law Reform. This legislation would allow investigations in the health area. It would be inappropriate for a body such as HIQA to begin by conducting historical investigations.

Ms McManus: That is a great pity. We do not propose an indefinite backward period. That HIQA does not have a role in this regard undermines its strength and supports the argument made by those on this side of the House for a patient safety authority. If we look at the record on health, we see that many serious scandals were only unearthed a long time after they began. The Dr. Neary case is a good example of this. It took a long time, even after the health board acted, for the full story to unfold and for justice to begin to be done. It is a pity that it takes a while to expose

such situations within the health service. This is not being established on a greenfield site as if nothing had ever happened before the establishment of HIQA. In fact HIQA should have been set up at the same time as the HSE. That was the deal, and the structure was to be such that there would be a watchdog and a new form of management. We never got the watchdog although we got the new form of management which is not always a pretty sight.

The watchdog being introduced has such limited powers that "watchdog" is probably not an accurate term. It is disappointing that HIQA's brief does not include assessing hospitals or investigating other issues. Much was promised with HIQA. It was rolled over with the inspectorate of nursing homes which was not its original function. It was to be an independent authority that would protect the patient. We must wait, however, for a new Government to establish a patient safety authority for a secure system that people can trust. That authority will listen to complaints rather than say that it cannot pay attention to incidents that happened before the date of this legislation, no matter how bad they were. How will HIQA learn if not from past experience? Is that not the best way for us all to learn?

Mr. T. O'Malley: There is no need for me to say more than that I do not intend to accept the amendment.

Amendment, by leave, withdrawn.

Acting Chairman: Amendments Nos. 15 and 32 are related and will be discussed together by agreement.

Dr. Twomey: I move amendment No. 15:

In page 15, between lines 10 and 11, to insert the following:

9.—In any investigation under section 8—

(a) the report of the investigation shall be absolutely privileged,

(b) due process and fair procedures shall be observed,

(c) any person called to give evidence, shall be allowed legal representation if he or she so requests, and there shall be a duty on any person conducting an investigation to inform such a person of his or her right in that respect, and

(d) there shall be a duty of cooperation on any member of staff of the service provider save where such a person receives legal advice to the contrary."

In the earlier debate on the amendment to this Bill I asked the Minister of State to explain whether it covered certain examples, such as the two midwives from Our Lady of Lourdes

Hospital. This legislation does not protect them but they are covered under other legislation which provides for client privilege which entitles someone to make a complaint to a solicitor who protects his clients if he passes the complaint on to an authority such as the former health board. Had the two midwives in question approached anyone outside the mythical chain of command that the Department has set up they would not have been protected. The Minister of State describes this structure as independent but we know it will be deeply involved with the Health Service Executive, HSE, in some form or other and will not be as independent as he thinks. It is always necessary to protect people. Each time I put these questions to him the Minister of State referred to the advice he was receiving to get himself out of the problem rather than state the situation.

I also raised the issue of a general practitioner trainer who might pass on his concern about one of those he was training to the HSE. The trainer would not be covered because he or she has no contract for training a GP. It might sound unbelievable to the Minister of State that 150 GPs are trained every year but there is no contract with the trainers. The legislation does not cover someone such as a consultant employed by Deloitte & Touche to examine PPARS who might express concerns about the system. This shows the deficiency in the whistleblowers amendment.

My amendment approaches the issue from the other side. Although we on this side of the House have always told the Government it needs to wake up and root out the poor nursing homes there is a serious need, which the Minister often does not realise, to protect natural justice because the HSE can and does abuse its position. At one time parents caring for foster children with autism expressed doubt that they could cope. The HSE did not send in psychologists, social workers or extra home helps, it sent in the A-Team to kick down the door and grab the children. In this way it can sometimes abuse its clout. This amendment aims to protect everybody's constitutional rights. We want to make sure that people being investigated are made fully aware of their legal rights so that we can always be sure of proceeding in the proper manner.

When this matter was raised on Committee Stage the Minister said she would consider this issue and respond to us.

Mr. T. O'Malley: My legal advice is that absolute privilege, which is a complete defence to a defamation action applies even where the words complained of are published with knowledge of their falsehood and with the intention of injuring another. While I do not believe that reports of investigations will contain deliberate falsehood or be slanted in any way I am reluctant to include such a wide provision on privilege in the Bill. The Minister stated on Committee Stage that the legal advice available to her was that a person under-

taking an investigation or inspection and making a report would have qualified privilege. He or she would have a defence in a defamation case where statements were made in good faith.

In view of the Deputy's concerns in the matter, further legal advice was taken in regard to what provisions, if any, might be included. Accordingly, having consulted further and concerned to ensure that there is no ambiguity or lack of clarity on this important issue, I am tabling amendment No. 32 which expressly provides for qualified privilege in respect of reports or documents prepared by, or communications made by HIQA, an authorised person, the chief inspector, inspectors and qualified persons. As is the norm in this area, however, such reports, documents and communications must be made in good faith and in carrying out relevant functions by the persons concerned. The legal advice available to me on due process and fair procedures is that these are implicit under common law and that specific inclusion of this provision would be redundant and perhaps even result in an unintentional effect on common law. Any person connected with an investigation can have access to legal representation if he or she so wishes. If the Bill is silent on this matter the right to legal representation is part of due process in common law. I am reluctant in any event to accept the amendment as inclusion of this provision in the Bill immediately begs the question of who is to pay for the legal representation. In any event, the legal advice is that it would not be appropriate to include the provision.

With regard to the duty to co-operate, save where the staff member receives legal advice to the contrary the legal advice is that the proposal in this regard would weaken the Bill. It would be odd if the legal advice were that somebody should not co-operate given the obligations to do so under the Bill. In this regard, a person who is in charge of a premises or service, or who possesses or is in charge of relevant records, is required to furnish any information required by an authorised person appointed by HIQA to carry out an investigation.

There is also a requirement under the Bill to provide an explanation of any record or other information provided or matters which are the subject of the functions being exercised by the authorised person. Moreover, section 76 provides that authorised persons cannot be obstructed or impeded when conducting an investigation and that false or misleading information must not be given to an authorised person. Contravention of these provisions is an offence under the Bill. On this basis I do not intend to accept amendment No. 15 but hope the Deputy will be reassured that the Minister's amendment, together with the legal advice I have outlined, is sufficient to meet his concerns.

A GP trainer or GP trainee who is acting inappropriately could be reported to the Medical

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Council and the person making the report would be protected under the legislation.

The purpose of the provision is to ensure that proper procedures are put in place to enable employees to make reports in good faith. It follows the principles set out in whistleblowers legislation in other jurisdictions, which legislation in general provides that the relevant organisation establish procedures and appoint officers to whom reports can be made. This Bill provides for both. The authorised person, by virtue of being a statutory officer, is independent in the performance of his or her functions. The Minister's amendment, therefore, provides the legal framework for making such disclosures.

On Deputy Twomey's point, it should be remembered that it was to the North Eastern Health Board's solicitors that the midwives made their initial complaint. This new statutory framework will mean that, in future, there should be no reason an employee would feel the need to report the matter to a legal representative. The two midwives would be protected as employees.

9 o'clock

Amendment, by leave, withdrawn.

Ms McManus: I move amendment No. 16:

In page 17, to delete lines 1 to 3 and substitute the following:

“(9) Not less than 40 per cent of the members of a Body shall be men and not less than 40 per cent shall be women.”.

The subject of this amendment arises time and again and relates to ensuring a gender balance on State boards and bodies. When I raised this matter on Committee Stage, I was struck by the fact that the Minister supported it in principle. She said there could be problems in ensuring the balance across the board and claimed that women dominated in many areas. That was news to me. The Minister said she would consider my amendment sympathetically.

There is no provision in the legislation — maybe I am missing it — to show there has been any movement to get the balance right. Ultimately, it is all a matter of where one stands. If one is in favour of ensuring a balance, one can deliver it. Arguments were made in the past that a gender balance of 40% could not be achieved because there were not enough women in senior positions in the areas of concern. When this was put to the test, it was quite clear that the Minister was motivated and wanted to do right by women. As a result, many women have been promoted to decision-making positions in a beneficial way. This goes some way towards striking the balance although we are a long way off parity.

In this instance, the argument is that we may not be able to find enough men in senior positions. I do not accept this in respect of women or men. If this were a matter of Catholics and

Protestants, black and white or Jew and Christian, we would not even have to debate it; we would automatically have provided safeguards to ensure proper representation on decision-making boards. Given that this is an issue of men and women and that we operate in a context in which women comprise only 13% of the representatives of this House, which figure is lower than the average in sub-Saharan Africa, there is a culture of denying the imbalance that pervades not only State boards but also other boards with decision-making power throughout society. When we have an opportunity to put things right, we should seize it and address the imbalance in good heart. I believed the Minister had taken on board my message and therefore the Minister of State might tell me what resulted from the fine words we heard on Committee Stage.

Caoimhghín Ó Caoláin: It should not have been necessary to table this amendment. Every Government-sponsored Bill providing for the appointment of members to a board, authority, council etc. should contain the requirement for the appointment, through affirmative action, of at least 40% of either gender serving on the board. That should be expected of Government. That we must repeatedly and continuously make the argument is a damning indictment of the Government's failure over the past ten years to employ affirmative action to ensure there is every opportunity for women to play a role not only on such bodies but at the heads of such bodies.

Any cursory look at the make-up of the vast majority of care providers in the health and social care provision areas will reveal that the overwhelming number of them are women. Are we to anticipate once again the oft-trundled out reply rejecting the arguments behind such an amendment? It is long past time that the Government grasped the nettle and acknowledged that the only way to ensure that women will have the opportunity to play a full participatory role in such bodies is through such a provision in legislation. The authority in question is a particular authority where we should adopt this approach. Who among us will say that women cannot aspire to hold up to at least 40% of the posts on this board? It beggars belief that anyone would defend the view that would leave us in a situation where the overwhelming number, if not all, would be men. I join Deputy McManus in appealing to the Minister of State to turn the corner on this issue through this legislation. I therefore commend the amendment to him.

Mr. T. O'Malley: The Minister was sympathetic to the objective of this amendment on Committee Stage. She made the point then, and I make it again, that under the existing provision, there is nothing to stop 80% or even the entire board of the authority being female. Currently five of the 12 board members of the interim HIQA are women. The matter has been further researched

and we have found that legislation establishing boards invariably addresses the matter of gender balance in board membership. The exact wording tends to vary from statute to statute but it seems clear the principle of gender balance is normally stated as an objective rather than an absolute requirement. There is one exception to this principle and I will refer to it later.

This is to ensure that decisions on board membership, especially in cases of casual vacancies, which can create particular difficulties where gender based percentages or absolute numbers are involved, are not determined solely on gender considerations. There is a particular need for this where the organisation involved has specialised functions. In such situations a primary consideration must be that a board member has the knowledge, experience and/or qualifications to enable him or her to discharge properly his or her public responsibilities as a board member. HIQA is a specialised body covering a wide range of expert areas, including safety, quality, health information systems and standards and health technologies. To be fully effective there must be flexibility in board appointments to ensure the appropriate mix of specialist skills on the board. Accordingly, it would be inappropriate to subject appointments to an overriding and exclusive gender consideration, especially where a vacancy occurs where a specialist member resigns and his or her expertise must be replaced.

In addition to the above policy consideration, legal advice was sought. That advice stated the current provisions in the Bill adequately address the matter of gender balance. The Minister has a mind to ensure there is an equitable balance between men and women and to allow for the proper retention of necessary ministerial discretion. More significantly, from a legal perspective, the advice was that acceptance of the proposed amendment posed a legal risk that arises from the fact that at any given time, there may be an unavoidable delay in making a required appointment after a vacancy occurs pending the recruitment and appointment of a suitably qualified man or woman. Whenever the number of board members falls short of statutory requirements, there is a chance that the argument that the board, and hence the authority, is not legally constituted might succeed. If so, that has potential to adversely affect the board's ability to function, the authority of which the board is the governing body and the authority's employee, the chief inspector.

I referred earlier to an exception to the special principle, the Education for Persons with Special Needs Act 2004, which requires the Minister to ensure that at least six of the members of the 13 member council are women and at least six of them are men. Even in that Act, when it comes to the membership of the special education appeals board, which is a specialist board, there is no reference to gender balance. It is stated that the chairperson and ordinary members of the appeals

board shall be appointed by the Minister from among persons who have a special interest in or knowledge of education and, in particular, the education of persons with special educational needs.

Having regard to all these factors and the legal advice received, I feel that the current provision is the most appropriate in the circumstances.

Ms McManus: Why am I not surprised?

Amendment, by leave, withdrawn.

Ms McManus: I move amendment No. 17:

In page 17, after line 41, to insert the following:

“(3) A disqualification pursuant to an order of a court referred to in subsection (2)(a), (c), (d), (e) or (f) shall not take effect until the ordinary time for appealing against any such order has expired, or if an appeal is lodged within that time, until any such appeal, or a further appeal therefrom is determined.”.

This amendment relates to the protection of the rights of an individual to appeal a decision because otherwise the Bill would have the effect of disqualifying such a person from membership of the body. It is to protect the rights of an individual in this situation and I tabled this on Committee Stage on legal advice. The Minister may claim it is implicit that this right exists but that is clearly wrong in law. There is a provision to protect people in the Electoral Act in the same way we propose in this amendment. I was surprised the Minister did not table a similar amendment. Perhaps the Minister of State is going to accept this amendment.

Mr. T. O'Malley: On Committee Stage, the Minister indicated she would consider this matter further, especially in light of the Deputy's reference to the Electoral Act. Since then, the relevant provisions in the Electoral Acts, namely sections 41 and 42 of the 1992 Act, have been examined and legal advice has been obtained.

The situation covered, however, is not identical to that in the Health Bill in matters that give rise either to disqualification for election to the Dáil or from existing Dáil membership. The Electoral Acts do not disqualify someone from Dáil membership even where he is convicted of a serious indictable offence. In terms of board membership of HIQA, however, it would not be appropriate that a person convicted of an indictable offence should remain as a member. Even in situations where such an individual was contemplating or undertaking an appeal, it would be inconsistent with his professional and personal responsibility to protect the reputation of HIQA to remain on the board.

The legal advice received from parliamentary counsel is that the statutory triggering of auto-

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matic cessation of board membership as currently set out in the section is appropriate under Irish law and does not offend the Constitution. Hence, there is no need constitutionally for a saving provision that would allow a person to continue as a member of the board pending expiration of an appeal period or the outcome of an appeal.

Eligibility to run for the Dáil and the matter of removing an existing Dáil Member go to the heart of our parliamentary democracy. In that context, we are not comparing like with like either generally or specifically in terms of general principles when we compare Dáil membership with membership of a State board. This was a point strongly made by Parliamentary Counsel. He distinguished between the right of adult citizens to stand for election to the national Legislature, which is an essential feature of a democratic state, and membership of a board appointed by a Minister. The limitations provided under section 42 of the Electoral Act 1992 are consistent with the former but unnecessary for the latter.

Provisions to the same effect as section 14(2) of the Health Bill 2006 are common in the Irish Statute Book without saving provisions staying their operation pending the expiration of an appeal period or the outcome of an appeal. Parliamentary Counsel's opinion was that for consistency throughout the statutes it would be inadvisable to provide differently here. All of the advice received confirmed the point that we are not comparing similar situations and, on balance, the current provisions, which are well established in legislation dealing with membership of State boards, are appropriate. I shall not, therefore, be accepting the amendment.

Amendment, by leave, withdrawn.

An Ceann Comhairle: Amendment No. 23 is related to amendment No. 18 and they will be taken together by agreement.

Caoimhghín Ó Caoláin: I move amendment No. 18:

In page 23, to delete lines 43 to 47.

On a point of clarification, does Deputy McManus's indication of withdrawal mean that it does not stand in my name as—

An Ceann Comhairle: No. We will hear you on it, Deputy.

Caoimhghín Ó Caoláin: Thank you, a Cheann Comhairle. I was just curious because it is what happened on the last one.

This is an odd situation in terms of lines 43 to 47 because what that subsection provides for in real effect is a gagging order against the chief executive. This is an exercise to not only censor but close down the independent utterances of the

chief executive. I wonder about the genesis of this subsection. Is it indicative of the difference of opinion regarding the numbers of public beds that might be required between the Minister on the one hand and the chief executive, Professor Drumm of the Health Service Executive, on the other? What is the Minister's and the Department's explanation for the inclusion of such a gagging measure which is counterproductive because it is in the public interest that we have full exposure of such differences of opinion and the dichotomy that can exist between the Minister and the Department on the one hand and the chief executive of the HSE on the other. I would like to hear an explanation of it. The amendment, which seeks to delete same and ensure there is greater public scrutiny, awareness and knowledge of the range of different opinions that exist between both entities, should be accepted.

Mr. T. O'Malley: There was much comment in committee about this subsection being a gagging measure. The Minister stated that she saw the principle behind this provision as fundamental to the way our parliamentary system works. I can only set out again in some detail the valid justification for the provisions the proposed amendments seek to delete.

Section 24 provides for the chief executive of HIQA to attend before certain Oireachtas committees to give an account of the general administration of the authority. Section 41 similarly requires the chief inspector of social services to attend and to give a general account of the activities of his or her office.

It is important that there should be accountability to Oireachtas committees but that accountability must be properly focused in terms of the persons appearing. Both the chief executive officer and the chief inspector are employees of HIQA. While they are senior public servants they are not responsible for formulating Government policy and to require them to comment either on the merits of any Government policy or the merits of the objectives of such policies would be inconsistent with their role. Accordingly, the section recognises that the chief executive officer and the chief inspector should be answerable for administrative matters only. It is the responsibility of the Minister to answer to the Oireachtas in respect of policy matters. Acceptance of the amendment would dilute the role of the Minister in this regard and for those reasons I do not accept this amendment.

Amendment, by leave, withdrawn.

An Ceann Comhairle: Amendment No. 19 is in the name of Deputy McManus. Amendments Nos. 20 and 34 are related and may be discussed with amendment No. 19.

Ms McManus: I move amendment No. 19:

In page 28, line 41, after “code” where it secondly occurs to insert the following:

“and the Authority shall comply with the code or revised code as so approved”.

With regard to amendment No. 20 there is a serious issue that is not being addressed by the Minister with regard to conflict of interest. I am surprised at this when I consider what the Minister said on Committee Stage. A very serious situation arose in regard to the HSE. A special adviser was brought in by the chief executive officer of the HSE who had been connected with a company that was involved in developing primary care centres. He subsequently left his role as adviser on primary care strategy prematurely and is now on the board of directors of the same company, that is, a commercial company interested in making profits out of the primary care provision. In the same way, we have various bodies being established and new inputs into the health service, particularly from private for profit companies, but we do not have robust regulation of standards when it comes to participation in what can be important and influential bodies. We have seen that in the HSE.

We are now establishing a new body at HIQA and the issue of conflict of interest has not been bolted down. The Minister accepted the criticisms I made on several occasions. I make this criticism not to get at an individual but because there have been shock waves through the health service, particularly among health professionals who are concerned at the new direction the Minister is taking without considering the dangers. When there is a great deal of money to be made from providing health care and determining the nature of the delivery of health care, there will be predatory practices. We do not have the protections or the experience of what is happening now, whether it is in co-located hospitals, the provision of primary care centres or issues related to the pharmacy sector, with which the Minister of State is very familiar. The Pharmacy Bill will be debated shortly and there are not protections in that Bill from these predatory forces. I have major concerns about that. Attention has been given to this issue on Committee Stage. I raised these concerns on Committee Stage and I felt I got a good hearing from the Minister but nothing is happening. That is a characteristic of this Minister for Health and Children. She makes all the right comments but then does something else or, more importantly, she does not do what must be done to provide the protection for the public good.

Mr. T. O'Malley: I will respond to amendments Nos. 19, 20 and 34 together. There are several related provisions in the Bill dealing with the codes of governance — section 33; standards of integrity, section 79; and codes of conduct,

sections 80 and 81 — which are relevant to any consideration of these amendments.

Regarding the first amendment, it is clear that the authority shall comply with its own code of governance. Any failure by HIQA to comply with this code would be a matter for the Minister to consider and to determine the appropriate action.

Ms McManus: That is not written into the law. There is nothing to require compliance.

Mr. T. O'Malley: I draw particular attention to section 33(5) which requires that arrangements for implementing and adhering to the code of governance must be included in the authority's annual report and section 36(2)(e) requires that the annual report contains a report on the authority's arrangements for implementing and adhering to its code of governance. In addition, under section 33(4), the code will be publicly available. These provisions will further ensure HIQA's compliance with the code.

As regards the second amendment, that the code of governance should include a requirement on board members, staff etc. to disclose interests and avoid conflicts of interest, which would then be available through a register for public inspection, I will make a number of points which I hope will reassure the Deputy that the provisions in the Bill are adequate and appropriate.

The key point of the proposed amendment is to address conflicts of interest. The Minister stated in committee that she shared Deputy McManus's view on the importance of conflict of interest issues and in the past week has had this issue investigated further. It would perhaps be useful to set out the implications of the ethics Acts — the collective citation for the Ethics in Public Office Act 1995, the Standards in Public Office Act 2001 — and the authority. Under the ethics legislation, if a conflict of material interest exists the person concerned, if he or she is a person to whom the ethics legislation applies, must not perform the function and must disclose the interest. It is intended that board members and senior management of the authority will be subject to the Standards in Public Office Act 2001. In that regard, the interim HIQA is already a prescribed body under regulations made in 2005 for the purposes of the Ethics in Public Office Act and its chairperson, board members and chief executive are designated as designated directors and persons, respectively, for the purposes of these Acts.

An Ceann Comhairle: As it is now 9.30 p.m., I am required to put the following question in accordance with an order of the Dáil of this day: “That the amendments set down by the Minister for Health and Children and not disposed of are hereby made to the Bill, Fourth Stage is hereby completed and the Bill is hereby passed.”

Question put.

The Dáil divided: Tá, 47; Níl, 33.

Tá

Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Blaney, Niall.
 Brady, Johnny.
 Brady, Martin.
 Brennan, Seamus.
 Callanan, Joe.
 Carey, Pat.
 Carty, John.
 Cregan, John.
 Curran, John.
 de Valera, Síle.
 Dempsey, Tony.
 Dennehy, John.
 Devins, Jimmy.
 Ellis, John.
 Finneran, Michael.
 Fleming, Seán.
 Gallagher, Pat The Cope.
 Glennon, Jim.
 Grealish, Noel.
 Hoctor, Máire.

Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.
 Killeen, Tony.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 Moloney, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Ó Cuív, Éamon.
 O'Dea, Willie.
 O'Donnell, Liz.
 O'Donovan, Denis.
 O'Flynn, Noel.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Smith, Brendan.
 Treacy, Noel.
 Wilkinson, Ollie.
 Woods, Michael.

Níl

Allen, Bernard.
 Boyle, Dan.
 Breen, James.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Costello, Joe.
 Cuffe, Ciarán.
 Deenihan, Jimmy.
 Enright, Olwyn.
 Ferris, Martin.
 Gilmore, Eamon.
 Gormley, John.
 Lynch, Kathleen.
 McGrath, Finian.

McGrath, Paul.
 McHugh, Paddy.
 McManus, Liz.
 Mitchell, Olivia.
 Murphy, Catherine.
 Naughten, Denis.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Dowd, Fergus.
 O'Keefe, Jim.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Ryan, Eamon.
 Stanton, David.
 Twomey, Liam.

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

Question declared carried.

**Asset Covered Securities (Amendment) Bill
 2007: Order for Second Stage.**

Bill entitled an Act to amend the Asset Covered Securities Act 2001.

Minister of State at the Department of Finance (Mr. Parlon): I move: "That Second Stage be taken now."

Question put and agreed to.

**Asset Covered Securities (Amendment) Bill
 2007: Second Stage.**

Minister of State at the Department of Finance (Mr. Parlon): I move: "That the Bill be now read a Second Time."

This Bill is an amending Bill, but it is a very important one which is urgently required in order to introduce some necessary technical changes to its parent Act, the Asset Covered Securities Act 2001. I might clarify at the outset for Deputies that the term "asset covered securities", or ACS, is a sort of Irish brand name for covered bonds issued under our legislative framework as set down by the 2001 Act.

The 2001 Act was a landmark piece of legislation for our internationally-focused financial services sector. It facilitated the establishment in Ireland of a robust legislative and regulatory basis for the issuance of covered bonds by Irish-based specialist banks. The ability to issue covered bonds is now a very important tool for banks' liquidity as it enables them to use some of their existing loans — currently restricted to residential mortgage loans and loans to public sector institutions under the 2001 Act — to raise new funding on a cost-efficient basis. This new funding can

then be used for further lending operations by the banks.

This involves putting the relevant loans into a “cover assets pool” and then issuing bonds, that is, asset covered securities, against that pool. The loans in the pool serve as collateral backing for the bonds and the interest and principal repayments on those loans are used to meet the interest payments on the bonds and eventually to redeem them. Meanwhile, the funding raised from the bond issue can be used to make further loans.

This technique is not exactly a recent innovation. It originated in the form of the German *Pfandbriefe* model about 150 years ago. However, it was only over the past decade or so that other member states with developed financial services industries began facilitating this type of activity. This has, in part, been necessitated by the changing pattern of consumer saving. Up until relatively recent times, banks could rely on substantial savings and deposit accounts to help fund their lending programmes. However, with more and more savings now going directly into investment funds and pension schemes, it is important for banks to be able to draw on diversified sources of funding in order that the financial system can effectively support economic activity.

The term “asset backed securities”, ABS, covers a very wide spectrum of financial products, but covered bonds are at the tightly-regulated and low-risk end of that spectrum. This refers to the fact that investors in our covered bonds have a preferential claim on the cover assets in the assets pool, the value of which invariably exceeds the value of the bonds outstanding.

The main features of this type of covered bond activity can be characterised as follows. First, the right to issue such bonds is governed by specific legislation — in Ireland’s case, the Asset Covered Securities Act 2001. Second, the issuing credit institution is subject to special prudential and regulatory supervision. Third, the set of eligible cover assets is tightly restricted and set down in the legislation and must also meet certain credit quality requirements. Fourth, it is an “on balance sheet” activity, that is, the loans are not sold off to some special purpose vehicle, as with a securitisation operation. The loans remain on the balance sheet of the issuing bank and-or group. Also, the bondholders are equally-ranking, and, as I have mentioned before, they have priority claim on the relevant assets in the cover assets pool in the event of the default of the issuer. Finally, the cover assets pool must contain sufficient collateral assets to cover bondholders’ claims throughout the whole term of the covered bonds.

I take it that it will be clear to Deputies from these details that the ACS sector is a very tightly controlled and carefully regulated one. In fact, it might even be described as micro-regulated, reflecting investors’ preferences for a high-quality, low-risk investment product.

To complete this overview of the covered bonds landscape, I should explain that this activity takes place in the wholesale sector of the banking industry and that the bonds are not aimed at retail investors. Those who invest in these bonds are, for the most part, professional institutional investors such as pension funds, investment funds and banks, including even central banks. Those investors are located worldwide, so Irish covered bonds are now a global capital markets product. The attraction of these bonds is that they provide investors with access to a security that is supported by high quality assets over which the investors maintain a robust, preferential claim.

While our asset covered securities legislation was landmark financial services legislation, it was also pioneering. When originally introduced, there was no ready-made blueprint available for such legislation from another common law jurisdiction to guide in constructing a statutory framework for this type of financial activity. While the concept has been on the continent for 150 years in the form of German *Pfandbriefe*, from which our legislation drew inspiration, there were many areas where national discretion had to be exercised and carefully balanced judgment calls made.

Nevertheless, the legislative and regulatory framework developed in Ireland was widely regarded as a best practice regime and even an improvement in certain respects on those of some other long-established jurisdictions in this market. Some of the features pioneered by Ireland have been taken up by other countries when introducing new covered bonds systems or by others updating their existing covered bonds frameworks. The legislation has been a major success and has underpinned the development of Ireland as an international location for the covered bond issuance. Since the enactment of the 2001 Act, bonds to the value of over €60 billion have been issued under the framework. It is expected that further issues to the extent of approximately €10 billion may be made this year.

Asset covered securities are, therefore, a significant element of Ireland’s success in international financial services activity. Total employment in Irish-based international financial services firms stands at more than 19,000. It is an important source of revenue for the Exchequer. The total yield of corporation tax from IFSC companies in 2006 was over €1 billion, according to the Revenue Commissioners, approximately 17% of total corporation tax. Our entry into the covered bonds niche sector has been a particular success for the IFSC regime, generating significant employment, incomes and tax revenue and creating an international profile for Ireland as an important centre for covered bond issuance. This amending Bill will build on our existing success and will help to ensure our ongoing competitive position in this highly competitive sector, thus underpinning existing employment and creating

[Mr. Parlon.]

the opportunity for further growth and sustained competitive advantage.

As with any new prototype, even in a specialist area of financial services legislation, the day-to-day operation of the model inevitably brings to light some areas where the link between theory and practice requires some refinement over time. The Bill will provide greater legal clarity and will facilitate greater flexibility when operating certain provisions. Accordingly, it is necessary to make a number of technical changes to the 2001 Act.

The definition of “duration” in the 2001 Act required clarification which is being addressed by way of amendments in sections 20 and 35. The new definition is in line with standard industry practice. Members may have noted the plethora of amendments — over 20 — whereby the term “comprised” is substituted for the word “included”. These all follow from section 2(*n*) which inserts a new definition of the term “include” into the 2001 Act. This definition is needed to make it clear that the insertion of an asset or contract into the cover assets pool does not mean the continued maintenance of that asset in that pool. This is because it is necessary to actively manage the assets in the pool on an ongoing basis. It is particularly important to reassure the counterparties to a hedge contract that the hedge collateral held in the pool can be returned to them when the contract so requires.

There are also related consequential amendments affecting entries in the registers which are kept to record the assets in the cover assets pools. Another technical change relates to the use of derivatives in the cover assets pool. Derivatives, such as swaps, are used to hedge various risks such as currency risks, credit risks or interest rate risks. It is also being made clear to hedge counterparties that the hedge collateral is protected for them in the event of the issuing bank’s insolvency. This is ensured by holding the hedge collateral in the pool but as a separate asset category from the other assets in the pool. Without this amendment, the counterparties to hedge contracts would be less willing to hand over collateral to back their hedge contracts if that collateral were not properly safeguarded for them while in the pool. Accordingly, the section 5(*a*) amendment provides important legal clarity to the 2001 Act.

While the initial urgency for this Bill arose from the need to achieve greater legal clarity for some provisions of the 2001 Act, such as some of those I have just outlined, other strategic considerations have since come into prominence. From 1 January 2007, the EU’s capital requirements directive, CRD, came into force across the European Union giving legislative effect within the EU to the Basel 2 Agreement on the capital requirements for credit institutions. We now have a window of opportunity in exploiting some of the reforms introduced under the CRD. It is not

just a question of aligning our regime with the provisions of the CRD so as to enhance our competitive advantage; it is also the case that if we do not align our asset covered securities framework quickly with the CRD’s, our covered bonds may become less attractive as investment products for foreign banks and other entities which hold these bonds.

At the same time, by being an early mover in incorporating the CRD’s reforms into our asset covered securities regime, we will undoubtedly gain some competitive advantage for those who issue those bonds under our legislative and regulatory framework. It could lead to more Irish financial institutions taking up this activity and encourage overseas issuers to locate in Ireland, with all the associated benefits for the economy with high quality jobs, tax revenue and the development of our international financial sector.

The modernisation to the asset covered securities framework prompted by the CRD includes the definition of “public credit”. This is being modified to bring it in line with the CRD definition. New Zealand and Australia will be added to the existing list of non-EEA countries — Canada, Japan, the Swiss Confederation and the USA — whose assets may be included in a cover assets pool.

To reflect the developing nature of the asset covered security business, it is proposed to provide for the use of loans to highly-rated multilateral development banks such as the IBRD, the EIB, the Asian Development Bank etc. It will also cover loans to international organisations such as the IMF and BIS. The pool eligibility criteria for so-called substitution assets — essentially cash held on short-term deposit with highly-rated banks — are being brought into line with the CRD. *Inter alia*, this involves reducing the Irish limit for substitution assets of 20% on a pool asset basis to 15% on a covered bonds outstanding basis. It will also involve more frequent property valuations. The CRD requirement for annual valuations for commercial property and three yearly valuations for residential property are covered by the amendments.

The amendments provide for the inclusion of residential and commercial mortgage backed securities, that is, units of mortgage securitisation issues, in the cover assets pool and meet the requirements of the CRD in this regard. The current provisions which restrict the level of public credit covered securities to 50 times the institution’s funds level are being modified as a result of changing risk weighting of public sector loans under the CRD.

Under existing legislation, covered bonds can effectively only be issued against residential mortgage loans and loans to public sector institutions. However, a new type of designated credit institution, a designated commercial mortgage credit institution, is introduced to issue covered bonds secured on commercial mortgage loans.

This innovation, too, is inspired by the provisions of the CRD.

The opportunity is also being taken in this legislation to modernise the legal framework in the light of international developments in this sector since the 2001 legislation was put in place. For instance, the 2001 Act requires that the asset covered securities be fully, that is 100%, collateralised. Some other jurisdictions have specified a requirement that there be a degree of over-collateralisation. It is appropriate that Ireland, too, should strengthen the safeguards for investors by introducing mandatory over-collateralisation of 3% in the case of residential mortgage loan and public sector loan pools and 10% in the case of the proposed new commercial mortgage loan pools. It will, of course, still be open to issuers to give a contractual commitment to investors that they will maintain even higher levels of collateralisation than are statutory required by the reforms in the Bill.

This is technical and complex legislation. The reforms I have outlined have been carefully drafted in consultation with industry legal experts, the Financial Regulator and by the Parliamentary Counsel. The proposals have also been formally vetted and cleared by the European Central Bank which confirmed it had no problems with them. I shall be bringing forward a few amendments on Committee Stage which are of a minor technical nature and to correct some cross-references.

While this is an amending Bill and as such is just making modifications to an existing framework Act, I cannot over-emphasise the importance of the early adoption of these reforms for the ongoing effectiveness of this important sector of our financial services industry and for the wider economic activity it underpins. I commend this Bill to the House.

Mr. Bruton: I cannot pretend I understand fully the products which necessitate a change in the legislation governing them. To a large degree, we are taking on trust what the Minister and his officials tell us. I recognise this is a sector of the economy that has grown rapidly and where early movers can get a significant market share. Ireland has been most effective in developing a good niche in the financial services sector in recent years. I am supportive of any development of our legislation which has a sound prudential basis but which is also allowing new products to develop. We have developed a well-earned reputation for being effective on the regulatory side, while doing it with a light touch that is not excessively bureaucratic. We must maintain that reputation.

With the establishment of the Irish Financial Services Regulatory Authority, IFSRA, some of the financial institutions involved in these more arcane areas of financial product development have felt that perhaps the new regulator has been on a learning curve and the system has become more bureaucratic than had been the case in the

past. Inevitably, with any new institution there is a bedding-in period. We are moving from a situation where financial regulation probably considered only prudential concerns and did not consider consumer issues but that is changing. As regulatory regimes develop, regulators have to come to grips with a need to look in more than just one direction.

I am encouraged that this is a sector where there continues to be growth and high quality employment is provided. We could probably go further in working to develop the pool of talent and educational supports to make this industry grow. As we have seen in recent times, some of our traditional manufacturing industries and even some of our more recent internationally traded services are coming under some pressure. This sector has not suffered any such reversals in recent times and we need to cherish and nurture it to some degree. For that reason I am pleased to support this legislation.

I accept the legislation is urgent and the Minister is anxious that we pass it before the end of this Dáil session. We will not be able to go into the Bill in the detail that such legislation might warrant in other times. However, I am confident sufficient work has been put in by the official side to make sure this is proofed against any problems in the future. We have to take that on trust, but our faith is based on a reputation that has been well earned by those who are sponsoring this legislation.

Ms Burton: As I understand it, this legislation refers to facilitating banks to avail of secured long-term funding by issuing covered bonds and using certain types of assets such as residential mortgages and some of the assets of public sector loans in a covered assets pool and then issuing bonds secured under the covered bond legislation against the pool.

Like other Deputies, I received a note from the Minister for Finance rather late last week to say it was urgent that this proposed legislation would be enacted. The original legislation was brought before the Dáil in the recent past. The Minister needs to tell us why there is a need to amend this legislation already. I accept some measures relate to new moves in regard to the European Central Bank and arrangements in regard to European directives. However, I notice the Minister is also amending the existing legislation. I would be grateful if he would explain what exactly that is about.

In addition, the Minister referred to this legislation having been vetted in some way by the Financial Services Regulator. Again, I would like the Minister to be more specific about what exactly that involves. It is difficult to get a specific and personal request from the Minister for Finance to facilitate legislation he deems to be urgent yet at the same time to get little or no briefing. Bonds are widely used in financial services markets. With depositors and lenders to banks not behav-

[Ms Burton.]

ing as they once did in a stable pattern by holding their money in banks over a long period, banks have to evolve different types of instruments to address this.

As with all rushed legislation, the Opposition is obliged to take the word of the Minister for Finance in this case as being his bond. The legislation issued over the St. Patrick's weekend and there has been no opportunity for the Opposition to seek independent advice or to have any opportunity to meet with people from the industry concerned and to hear some independent counsel.

In many ways the Financial Regulator has done a good job but, nonetheless, we heard on RTE in recent days about a subsidiary company of Friends First in which a fraud took place and where the person concerned, who was a director of a subsidiary company, is still serving in that capacity. The Financial Regulator has appeared before the Joint Committee on Finance and the Public Service at various times and informed us in great detail about the stringent conditions which were being introduced to address the qualifications of directors considered suitable to serve on the boards of financial institutions. In addition, he referred to the matter of people serving as senior executives in the banking and insurance industry.

While the Financial Regulator has done much good work, the Opposition and accountability to the Dáil should not be completely taken for granted. We largely rely on the Minister's description of what is involved and his word being his bond in this case. Within the IFSC and related companies, there is much employment available to graduates. This area of the employment market pays well. It is a hapless record for the Government that 35,000 manufacturing jobs have been lost in the past five years. In the context of these huge job losses, it is appropriate that we would support a measure which at least sets out to secure good quality employment in the banking sector.

On that basis, and taking the Minister's word on trust, because there has been no time to get any kind of independent evaluation carried out, I am prepared to support the Bill. The Minister of State referred at the end of his contribution to the great work of the Chief Parliamentary Counsel. If it is that great, why does the Bill need to be amended so soon? The history of legislation rushed through the House in a couple of hours in this manner has not always proven fantastic. With those caveats in mind, I support the Bill on behalf of the Labour Party.

Mr. Boyle: I wish to share time with Deputy Finian McGrath.

An Ceann Comhairle: Is that agreed? Agreed.

Mr. Boyle: Like previous speakers, I feel that we have not been given sufficient time to examine

the Bill in detail. The original legislation was passed in 2001, some six months before dissolution of the 28th Dáil. That all too brief debate was also led by the Minister of State at the Department of Finance and responded to by spokespersons on behalf of Fine Gael and Labour. The degree of uncertainty that exists now also existed then, and there is probably a need for wider briefing on the part of the Department regarding the issues involved in this part of the financial services industry.

That said, the original legislation seems to have been enacted, and is probably now being amended, at the behest of certain financial institutions that have come to operate successfully in the international financial services sector. It seems to have been led in particular by German financial institutions seeking standard practices across Europe. This Bill appears to be a further development of that principle, seeking as it does standardisation with such countries as Australia and New Zealand.

As a concept, it deserves wider inspection. As I understand it, and as Deputy Burton has articulated, the Bill seems to give financial institutions the ability to borrow on the basis of lending in the mortgage market in particular. As we are now in an uncertain situation regarding the property market, I am unsure whether Irish mortgage-holders will be exposed or whether we are allowing international financial institutions operating from the IFSC to benefit from a standardisation of international practice.

In his opening contribution, the Minister of State highlighted that we are governed by the need to introduce certain changes owing to the EU capital requirements directive. On those grounds, not many in the House could oppose the Bill. I share Deputy Burton's concern at the number of changes being made to legislation only five and a half years old that seem to be of a very technical nature. For example, changing the word "compromise" to "include" suggests a slight flaw in the existing legislation not properly explained to us on this side of the House. In summing up, perhaps the Minister of State might explain those grounds.

The debate offers us some opportunity to comment on the state of financial services in this country. I notice that the Irish Banking Federation, representing practitioners who will have to operate under the legislation, has welcomed the Bill. On this side of the House, we will have to take that recommendation very seriously. However, we must also take cognisance of the international climate regarding hedge funds, the stock markets and the international property market in general. For instance, we should take into account the fact that last week's sneeze on the international stock markets was caused by a large number of people defaulting on property loans in the United States. With an economy strongly linked to the success of its US counterpart, that should cause Ireland concern. When

discussing legislation of this nature, those concerns should be recorded.

The Financial Regulator has highlighted issues regarding 50 cases of market abuse currently being examined by his office. On the scale of things, that might not be too serious, since he has publicly stated his underlying suspicion that one in every four transactions on the London Stock Exchange is an example of insider trading. When world stock markets are in such a state of flux and we pass legislation relating to financial services, the House must take such matters into account. It is unfortunate that we have not had the opportunity of a longer lead-in time with more detailed examination of the Bill.

The Financial Regulator is now the watchdog for 10,000 financial institutions in Ireland, a fairly frightening figure. Everyone in the House will accept that the job is largely being done well by the body, but there are questions, given the large number of institutions being overseen. Are we getting the resources right? Deputy Bruton asked whether we were getting the balance right between appropriate legislation and regulation that might be stifling. We could have gone into that in greater detail in this debate.

The recent G7 meeting of Heads of Government, of which Ireland is a participant only through the President of the European Commission, recorded unhappiness regarding hedge funds. I do not know whether the Minister believes in international regulation of that market, and the Minister of State may not be able to respond on the growing international apprehension regarding the prevalence and insidiousness of many such funds. I believe that we are getting the balance right in Ireland, but there has been unfavourable comment in recent years to the extent that, without the appropriate level of transparency and regulation in its financial services, Ireland risks being considered akin to the Cayman Islands in international circles. We cannot allow such comments to go unchallenged.

The concept behind this Bill is the German one of *Pfandbriefe*. Perhaps Irish financial services are now subject to that degree of international scrutiny — ironically, by German political figures on the basis of *Schadenfreude*. Irish financial services have become more successful over the past three years, and we must present that in the best possible legislative light. If this Bill helps us do so, the Green Party is prepared to support it. However, caveats have been entered by other speakers regarding the need to deal with the legislation properly and have a longer lead-in time. On this occasion, the Government has not allowed us proper consideration.

Mr. F. McGrath: I am grateful for the opportunity to speak on this legislation. I welcome the debate on the Asset Covered Securities (Amendment) Bill 2007. I always welcome reforming legislation coming before the House, and this also gives us an opportunity to discuss in

detail the financial sector, the economy, banking, jobs and investment, which are crucial at this point in our history. It also gives us a chance to put forward new ideas on investment and job creation. We must have a constant stream of new and radical policies on investment, economic development and, above all, creating quality jobs. In this debate, it is important that we focus on such important issues.

We are also at a crossroads. There is much debate and focus on the economy in general. Are we turning our backs on the question of whether we are a society, a country or an economy? This legislation gives us the opportunity to deal with such issues in a most comprehensive manner. I agree with the Minister that it is a quite technical and complex Bill. I hope that the reforms outlined have been carefully drafted in consultation with industry, legal experts, the Financial Regulator and the Parliamentary Counsel. These issues are extremely important as well as very technical. We also have a chance to consider the ongoing effectiveness of an important sector of the financial services industry and the wider economic activity that it underpins. It is a crucial issue because we seem to be obsessed with economic development. We are all in favour of developing the economy but we must also ensure that our economic resources are distributed fairly to society at large.

Ireland was once known as the island of saints and scholars but today, sadly, it is better known as the land of scandals and tribunals. Politics, banking, the church, business, medicine, the law and the Garda Síochána have all suffered from an erosion of public confidence. Moreover, Ireland has undergone rapid social, economic and political change over the past decade, which has had a profound impact on our value systems. At the beginning of the 21st century, the country is fairly prosperous yet this situation can create dilemmas of its own. Difficult decisions about the distribution of our resources raise awkward questions for society. This brings us to the recent outbreak of auction politics. How is the balance between individual rights and the overall good of society to be resolved? To whom do we look for guidance? The credibility of the church, the banking sector, the political elite, the medical and legal professions, and business leaders, has been seriously damaged. We have an opportunity today to examine and debate these issues, rather than sticking our heads in the sand.

The purpose of the Bill is to introduce some necessary technical changes to the Asset Covered Securities Act 2001, to provide greater legal clarity and facilitate greater flexibility in operating some provisions of the original Act. The Bill also includes some new provisions aimed at developing the Irish covered bonds statutory and legal framework in light of changes made in other jurisdictions or in EU legislation. It introduces a new kind of designated credit institution — a designated commercial mortgage credit institution —

[Mr. F. McGrath.]

whose activities will be focused on commercial mortgage lending. These are the issues that fall within the remit of the legislation.

This debate provides us with an opportunity to highlight the problems facing young people who seek mortgages and other loans. Many young people currently find it very difficult to get on the housing ladder. It is a major problem for many people, particularly those on low and middle incomes who are finding it virtually impossible to buy a small apartment or a three-bedroom semi-detached house, especially in Dublin. Many constituents have phoned me about the supply of mortgages and housing, which is a crucial part of a decent and fair society. If people are unable to obtain home loans it is damaging for the country. At the same time, however, many wealthy individuals seem to own several houses and have plenty of personal investments. Members of this House have been involved in this kind of carry on, while young couples cannot afford to buy their first home. It is important to highlight this matter, although I am not a lone voice in doing so.

Last Friday, these matters were raised on the "Late Late Show" by George Lee. It is time for a wake-up call to consider where this country is going. There is nothing wrong in challenging the *status quo* and proposing new ideas on finance, mortgages and banking. Neither is there anything wrong with challenging those who have misled consumers and, in many cases, ripped them off. I challenge the Minister of State and his Government colleagues on these important matters.

In discussing the development of the economy, we must wake up and smell the coffee when it comes to the issue of jobs. In recent weeks, we have seen job losses in companies that are moving their operations from this State to countries with low-wage economies. As a nation, we must plan for the future in order to deal with such developments. I do not want to see us in a situation where low pay is back on the agenda again. When we are doing our research on developing the economy, including banking and the financial sector generally, we must have creative new ideas to achieve such development. We cannot afford to lose thousands of jobs every month. This is the stark reality that many people are worried about. Members of the House have concerns about big industries in their own constituencies, so it is right and proper to highlight these matters before the situation gets worse. This is not about political point scoring, it is a question of caring about economic investment and the direction of society in general. It is important to support our young people, and young couples in particular, when it comes to dealing with these issues.

I welcome the debate on this Bill, which is important technical legislation. I also welcome any new ideas from any Members on creating jobs and promoting investment.

Minister of State at the Department of Finance

(Mr. Parlon): I thank all the Deputies who have contributed to the debate. As they know, the House is currently coping with a significant volume of urgent legislation and I am grateful they appreciate the need to make progress on this highly technical Bill, which is devoted to a specialised but strategically important niche sector of our financial services industry. I appreciate what Deputy Finian McGrath said. He has been eloquent in his support of jobs but I would remind him that the financial services sector accounts for more than 19,000 jobs. In addition to all the PAYE revenue that arises from that sector, it also accounts for more than €1 billion in corporation tax. Despite the Deputy's other concerns therefore that sector is a major contributor in that regard.

I do not agree with his comments on the island of saints and scholars. I have just returned from South Africa where I represented our country. All they can talk about there is the magic of our Celtic economy, how it was arrived at, and how they could possibly copy our model. Having spoken with other ministerial colleagues who travelled abroad recently, I know that the success of our economy is the talk of the economic world. Therefore, I do not accept the derogatory terms used by Deputy Finian McGrath, which relate to a myth.

Mr. F. McGrath: It is not a myth, it is a reality.

Mr. Parlon: I have explained the reality as it is regarded outside the country. The Deputy can raise those issues but it is not how the country is seen from abroad.

I wish to deal with some of the other issues that were raised during the debate. Deputy Bruton certainly recognises the importance of cherishing and nourishing the financial services sector. While Deputy Burton raised some caveats, she is also quite supportive of the legislation. I assure Deputies that the sector is constantly dynamic and innovative. The original Act was introduced six years ago in 2001. Due to its innovative nature, some elements did not work as smoothly as expected, so that is why I am proposing these technical amendments.

The EC capital requirements directive was passed in June 2006, so it is important for us to move quickly in this competitive area. Moving early to make such amendments will allow our financial services sector to remain competitive internationally. That is what the Bill is about.

Deputy Boyle raised the concerns of Irish property owners but they will not be adversely affected. The loan-to-value limits on assets in the pool are conservative at 80% of LTV on aggregate. This gives a wide margin of safety to bond holders should the property market slow down. We do not have any concerns in that regard. The amendments we are making are technical in nature, falling into line with the new EU directives.

It is all a matter of common sense. Likewise, the amendments have been drafted with the close involvement of the financial regulator. We have received the best legal and technical advice. In addition, the amendments have been vetted and cleared by the ECB which has confirmed that it has no problem with them at all. As Deputy Boyle said, the Irish banking industry has welcomed the Bill.

Question put and agreed to.

**Asset Covered Securities (Amendment) Bill
2007: Committee and Remaining Stages.**

Section 1 agreed to.

SECTION 2.

**Minister of State at the Department of Finance
(Mr. Parlon):** I move amendment No. 1:

In page 10, between lines 7 and 8, to insert the following:

“(q) in the definition of “non-performing“, in paragraph (b), by inserting “(but disregarding, for the purposes of this paragraph, section 4(4))“ after”section 4(1)”,”.

This amendment concerns the definition of non-performing in the principal Act. Under the Bill as published securitised mortgage credit assets are regarded as non-performing after default in payments for three months or more. While this period is appropriate for mortgage loans it is not appropriate for securitised mortgage credit assets which are tranches of securitisation bonds. The effect of this amendment is to deem securitised mortgage credit assets to be non-performing if payments on them are in default for ten days or more. This is the same period of time that applies to public credit assets.

Amendment agreed to.

Mr. Parlon: I move amendment No. 2:

In page 11, line 32, after “mortgage” to insert “credit”.

This amendment concerns the term securitised mortgage credit assets that is used in the Bill. The definition of that term in section 2 of the Bill as published omits the word credit and this technical amendment corrects the omission.

Ms Burton: In my short contribution I asked the Minister of State to outline the role of the Financial Regulator in the preparation of this Bill. The Minister of State made a second reference to what I presume was commercial expert legal advice and, as he did not reply to my query in his second Stage speech, can he tell us whether the Bill was drafted by the parliamentary draftsman or by private companies contracted for the purpose? Was the independent commercial legal

advice provided freely or was it paid for by the State?

Regarding the definition of the terms, can the Minister tell us what was the role of the Financial Regulator? My question was legitimate and I felt deserved a legitimate answer so the Minister of State might give an explanation in this regard relating to the amendment.

Mr. Parlon: The Bill was drafted by the parliamentary draftsman with professional advice from top legal and financial experts for which no payment was made. This was vetted by the European Central Bank in consultation with the Financial Regulator.

Ms Burton: What does that mean? Did the Financial Regulator help to draft the Bill or what was its role? One of the biggest difficulties in the financial services sector in recent years arose in the area of reinsurance. The securitisation of mortgages is a parallel activity and many references are made to bonds in the Bill and in some jurisdictions the words bonds and junk are often not far removed. As Deputy Boyle pointed out, hedge funds and derivatives are a sophisticated form of gambling on the financial securities market. We have not had the benefit of a detailed briefing from the Department so I feel our questions are legitimate.

Mr. Parlon: The Department was available to give Deputies any information they sought and I understand they gave a briefing today.

Ms Burton: The Department sent a note; it did not give a briefing.

Mr. Parlon: I understand the Deputy was sent the information she sought.

Ms Burton: The Department sent a note that was not particularly enlightening but I thank it for sending it.

Mr. Parlon: Had the Deputy sought further information I am sure it would have been forthcoming.

Ms Burton: I remind the Minister of State that we are facilitating him. We got notice of this Bill late last week and, as he has said many times in the course of his presentation, it is very technical. We have not received much explanation of the Bill so I am asking the Minister of State to outline in detail the role of the Financial Regulator as it is supposed to be part of all of this.

The Irish Financial Services Centre suffered a significant amount of derogatory international comment, particularly in *The Wall Street Journal*, over reinsurance issues that arose. We are legitimately concerned that such issues have been addressed regarding this Bill.

Mr. Parlon: Department officials did not seek to withhold information from the Deputy and would have provided further information had it been sought.

Ms Burton: Can the Minister of State give us a brief description of the role of the Financial Regulator in drafting the Bill?

Mr. Parlon: This is a highly technical Bill with a great deal of intricate drafting. The Financial Regulator was involved in drafting the Bill, cleared and passed it and is satisfied with the Bill.

Amendment agreed to.

Section 2, as amended, agreed to.

Sections 3 to 29, inclusive, agreed to.

SECTION 30.

Acting Chairman (Deputy O'Sullivan): Amendments Nos. 3 and 4 are related and will be discussed together.

Mr. Parlon: I move amendment No. 3:

In page 28, line 40, to delete “4, 61” and substitute “4(2) to (5), 58, 61, 71”.

The purpose of this amendment is to correct this oversight, a drafting omission in section 30 of the Bill, the second line of the new section 41B, subsection (1), of the principal Act, to provide that the provisions of sections 58 and 71 should also apply as adapted to designated commercial mortgage credit institutions in addition to sections 4, 61 and 91. Certain terms used in sections 58 and 71 of the principal Act need to be modified in the case of the proposed new designated commercial mortgage credit institutions. For example, in section 71E the reference to a register of mortgage covered securities business needs to be amended to a register of commercial mortgage covered securities business. Likewise in section 58 the reference to mortgage credit assets needs to be amended to commercial mortgage credit assets.

The second amendment corrects a typographical error. The reference in the new section 41B, subsection (1)(k), to section 6 should instead refer to section 61.

Amendment agreed to.

Mr. Parlon: I move amendment No. 4:

In page 30, line 6, to delete “6” and substitute “61”.

Amendment agreed to.

Section 30, as amended, agreed to.

Sections 31 to 35, inclusive, agreed to.

SECTION 36.

Mr. Parlon: I move amendment No. 4a:

In page 36, line 47, before “located” to insert “or substitution asset”.

This amendment corrects an oversight and inserts the words “or substitution asset” in section 36. It makes this provision regarding public credit institutions consistent with the provisions concerning mortgage credit institutions in section 21.

Amendment agreed to.

Section 36, as amended, agreed to.

Sections 37 to 58, inclusive, agreed to.

SECTION 59.

Acting Chairman: Amendments Nos. 5 and 6 are related and may be discussed together.

Ms Burton: I move amendment No. 5:

In page 45, lines 20 and 21, to delete “notified in *Iris Oifigiúil*”.

The reference to notification in *Iris Oifigiúil* is unnecessary and will cause confusion as all statutory orders must be notified in *Iris Oifigiúil* under the Statutory Instruments Act 1947. The purpose of amendment No. 6 is to ensure the Houses are formally notified of orders made under the legislation.

Mr. Parlon: The amendments concern the provisions of sections 59 to 61, inclusive. Section 59 inserts a new section 107 in the principal Act and provides that the Minister may, by order notified in *Iris Oifigiúil*, appoint a date for the purposes of Schedule 3. Schedule 3 is inserted in the Act by section 60. It deletes some obsolete terms such as references in the Act to “tier 1” and “tier 2” assets and definitions of the European Central Bank and National Central Bank.

The amendment seeks to delete the requirements for the order to be notified in *Iris Oifigiúil* and instead provide in amendment No. 6 to section 61 that the order under section 59, new section 107 of the Act, and any order made under section 61(3) bringing this Bill into operation, must be laid before both Houses of the Oireachtas. The laying of orders before both Houses is catered for in section 93(1) of the principal Act which provides that every order made by the Minister under the Act is laid before each House of the Oireachtas as soon as practicable after it is made. For this reason, I cannot accept the amendments.

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

Amendment declared lost.

Section 59 agreed to.

Section 60 agreed to.

Amendment No. 6 not moved.

Section 61 agreed to.

Title agreed to.

Bill reported with amendments, received for final consideration and passed.

Adjournment Debate.

Garda Stations.

Mr. O'Donovan: I compliment the Minister for Justice, Equality and Law Reform, Deputy McDowell, and his predecessor, the Minister for Arts, Sport and Tourism, Deputy O'Donoghue, on the excellent work done in my constituency in recent years. Cork South-West has the second lowest crime rate in Ireland. Last year, the Minister opened a brand new €12.5 million Garda station in Bantry, a new station is being built in Schull — a hobby horse of mine for a long time — major refurbishment has taken place at Castletownbere Garda station and we have a new Garda headquarters in Bandon.

In Dunmanway, the six gardaí stationed in the town are housed in a building rented by the Office of Public Works to facilitate gardaí in carrying out their duties. The old station in Dunmanway is almost derelict and has experienced problems for a number of years. A debate is taking place on whether it should be refurbished. Approximately six years ago, while a Senator, I received a letter gleefully announcing that the station would be refurbished and that a sum of around €160,000 had been allocated for this purpose. Subsequently a problem arose concerning access and a legal wrangle which has dragged on for many years ensued.

The community in Dunmanway is irate and the town's gardaí are not happy that they are housed in temporary accommodation without cell facilities. In the event that a prisoner must be kept overnight, he or she must be brought by gardaí to Bandon or Clonakilty. The community which the Garda supports is concerned about the unprecedented delay in either refurbishing the old station or providing a new station. When a green-field site across the road from the old barracks was put up for sale many people believed it should have been purchased and a new station built thereon.

It is clear that action is needed regarding the Garda station in Dunmanway. The Garda Representative Association is angry — the word “militant” may be too strong — that its members are using a substandard station with the result that the community they serve in the Dunmanway

area is not receiving the service it deserves. This issue has been a hobby horse of mine and I have discussed it repeatedly with the relevant Ministers, including the Minister of State at the Department of Finance, Deputy Parlon, and officials from the Office of Public Works. I hope urgent action will be taken to provide the facilities the gardaí and members of the community in Dunmanway deserve.

I have put the problem in a nutshell and hope the Minister will be able to clarify the current position for me and people in west Cork. The community in the Dunmanway area is law abiding but there is a considerable anger that a commitment given many years ago either to build a new Garda station or refurbish the old one has not been acted on. With these few brief words, I rest my case in the hope that moneys will be provided to refurbish the old Garda station and a resolution will be found to legal difficulties, primarily concerning a right of access to the rear of the Garda station.

Minister for Education and Science (Ms Hanafin): I thank Deputy Donovan for raising this issue and affording me the opportunity to explain the position regarding Dunmanway Garda station. I am responding on behalf of the Tánaiste and Minister for Justice, Equality and Law Reform, Deputy McDowell. The Minister visited the station in October 2005 on foot of the Deputy's request and made contact with local gardaí in the temporary station. The Minister was shown the old station, which had been vacated for some time, and it was abundantly clear that major works are required.

In order for the building works to proceed, the Office of Public Works must purchase land at the rear of the station. The Chief State Solicitor's office is acting for the board in this matter. I understand financial terms have been agreed with the vendors and that the legal process is finally nearing conclusion, with key title documents to be produced by the vendors' solicitor to permit the transaction to go through. The matter is being dealt with at a most senior level in the Chief State Solicitor's office.

The Minister welcomes these developments and looks forward to the commencement of the building works. Everyone is deeply frustrated with the pace of progress in this matter, but I assure the Deputy that everything that can be done is being done to bring the matter to finality. As a contingency, the Office of Public Works advertised recently for the purchase of a new site for the station. I hope it will not be necessary to invoke this contingency.

The building works will commence as soon as possible after conclusion of the legal formalities. The Office of Public Works has advanced matters as far as possible and will be ready to start work within a matter of weeks of the closure of the sale. A detailed brief of requirements has been prepared by the Garda Síochána and a sketch

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scheme has been prepared by the Office of Public Works and approved by Garda management. The Garda representative bodies were consulted at each step of the process.

The last time the Minister spoke on an Adjournment debate on this matter, he indicated that he would look at the roles of the various parties in the Garda building programme to streamline processes wherever possible. Since then, the introduction of various sections of the Garda Síochána Act 2005 has enabled this restructuring to take place. The Garda Commissioner has, since 14 July last, been made Accounting Officer for the Garda Vote. Accordingly, appropriate administrative procedures have been put in place to enable direct communications and business to be carried out between the Office of Public Works and the Garda authorities without the need to channel such communications through the Department of Justice, Equality and Law Reform. In addition, as part of the major civilianisation drive for the force, a new civilian accommodation manager with the requisite skills in this area has been appointed.

While the delays in Dunmanway have been protracted, this should not detract from the overall investment in the Garda building programme. Between 2005 and the end of this year, the Office of Public Works will spend €112 million on the Garda building programme. Under the National Development Plan 2007-2013, funding of €260 million is provided towards refurbishment of Garda premises and is included in the capital provisions of the Office of Public Works. This capital funding is in addition to the Garda budget, which across all areas for 2007 is more than €1.4 billion, an 11% increase on 2006.

In addition, the Garda building maintenance budget has been increased this year by €2.1 million to €8.36 million. A major refurbishment and replacement programme of Garda accommodation is under way. Throughout the State, stations large and small that are in most need of attention are prioritised and proactively replaced or renovated under a range of different schemes. These are unprecedented levels of funding and are making a lasting impact.

I assure the Deputy that the matter is receiving attention at the highest level both within the Office of Public Works and the Chief State Solicitor's office to bring it to a successful conclusion.

Hospital Services.

Ms Burton: I thank the Ceann Comhairle for the opportunity to raise this important issue. I was disturbed and shocked to learn that the waiting list in the urology unit at Connolly Hospital in Blanchardstown, Dublin 15, now exceeds two years and that the unit plans to close its doors to all but emergency cases. This is a shocking state of affairs. It is of particular concern at a time

when such prominence is given to men's health and the provision of health services for men through public advertising to encourage them to avail of regular screening for the detection of prostate cancer.

On the one hand, the HSE is encouraging men to seek early diagnosis and assistance through screening programmes. On the other hand, however, those men who need to avail of urology services at Connolly Hospital will find it is unable to cope with the extra demand. The Taoiseach said today that there is an easy solution to such problems because those with private health insurance will be able to avail of new private hospital facilities. Under the Fianna Fáil model of health provision, it seems patients will be instructed to turn one way for the public service, only to find no service is available, and the other for private hospital services, if they are appropriately insured.

Patients in Dublin 15 will have to go elsewhere for urology services, most likely to the Mater or Beaumont. Last year, there were 1,200 trips by inpatients in Blanchardstown to Beaumont and the Mater for diagnosis and screening, including MRI and CT scans, at an average cost per patient of more than €400. It seems the same will now happen with urology services. The round trip to the Mater from Blanchardstown, assuming that the traffic is relatively good, is at least two hours. This does not take into account the time spent at the hospital.

This situation underlines yet again the Government's lack of commitment to the long-term development of Connolly Hospital. The sole policy in regard to the hospital seems to be to promote the development of a private hospital by selling or leasing off some of the grounds of the public hospital. While I was Minister of State in the rainbow coalition, €72 million was set aside in 1996 for Connolly Hospital and left as a dowry to the incoming Government. Ten years later, however, only phase 1 has been developed. Phase 2 was commenced only because the general election is on its way. The hospital does not even have a CT or MRI scanner even though it serves a very large population across the Dublin 15 area, Cabra, Finglas and a significant part of Meath.

The long-serving and hard-working staff in Connolly Hospital provide excellent care to patients but it is difficult to see how they will not be demoralised. Although several additional consultants have been appointed, they lack the facilities and equipment to do their job. The hospital has put forward a request for additional urology consultants to be appointed but nothing has been done so far.

I raise this as a matter of urgency. As with education and policing, as far as this Government is concerned, Dublin West is far down the list of priorities. Connolly Hospital seems to be further down the list than most issues.

Ms Hanafin: I will take this Adjournment matter on behalf of the Minister for Health and Children, Deputy Harney. Services at Connolly Hospital are provided by the Health Service Executive. The hospital is one of three providers of adult urology services on the north side of the city, the others being Beaumont and the Mater.

The HSE has advised that the current urology service at Connolly Hospital is provided by one consultant urologist with a four session commitment each week. It further advises that all emergency and follow-up outpatient services are provided. Urgent prostate referrals are seen within one to two weeks. Due to an increase in clinical workload, no routine first-visit outpatient appointments are being allocated at present. The HSE will ensure there is no interruption to urgent urology services and that any reduction in routine services will be in the short term only.

The Department of Health and Children is advised that in light of these urology service pressures, Connolly Hospital plans, in conjunction with Beaumont Hospital, to recruit an additional consultant urologist. The intention is to provide the service by way of locum cover pending the filling of the post on a permanent basis. The Department is advised by the HSE that the necessary funding is available for this post and that it is expected to be filled within a matter of months.

Mr. O'Dowd: There has been systematic neglect of the acute hospital system in the north east. Louth County Hospital and Our Lady of Lourdes Hospital are under extreme pressure for funding and staff. One year ago, Chris Lyons, hospitals network manager for the north east, said there was inadequate support in the budget for the increase in service demands experienced in 2005 and 2006. Grave concern has been expressed by local managers in this regard. There is unparalleled growth in the region's population, which increased by 13% since 1996. There is the possibility of significant closures of services, major patient safety issues, increased clinical risk and longer waiting lists. What did the HSE decide in its wisdom? It decided, because of its budgetary cutbacks, that with immediate effect all pending and new development posts would be put on hold in order to bring a reduction in recruitment costs of approximately €100,000. Patrick Kinder, head of the maternity services taskforce, wrote about Our Lady of Lourdes Hospital in October last year. He said a serious risk obtained in the maternity unit there due to the increased levels of overtime, that the working of overtime at the levels indicated was not sustainable for any length of time and there was a critical need to review the recruitment process to avoid unnecessary delays in filling posts.

An advertisement from the HSE will appear in tomorrow's newspapers seeking to fill 25 new midwifery posts approved for the hospital, but the reality is these posts were needed a year ago.

Due to lack of funding from the Government, the hospital is in a state of crisis. It is unacceptable that expectant mothers must wait for up to 20 weeks for their first appointment with their consultant. This is a shame and an utter disgrace. I call on the HSE and the Minister to publish the correspondence on the matter, particularly that between Mr. Patrick Kinder and the HSE.

The number of unfunded posts in the northern area HSE was 322, or 9% of all of those employed, in April 2006. Some 92% of the unfunded staff are employed in frontline services. The accident and emergency unit in Drogheda currently has 30 unfunded posts. The advertisement in tomorrow's newspapers states that a new 25-bay emergency department in Our Lady of Lourdes Hospital will be up and running in early 2008.

The facts, as illustrated by the response I received to a freedom of information request, show that the accident and emergency unit was due to commence in autumn 2006 and be ready in 2007 and that any delay in that schedule would compromise patient safety based on the known risks. The accident and emergency unit in the hospital at that time was overrun and it was essential the new unit would begin as soon as possible to ensure continuity of services.

We have a HSE in crisis, a hospital system which is totally underfunded and problems with regard to anaesthetists in the hospital. Advertisements for three new anaesthetist posts have been placed, but these probably will not be filled for six months. These are serious issues of concern. I call on the Minister and the HSE to publish the truth about the issues surrounding anaesthetists in the hospital.

I am also deeply concerned about cancer care. Patients should and are entitled to receive chemotherapy in the hospital. However, I know a patient who had to travel from Drogheda by taxi to a Dublin hospital yesterday and return in the evening only to have to get up again at 6 a.m. this morning to get to the hospital by 8 a.m. for another session of chemotherapy.

The acute hospital system is in crisis, but the Government is doing nothing about it. We do not accept the Minister deserves to be in office. She should be run out of office for the shameful way in which she runs Our Lady of Lourdes Hospital and the Louth County Hospital. There is no excuse for the situation. Never was there so much money available in the country to look after our sick and elderly, but never did a Government do so little. Never were administrators, nurses, midwives and consultants so up in arms over the lack of funding and resources. They are entitled to these resources because of population increases in the region.

The Minister stands condemned in the court of public opinion. She has run these hospitals into the ground. It appears from what the Taoiseach said today with regard to not being able to keep hospitals open, that all the Minister seems to have

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on her mind is the closure of acute hospitals in the north east.

Ms Hanafin: I will take this Adjournment matter on behalf of my colleague, the Minister for Health and Children.

Both the Government and the Health Service Executive are committed to continuing to improve and expand services at Our Lady of Lourdes Hospital and Louth County Hospital in the short and medium term. In the longer term, a new state-of-the-art regional hospital will be built in the north east.

Over the past five years, the level of revenue funding allocated to both Our Lady of Lourdes Hospital and Louth County Hospital has increased significantly. The current revenue funding for Our Lady of Lourdes Hospital has increased from €36 million to €115 million, an increase of 219%, and in the case of Louth County Hospital, from €10 million to €28 million, an increase of 180%. Over the same period, staffing numbers across the two hospitals have increased by 225.

In the case of Our Lady of Lourdes Hospital, a new three-storey development approved by the HSE is scheduled to be fully completed by April 2009. This development will allow for a 25-bed accident and emergency assessment area and a further two floors will be utilised to provide some additional facilities and space for critical care, general medicine and general surgical departments. The 25-bay accident and emergency facility is scheduled by the HSE to be fully operational by April of next year.

With regard to maternity services at Our Lady of Lourdes Hospital, the HSE has advised that it has approved 22 new midwife posts and two specialist nurse posts as well as three new consultant anaesthetist posts. The HSE will continue to monitor staffing levels within the maternity services unit at the hospital relative to demand.

Urgent care facilities will be developed at Dundalk. It is intended when the new regional hospital is established, that Louth County Hospital will retain this urgent care service providing a significant service to a large proportion of patients from Dundalk. Extensive electrical work has been carried out at the hospital to facilitate the installation of a new CT scanner which will be operational next month. Two new modular theatres are also due to open next month. Investment in Louth County Hospital will continue in order to provide the best and most appropriate service to the people of the area.

Since October 2005, Our Lady of Lourdes Hospital and Louth County Hospital have been managed under a single general management structure. These close working arrangements have facilitated a reduction in patient waiting times and have resulted in improved care and clinical outcomes for patients. In advance of the development of the new regional hospital, ambul-

ance and emergency services will be developed to a high standard in the north east. This will include the training of advanced paramedics and nurse practitioners.

It should be emphasised that the HSE has given the Minister for Health and Children an assurance that in progressing the reorganisation of services in the north east, there will be no discontinuation of existing services until suitable alternative arrangements have been put in place.

Schools Building Projects.

Mr. McEntee: I thank the Chair for the opportunity to speak on this issue and thank the Minister for Education and Science for her attendance. No doubt, like myself she is puzzled by what is involved. That said, nobody is more puzzled than the people of Laytown and Bettystown by what has taken place over the past two years with regard to this issue. I am only two years in politics and one of the first issues that came to my attention was the announcement of a new school for Laytown during the by-election.

Last summer, all the politicians of the area were called together in the first week of August to discuss what would be done in September for the 75 or 80 children with no school to go to. Deputies put their party allegiances to the side and mounted a campaign together to remove objections. The teachers of both existing schools were put under pressure and children were finally allowed admission to school, although their classroom was in a gymnasium to which toilets were added at the side, but without lighting. All those involved, particularly parents, then set out to find a solution to the problem.

On 6 October 2006, the Minister announced that a site for a new school had been secured. It was confirmed that officials from the Department had concluded a deal to purchase a school campus site for Laytown. Everybody hoped everything would go well, but last week it transpired the Department had applied for planning permission for a site it did not own. It had never even asked the owner of the land in question whether it could apply for planning permission for that site.

The Minister has stated that despite the announcement in 2006 that lands had been purchased, the purchase did not happen. Six months after the Department's announcement, it emerged the sale of the four-acre site for the school had not been completed. In a statement, the Minister for Education and Science admitted to difficulties with regard to the land for the temporary school.

I am not raising this matter for my benefit but on behalf of parents. I want to know what is going on. Who got us into this mess? How could the Department apply for planning permission for lands it did not own without the permission of the landowner? How could the Department say it had concluded a deal, but six months later say no

deal was completed? The authority has been given the go-ahead to apply for planning permission on another site. Have those lands been bought? Is there a deal on the Minister's table that has not been signed since last October? A total of 107 children in Laytown and Bettystown will have nowhere to go next September. What has gone wrong? What are the plans for the future? Can we be given a guarantee that if there is a contract on the table and planning permission is granted, as everybody hopes, the Department will build a temporary school for these children to attend in September?

These people are well-educated. They do not want to see any politician, me included, any more. They believe nobody. I put aside my allegiance to my party and worked with the Minister's party colleague night after night to remove objections to the development. The Department was responsible for building the school. The Minister announced that a deal had been done but it has not been done.

The teachers, Maurice Daly and Mary Carpenter, were under serious pressure to get those children into the gym. The school of 600 had no room to move all winter but they succeeded. It was for the Department to set matters right. I know plans can run into difficulty and how hard the Department officials in Tullamore work. They have been courteous to everybody. We know that 2,300 classrooms need to be built. These people want to know what to plan for and where they are going. If planning permission is granted, for which the Department has applied, will the contracts be signed? Will the contracts which the Taoiseach announced on a visit a couple of weeks ago when he spoke of 1,000 new post-primary places for Laytown, be fulfilled? There is no site. The Department applied for planning permission on a site that it did not own. This put the livelihood of a local businessman, his wife and three children in jeopardy as they were seen as black sheep. The Department owes that man an apology.

Ms Hanafin: I thank the Deputy for raising this matter as it provides me with the opportunity to reiterate the Government's commitment to delivering new schools for Laytown on schedule.

Prior to the 2005-06 school year there was only one primary school in the Laytown-Bettystown region, catering for children from junior infants to sixth class. Due to demand for increased school places, my Department sanctioned the provisional recognition of a second primary school, Scoil Oilibhéir Naofa, from 1 September 2005. We also agreed to a local proposal that the new school would be a junior school, catering for pupils from junior infants to second class, with the existing school, Scoil an Spioraid Naomh, operating as a senior school catering for pupils from third to sixth class. Both schools are expected to grow to 24 classrooms.

Scoil Oilibhéir Naofa is housed in temporary accommodation on the campus of the senior school and has an enrolment for the 2006-07 school year of 181 pupils. The Department is working at a senior level with Meath County Council and the relevant authorities of the schools in Laytown to deal with the accommodation needs for September 2007 and onwards.

Meath County Council reserved a site of approximately 15.5 acres in the Laytown local area plan for educational provision. The land is owned by two individuals. In October 2006 I announced that departmental officials had agreed terms for the acquisition of the larger part of this site. My Department's relations with this landowner have been amicable and he has stated publicly that he is "very happy" with the deal agreed.

Terms were agreed for the purchase of the second smaller piece of land in December 2006. This second parcel was intended to be home to the temporary accommodation in the short term and then to provide access between the existing primary school and the permanent new school building. Difficulties have arisen, however, since the terms were originally agreed for this second piece of land, which could conceivably have delayed the provision of temporary accommodation. As a result my Department has now put a contingency plan in place.

This process involves a new planning application, lodged last Friday, for temporary accommodation for September 2007 on the much larger second parcel of land. The owner of this land has given his written consent to the planning application. Meath County Council has agreed that the planning application will be dealt with speedily, and provided we have a smooth run through the planning phase, we aim to start construction on the temporary school and temporary road in May. This will enable the primary school to open in September on this land and the permanent building for the school to be in place in September 2008.

The land in question is zoned for educational use. It is also of sufficient size to accommodate the new primary and post-primary schools. It should be noted that it is a condition laid down by Meath County Council that no further development can happen in this area until a primary school has been provided. The 16 classroom temporary school is sized to cater for the existing enrolment in Scoil Oilibhéir Naofa and its September 2007 intake. It will ensure that there are enough mainstream classes and ancillary accommodation to meet the school's needs until the new permanent building is available in September 2008.

The Department has appointed a firm of project managers to oversee and devise a masterplan for the project to provide an education campus for Laytown-Bettystown. The education campus will provide for a 24-classroom primary school and for a 1,000 pupil post-primary school, under

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the auspices of County Meath Vocational Education Committee and shared community and sports facilities. Meath County Council planning department approved the masterplan for the campus.

The new permanent 24-classroom junior school will be delivered under a design and build contract and the design and procurement phases of the programme are proceeding in tandem with

the site acquisition. Departmental officials have briefed the two primary schools on the masterplan and project timescales.

I reiterate my commitment to ensuring that the new schools for Laytown are delivered on schedule and thank the Deputy for giving me this opportunity to outline the position on these.

The Dáil adjourned at 11.15 p.m. until 10.30 a.m. on Wednesday, 21 March 2007.

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 85, inclusive, resubmitted.

Questions Nos. 86 to 92, inclusive, answered orally.

Tax Code.

93. **Mr. Sherlock** asked the Minister for Finance the amount of interest relief granted in relation to interest relief on investment properties let for residential purposes; the breakdown of the numbers of such mortgages and properties; the average amount of investment relief per property; the highest and the lowest and the number of such properties in each county; and if he will make a statement on the matter. [10237/07]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that interest relief is available to an individual or company borrowing money where that money is employed in the purchase, improvement or repair of a property which is let for residential purposes. The relief cannot be claimed until the property is let. The interest paid is treated as an expense deductible from the rental income arising from the property. Where the amount of interest paid in respect of a property exceeds the rental income received from the property, giving rise to a net rental loss for the property for a particular year, that loss can be set against any other Irish rental income which the person may have in that year. Any remaining loss can be carried forward and set against Irish rental income arising in subsequent years until such time as it is used up. It cannot be set against foreign rental income or against other income such as income from a trade or profession.

I am also informed by the Revenue Commissioners that figures on loan interest in respect of borrowings employed for the purchase, improve-

ment or repair of rented residential properties are not separately identified in tax statistics and it is not, therefore, possible to provide the information requested by the Deputy either in relation to the overall amount of relief granted or the other breakdowns sought.

Proposed Legislation.

94. **Mr. Sargent** asked the Minister for Finance if recent announced measures extending the capacity of credit unions are the extent to which he will allow reforms of this sector; and his plans to introduce amending legislation. [10163/07]

Minister for Finance (Mr. Cowen): The legal framework governing the regulation of credit unions is provided by the Credit Union Act, 1997. The Act has served credit unions well providing stability and legal certainty during a period of substantial development and growth in the assets of the movement. As a result of this development and changes in the financial environment generally, the need for some modernisation of the legislative and regulatory framework for credit unions has become evident over time.

The recent announcement of my intention to legislate for increased lending limits for credit union loans referred to in the Deputy's question is one of several initiatives that I have taken to update and modernise the regulatory framework for credit unions. On 9 March last, I introduced Regulations enabling Credit Unions to provide Personal Retirement Savings Accounts to their members. This is an important measure both developing the role of credit unions and also supporting the important public policy objective of increasing personal pension coverage.

In February, I published the report of the Review Group on longer-term lending limits in credit unions which recommended that the limits on longer-term lending under Section 35 of the Credit Union Act, 1997 should be increased. This addresses an issue which has been identified by

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the credit union movement as a significant obstacle to meeting their members' borrowing needs.

Last year my Department drawing on the advice of the Credit Union Advisory Committee — the expert statutory advisory body on credit union matters — assisted the Financial Regulator and the representative bodies for credit unions in agreeing revised investment guidelines for credit unions which were issued by the Registrar of Credit Unions in October 2006. These guidelines will help support prudent and responsible investment behaviour by credit unions. In addition, in August 2006, I introduced Regulations to increase the maximum level of shares and deposits that can be saved in a credit union. This change introduced with the approval of the Financial Regulator was required to update the limits included in the 1997 Act to take account of growth in the economy over the preceding decade and help maintain the attractiveness of credit unions for members' savings.

I have highlighted the importance of the reform of savings protection arrangements for credit unions to the modernisation and change process for credit unions. In this context, a detailed set of proposals to reform the existing Savings Protection Scheme (SPS) for credit unions was submitted to me by the Irish League of Credit Unions in January 2006 and furnished by my Department to the Financial Regulator in March 2006. The Financial Regulator is currently examining the specific changes which may be needed in the proposals which could allow the reformed SPS to be approved with a view to finalising this matter shortly.

As far as the broader modernisation of the legislative framework for credit unions, my Department has also asked the Registrar and Credit Unions to agree a set of principles with the representative bodies for credit unions that can help guide the development of the regulatory approach for credit unions to support the long-term sustainability of the credit union movement in Ireland. All of these issues have been advanced on the basis of consultation and dialogue with the representative bodies for credit unions and the Financial Regulator. The progress achieved demonstrates my commitment to the success and the long-term development of credit unions in Ireland.

Economic Competitiveness.

95. **Mr. O'Shea** asked the Minister for Finance if his Department has carried out an analysis of the implications of the recent interest rate rises and of further expected interest rate increases on small business here; and if he will make a statement on the matter. [10220/07]

Minister for Finance (Mr. Cowen): On Budget Day, my Department projected economic growth of 5.3% in both GDP and GNP terms for this year. Interest rates remain relatively low in his-

torical terms, and the recent increase has not altered the economic outlook. The effect of further rate increases on the economy generally and on small businesses in particular depends on several factors, including developments in our major trading partners and oil price changes etc. Page E.18 of the Stability Programme Update in Budget 2007 discusses these issues in further detail.

Tax Code.

96. **Mr. O'Shea** asked the Minister for Finance his views on the increasing number of high net worth individuals avoiding capital acquisitions tax on multi-million euro house transfers as a consequence of section 86 of the Consolidated Capital Acquisitions Act 2003; if an audit of such transactions has been conducted by the Revenue Commissioners; and if he will make a statement on the matter. [10231/07]

Minister for Finance (Mr. Cowen): Section 86 of the Capital Acquisitions Tax Consolidation Act 2003, subject to conditions, grants exemption from Capital Acquisitions Tax in respect of a house comprised in a gift or an inheritance. One of the conditions is that the donee or successor must occupy the house for the period of 3 years ending with the date of the gift or inheritance. Where that house has replaced other property, the beneficiary must have resided either in that house and the other property for periods which together amounted to at least 3 years in the 4-year period prior to the date of the gift or inheritance. Another condition is that the donee or successor, if under the age of 55, must continue to occupy the house as his or her only or main residence for a further period of 6 years. However, there is provision to allow for a replacement house in that period and for situations where the individual concerned is not in occupation of the house because of work obligations abroad.

Amendments to this section are being made in the current Finance Bill which is due before the Seanad next week. These amendments are as a result of Revenue's experience in administering and auditing claims under this section, including taking issues before the Appeal Commissioners.

Firstly, relief will not be available where a donee lives in the principal private residence of the donor where that residence is gifted unless the donor is compelled by reason of old age or infirmity to depend on the services of the donee. This is to counter the argument that where a child is gifted a house by a parent having up until then lived in the parental home, that the 3 year period of occupancy of the gifted house is satisfied. The second change will require that the gifted house, and any house that it replaced, be owned by the donor during the 3-year period even if they were not his or her principal private residence. This is to counter a claim for relief where an individual sells his principal private residence to his parents for full value and then it is gifted back by the

parent. It also counters the use of family trusts in gifting houses to children.

National Development Plan.

97. **Mr. English** asked the Minister for Finance the latest returns he has received in respect of progress in the expenditure profile and the profile in delivery of planned outputs from the various sub-programmes within the National Development Plan 2000 to 2006; and if he will publish a review of the performance of that plan. [10211/07]

Minister for Finance (Mr. Cowen): The National Development Plan/Community Support Framework (NDP/ CSF) 2000-2006 is an integrated investment plan and strategy for economic and social development for Ireland. It involved significant investment in infrastructure — such as roads, public transport, water and waste services, health services, social housing, education, industry and rural development.

The NDP/CSF 2000-2006 is implemented through seven Operational Programmes. Performance indicators at programme and priority level are included in the Operational Programme documents and at measure (and sub-measure) level in the programme complement documents. Investment under the plan can continue until 2008 in accordance with EU Rules. The NDP/CSF Monitoring Committee set up by my Department to monitor progress in implementation of the Plan, examines physical and financial progress at programme and priority level with reference to these indicators. The Committee's most recent progress reports (December 2006) indicate that physical implementation is progressing well with some priorities exceeding their end programme targets already.

The data reported indicates that some €54 billion has been spent on the NDP/CSF 2000-2006 to the end December 2006. This represents 95% of original profile for the life of the Plan. The Exchequer & EU contribution to the plan for the same period amounts to almost €46 billion which represents 104% of original profiled Exchequer and EU expenditure for the lifetime of the Plan. The final Exchequer and EU expenditure is expected to cover a lower than expected take-up from the private sector. These figures also indicate that all demands for expenditure are being met.

The ESRI in its ex-ante assessment of investment priorities for NDP 2007-2013 concluded that “The current NDP has greatly enhanced the economic and social infrastructure of the State with major benefits to economic development throughout all regions”. My Department has also recently published a progress review entitled NDP/CSF 2000-2006 — Review which highlights some of the key features of the investment under the Plan. This review is available on the NDP website www.ndp.ie.

Tax Yield.

98. **Mr. Allen** asked the Minister for Finance the forecasts for the increase in tax revenue for 2008 and 2009; the projections for employment growth, house price growth and the numbers of second-hand home sales underpinning the forecasts. [10193/07]

Minister for Finance (Mr. Cowen): The Budget 2007 forecast increases in tax revenues for 2008 and 2009 are 7.3% and 6.9% respectively. Employment is projected to increase by 2.1% and 1.6% in 2008 and 2009 respectively. New house price increases are assumed to be modest in both 2008 and 2009.

There are no reliable macro economic indicators currently available which detail activity in the second-hand housing market, from which the bulk of residential property related Stamp duty receipts are derived. Accordingly, the forecast changes in the volume and price of new house activity are used as a general proxy for the change in the level and value of stamp duty liable transactions for second-hand houses. Added to this is an adjustment for the consequential movement into the higher stamp duty bands brought about by the projected increase in new house prices.

Clearly, such forecasts are susceptible to a far greater margin of error than other economic variables such as forecasts of employment, income and consumption.

National Development Plan.

99. **Mr. Naughten** asked the Minister for Finance the steps he will take to ensure a full uptake of the national development plan in the Border Midland Western regions; and if he will make a statement on the matter. [9549/07]

Minister for Finance (Mr. Cowen): Chapter 3 of the recently launched National Development Plan 2007-2013 sets out a strong framework for the promotion of regional development with a particular focus on investment in the National Spatial Strategy (NSS) Gateway centres. Five of the nine Gateways — Dundalk, Letterkenny/Derry, Midlands, Galway and Sligo — are in the Border, Midland and Western Region.

The Plan also points out that, in addition to the specific Gateway projects mentioned, “there will be many additional programmes and projects funded under the Plan which will play an important role in the economic and social development of the Gateway Regions, including the Hubs, county towns and rural areas of the Regions”. The projects listed are undoubtedly key ones not only for the Gateway centres but also to improve linkages within the regions and between the regions. There is also a Chapter of the Plan dedicated to the Rural Economy and much of the investment aimed at promoting the development of rural areas will help the BMW Region. Finally, it can be expected that the BMW

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Region will benefit directly from the consolidated and enhanced framework for all-island cooperation set out in the Plan.

The Plan also provides for the establishment of a Gateways Innovation Fund of some €300 million of Exchequer funding for the period 2008-2010. The purpose of this fund is to leverage matching private and other public funding for projects that give added value to Gateway development.

The implementation of NDP programmes and projects is the responsibility of the relevant Government Departments and Agencies. Departments and Agencies will roll out public investment in line with the investment framework set out in the NDP. I am confident that the regional development strategy, in tandem with the supports for the development of the rural economy and the prospect of enhanced all-island cooperation, will help promote the economic development of the BMW Region as well as promoting a better quality of life in the Region.

A key feature of the monitoring template for the Plan will be to measure the impact of investment on regional development. Accordingly the Annual Report on NDP implementation will detail the following, in particular:

- Projects and programmes, planned and being implemented, above a specified threshold in each of the 8 Regional Authority areas;
- Projected impact of projects and programmes — planned and underway; and
- High level socio-economic indicators for each Regional Authority area.

In relation to the NDP/CSF 2000-2006, the figures reported at the NDP/CSF Monitoring Committee meeting in December 2006 indicate that some €11.8 billion of Exchequer and EU expenditure has been incurred by the end of June 2006. The original Exchequer and EU forecast for the BMW Region for the lifetime of the Plan is €14.6 billion. Accordingly, 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 expenditure, I expect that by the end of the programme period, aggregate Exchequer and EU NDP spending in the BMW region will be in the region of €14 billion.

Tax Code.

100. **Mr. Crawford** asked the Minister for Finance if he has examined the trends in the past three months in respect of stamp duty; and if he

will indicate the movement in the volume of sales and of prices. [10199/07]

Minister for Finance (Mr. Cowen): My department examines trends across all major tax heads, including stamp duty, on an ongoing basis. At end February 2007 stamp duties for the year to date were up 22% year on year. They are currently running at 16% ahead of the same time last year (16 March).

It is very difficult to draw conclusions from tax receipts over a period as short as 3 months and to determine if the figures represent a trend that is set to continue. However, evidence for the property market suggests that Stamp Duty receipts, although still strong, will not continue to grow at the rate of recent years. This moderation has been expected for some time. I have pointed out on several occasions in the past we have taken care not to plan the public finances around an assumption that receipts from stamps and Capital Gains Tax will continue to grow in future years as they have in the recent past.

I assume that the second part of the Deputy's question refers to residential property. In this regard, anecdotal evidence suggests that the volume of house sales has eased. Hard data is not yet available but the standard leading indicators (planning permissions etc) suggest an easing in the market. In terms of price developments, the latest data show that the rate of house price inflation has slowed since the middle of last year. Moreover, these data show that on a month-on-month basis, prices have been more or less flat since October.

101. **Mr. Penrose** asked the Minister for Finance the amount of RCT collected in relation to RCT in respect of each of the years, 2003, 2004, 2005 and 2006; the amount which remains unallocated to the taxpayer who suffered the deduction; and if he will make a statement on the matter. [10226/07]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the amount of Relevant Contracts Tax [RCT] received in respect of each of the years 2003 to 2006 inclusive is as follows:

RCT	Gross	Repayments	Nett
	€m	€m	€m
2003	476.8	423.7	53.2
2004	611.6	562.3	49.3
2005	759.5	660.9	90.6
2006	949.8	856.1	93.8

The Nett figure above is the amount which was unallocated to named taxpayers.

A major programme of work to upgrade the computer systems for RCT to the standard that is available for other business taxes was undertaken in recent years by Revenue so that RCT is now

fully integrated within the Revenue Integrated Taxation Systems. Every RCT case is now the subject of active compliance management in the same way as for any other business tax. In that regard, in conjunction with the enhancement of its computer systems Revenue also prioritised its compliance focus on the monthly return and payment required of those registered for RCT. Compliance rates improved very significantly in 2006 — most notably for the biggest cases, where the average rate increased by 7% in the year. Indeed current compliance for the biggest cases was 88% in December last compared with 61% at the start of last year. Across the full customer base, current compliance for RCT increased by 2% in 2006.

In relation to the annual return [RCT 35] filing compliance also increased in 2006. Return filing increased by almost 7% to 88% in 2006. The biggest improvement was for the largest cases where the improvement was 10%. Compliance activity by Revenue is and will continue to increase further in 2007 as Revenue continues its focus on construction. This will include an earlier start to Revenue's compliance campaign for the RCT35.

Price Inflation.

102. **Mr. Durkan** asked the Minister for Finance the extent to which he will take measures to control inflation; and if he will make a statement on the matter. [10251/07]

Minister for Finance (Mr. Cowen): Inflation, as measured by the CPI fell to 4.8 per cent in February from 5.2 per cent in January 2007. On a HICP basis inflation fell to 2.6 per cent in February from 2.9 per cent in January. The rate of CPI inflation has increased in the past year; this is mainly due to ECB interest rate increases which are outside of Government control.

Maintaining a moderate rate of inflation remains a key priority of economic policy because of its importance in restoring competitiveness. The Government is focusing on areas it can control and taking positive actions to contain inflation by implementing responsible fiscal policies. For example, we have not increased excise duties for the last three years, apart from tobacco excise, which was done for sound health policy reasons. We are promoting greater price competition through various measures. We are also investing in public infrastructure, as evidenced by the recently announced National Development Plan, which will enhance our ability to produce more goods and services and, by improving the economy's efficiency, keep inflation down.

In addition, we recognise that services sector inflation is a cause for concern and this highlights the need for more competition in the economy as well as for pay and profit restraint in all sectors in order to keep our cost base down. We must ensure that the wage increases granted under the

Social Partnership agreement, Towards 2016, are reflected in productivity gains.

Tax Yield.

103. **Mr. M. Higgins** asked the Minister for Finance if, in relation to the Exchequer returns for the first two months of 2007, the income tax, capital gains and excise duty receipts coming in below projections are evidence of a slowdown in the economy; and if he will make a statement on the matter. [10221/07]

Minister for Finance (Mr. Cowen): While income tax, capital gains tax and excise duties were slightly below profile at end-February, total tax receipts were 12.8 per cent ahead of the same period last year and 2.4 per cent ahead of profile. Income tax receipts were up 8.1 per cent compared to the same period in 2006, capital gains tax receipts were up 27.4 per cent and excise duties were up 2.8 per cent. The other main tax-heads — VAT, corporation tax and stamp duty — were also well up on last year and ahead of profile.

This data does not betoken a slowdown but it is always unwise to attempt to draw conclusions about the performance of the economy based on tax receipts at this early stage. The latest available economic estimates for 2006 show that the economy continues to perform well. In Budget 2007 in December, my Department estimated that real GDP growth in 2006 was 5.4 per cent while in GNP terms the growth rate in 2006 was estimated at 5.7 per cent.

Tax Collection.

104. **Mr. Rabbitte** asked the Minister for Finance the amount of outstanding uncollected taxes; the proportion of same the Revenue Commissioners expect to recover; if any new measures are planned to assist in the collection of outstanding taxes; and if he will make a statement on the matter. [10228/07]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that, as the Deputy will appreciate, the amount of arrears of tax and duty is constantly fluctuating. Accordingly for accounting and auditing purposes, and to enable comparisons over time, the debt is calculated and analysed as at 31 March each year. At 31 March 2006 the arrears of tax and duty amounted to €1,085m. The debt for the equivalent time as at 31st March 2005 amounted to €1,217m, representing a reduction of €132m or 11% in the year. I am advised that the tax debt figure as at 31 March 2007 will be analysed and published in due course.

Of the debt of €1,085m as at 31st March 2006, €184m was being actively managed, generally through an agreed instalment arrangement where the taxpayer was given additional time to pay;

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€435m was under active collection, while €213m was the subject of enforcement action. In summary a total of €832m was under active collection/enforcement or under control. The balance of €253m was under appeal and not therefore available for collection.

As the Deputy will be aware, the collectible debt is a constantly changing figure. Additional debt can arise and can also reduce when taxpayers make returns, activity by Revenue results in debt being collected; new debt can arise when Revenue issue assessments, payments by taxpayers results in debt being reduced — and so on. Revenue estimate that the collectible debt of €832m for 2006 plus any additional debts that subsequently arise for the same period, will be reduced by up to 97% over a five year period. The remaining balance will be under control, under appeal or at enforcement.

Revenue have stated in their Statement of Strategy 2005-2007, that all debt on record should be less than five years old or the subject of active enforcement or Court proceedings. Revenue have emphasised that the strategies and methodologies adopted to achieve a reduction over a five year period are subject to annual review and evaluation that is carried out within the context of the business planning process. Revenue's Debt management programme is also subject to annual audit by the Comptroller and Auditor General and is reported on in his report.

I would point out that the Revenue debt as a percentage of gross collection is now one of the lowest of any tax administration, standing at less than 2% of gross collection. I am satisfied that the measures being taken by Revenue are highly effective in ensuring the collection of tax debts. Beyond the on-going review and evaluation of collection strategies and methodologies by Revenue I have no plans for new measures in this area.

Tax Code.

105. **Ms Burton** asked the Minister for Finance the different annual take home pay in 2007 of a married couple with two earners earning a combined income of €65,000 and a married couple with one earner and one full-time stay at home parent with a combined income of €65,000 with comparative figures for each of the years since tax individualisation was introduced; and if he will make a statement on the matter. [10212/07]

Minister for Finance (Mr. Cowen): The information requested by the Deputy is presented in the table. For each year prior to 2007, the gross income on which the take home pay is calculated has been discounted as shown in the table so as to take due account of the impact of wages growth since 2000. The take home pay is calculated by deducting the tax, PRSI and the health levy due from the gross wage.

Annual take home pay of a married two-earner couple and a married one-earner couple with a carer in the home, both couples earning the equivalent of €65,000 in 2007 terms for each year back to 2000.

Year	Gross wage	Take-home pay Married one-earner couple	Take-home pay Married two-earner couple
	€	€	€
2000	43,790	33,926	35,088
2001	46,680	37,073	39,208
2002	50,368	39,470	42,513
2003	53,642	41,376	44,863
2004	57,290	43,584	47,759
2005	59,982	45,668	50,355
2006	62,141	47,673	53,188
2007	65,000	50,378	56,123

It should be noted that in the case of the married two-earner couple, an income split of 65%:35% between the two spouses is assumed. A different income split could give rise to different take home pay figures for the married two-earner couple. The difference in take home pay between a married one-earner couple and a married two-earner couple arises due to a number of factors including band structure, differing entitlement to personal credits and the application of conditions which apply in the health levy and PRSI systems.

106. **Mr. Gogarty** asked the Minister for Finance the review mechanisms in place to adjust rates of value added tax or remove specified goods and services from the ambit of the tax. [10155/07]

Minister for Finance (Mr. Cowen): VAT like all taxes is reviewed each year in the context of each Budget and Finance Bill. However, the VAT regime and indeed the rating of all goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. Under the EU VAT Directive, Member States may retain the zero rates on goods and services which were in place on 1 January 1991, but cannot extend the zero rate to new goods and services. However, it is possible to move existing zero rated items to either the reduced rate or the standard rate depending on the item in question. However, once moved, it would not be possible to revert them to the zero rate.

Member States may have up to two reduced VAT rates of not less than 5 per cent for a specified number of goods or services which are set out in Annex III of the EU VAT Directive. The goods and services in Annex III include certain foods, non-oral medicines, supply, construction and alteration of housing provided as part of a social policy, and newspapers and periodicals.

Goods and services at the reduced rate may be moved to the standard rate, but only those listed in Annex III may be reverted from the standard rate to the reduced rate.

In addition, Member States have the option of maintaining, at a reduced rate of not less than 12 per cent, any items not listed in Annex III, provided they carried the reduced rate on 1 January 1991. These items are considered to be ‘parked’ and Ireland’s parked rate is the same as our reduced rate of 13.5%. Domestic fuels, restaurant services and labour intensive services are examples of parked items. Member States must therefore apply the standard VAT rate to those goods and services that are not subject to VAT at the zero rate and which are not listed in Annex III of the Sixth VAT Directive.

Product	Per Litre				Per 1,000 Litres		
	Price	Excise	VAT	Total Tax	Excise	VAT	Total Tax
	(cents)	(cents)	(cents)	(cents)	(€)	(€)	(€)
Kerosene	54.28	0.00	6.46	6.46	0.00	64.56	64.56
Marked Gas Oil	54.66	4.74	6.50	11.24	47.36	65.01	112.37

The reduced VAT rate of 13.5 per cent is applied to home heating oil. In relation to the scope for reducing VAT on supplies heating oil, the position is the VAT rating of goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. The VAT treatment of heating oil is based on the fact that on 1 January 1991 it was taxed at the reduced rate. Under EU law Member States can continue to apply reduced rates in such cases provided the rate is not below 12%. The Deputy may be aware that in Budget 2007, I reduced the excise rate to zero for Kerosene which is the primary home heating oil.

108. **Ms Lynch** asked the Minister for Finance the tax incentive measures he will introduce to ensure that Ireland meets the new target agreed by EU leaders of increasing biofuels to 10% of all vehicle fuel by 2020; and if he will make a statement on the matter. [10245/07]

Minister for Finance (Mr. Cowen): While the promotion of biofuel is primarily a matter for my colleague, the Minister for Communications, Marine and Natural Resources, I am pleased to inform the Deputy that in Finance Act 2006 I provided for significant tax measures to promote biofuels in Ireland.

This scheme, which received the necessary EU State Aid approval, commenced in November 2006 and will:

- provide for excise relief on up to 163 million litres of biofuels per annum;
- cost over €200m over 5 years;

107. **Dr. Upton** asked the Minister for Finance the excise duty and approximate VAT charge on a litre of home heating oil in the domestic market in February 2007; the amount of excise duty and VAT included in the cost of a typical delivery of 1000 litres of home heating oil; and if he will make a statement on the matter. [10248/07]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the information requested as at February 2007 is set out in the table. The information is based on a price of €542.8 for 1,000 litres of Kerosene and €546.6 for 1,000 litres of home heating Diesel (Marked Gas Oil).

- when fully operational, result in CO₂ savings of over 250,000 tonnes per annum;
- contribute towards meeting a target of 5.75% transport fuel market penetration by biofuels by 2009;
- help reduce our dependency on conventional fossil fuels, and
- stimulate activity in the agricultural sector.

As a complementary measure, I provided in Finance Act 2006 for a new 50% VRT relief to promote new flexible fuel vehicles (cars designed to operate on biofuels) for an initial period of two years, and extended the existing VRT relief for hybrid cars by a further year to end 2007. I am also providing in Finance Bill 2007 for the introduction of a VRT relief of 50% for electric cars — cars which can be propelled by a rechargeable battery — on a pilot one year basis with effect from 1 January, 2007.

In addition I announced in the Budget the commencement of a public consultation process on adjusting VRT to take greater account of CO₂ emissions of vehicles. A similar exercise is under way in the area of motor tax. Any changes will have effect from a target date of 1 January 2008.

The overall level of excise relief available for biofuels under the above mentioned Scheme is that which had been proposed by the Minister for Communications, Marine and Natural Resources in advance of Budget 2006. It is regarded as a level which is sufficient to match Ireland’s output potential in relation to renewable energy crops for motor fuels over the coming years. These fiscal incentives were designed to kick start the

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domestic biofuels industry and the evidence suggests that this is happening.

The Deputy might wish to note that there are additional non-fiscal measures that can be used to promote biofuels and reach the targets referred to. To provide further market certainty and encourage projects of scale, the Government recently announced its intention to move to a Biofuels Obligation by 2009, with targets for market penetration for biofuels of 5.75% in 2009 and 10% by 2020.

Decentralisation Programme.

109. **Mr. Wall** asked the Minister for Finance the latest information available from the central applications facility in respect of applications from civil servants and other public servants currently located in Dublin who wish to transfer to new locations outside of Dublin under the Government's decentralisation programme; the way this compares with the Government target of 10,300; if agreement has now been reached with all public service unions regarding promotional opportunities for those who chose to move and those who opt to remain where they are; and if he will make a statement on the matter. [10240/07]

Minister for Finance (Mr. Cowen): Over ten thousand six hundred civil and public servants have applied to relocate under the Programme. Of these, approximately 5,600 or 53% are currently based in Dublin. The Central Applications Facility remains open and continues to receive applications. Discussions have concluded on a number of human resource and industrial relations matters and are being progressed on other issues. At the end of December 2006, over 2,400 staff had been assigned to decentralising posts. Approximately 800 of these are currently in place, in 17 new locations, while the remainder are being trained in advance of decentralisation to a new location, as soon as accommodation becomes available.

It is envisaged that by the end of 2007 public services will be delivered from 36 of the decentralisation towns with approximately 2,000 staff transferred. The precise numbers moving within that time frame will depend on the availability of property as well as timeframes for completion of fit out and installation of necessary ICT (information communications technology) and telecommunication cabling and equipment.

Across the public service, recruitment and promotion practices generally are being managed in a way which facilitates the achievement of the Decentralisation Programme in an efficient manner. Agreement has been reached with the Civil Service unions representing general service staff that all interdepartmental promotions will be made on the basis of the appointee agreeing to move to a post in a decentralising unit, Department or Office. Where an organisation is moving

in full, all internal promotions will include a decentralisation condition in the 52 week period prior to the move. Where an organisation is moving in part, 50% of all internal promotions will include a decentralisation condition in the 52 week period prior to the move taking place. These arrangements allow for a proportion of all promotions arising in Civil Service general service posts in the normal course to have a decentralisation condition.

Discussions are ongoing with the unions representing professional & technical staff in the Civil Service on the range of industrial relations issues arising, including promotion arrangements and placing of staff who wish to remain in Dublin.

The position in relation to the State Agencies is of course more complex. The Government has always said that this is a voluntary Programme. Any staff member wishing to remain in Dublin will be accommodated with a public service job in Dublin. However, there is a need to balance the business needs of the organisation in furthering its relocation objective with the needs of staff remaining in Dublin. In these circumstances promotions policy must take account of the reality of Decentralisation. It is my strong view that these issues can be resolved through dialogue and negotiations.

Tax Code.

110. **Mr. Boyle** asked the Minister for Finance his views on the Danish system of refunding VAT paid by charities. [10148/07]

Minister for Finance (Mr. Cowen): The position is that charities and non-profit groups engaged in non-commercial activity are exempt from VAT under the EU VAT Directive, with which Irish VAT law must comply. This means they do not charge VAT on the services they provide and cannot recover VAT incurred on goods and services that they purchase. Essentially only VAT registered businesses which charge VAT are able to recover VAT.

The Irish Charities Tax Reform Group (ICTRG) appears to accept that charities can not be granted VAT refunds through the tax system. However, they are still seeking the introduction of a grant or subsidy in lieu of the VAT charities pay on their business inputs and estimate that this would cost €18 million per annum in respect of the bodies they represent. However, given that Exchequer funding is made available to very many charitable organisations this is in effect already happening.

The 140 bodies represented by the Irish Charities Tax Reform Group already acknowledge that they receive some €9 million in funding either directly or indirectly from the Exchequer. However, there are approximately 7,000 charities registered with the Revenue Commissioners. It is therefore likely that the introduction of a scheme along the lines proposed by the Irish Charities

Tax Reform Group would cost the Exchequer significantly more than the €18 million estimate put forward by the group in respect of the bodies they represent.

I understand that the only EU Member State to introduce a scheme providing partial compensation for a limited number of charities for VAT incurred on input costs is Denmark. To be eligible under the Danish scheme charities must already be approved bodies under the Danish equivalent of our tax relief on donations scheme. My Department understands that some 750 charities in Denmark could benefit as a result. In comparison, over 1,900 organisations have to date been approved under the Irish donations relief scheme. It also understands that under the Danish scheme educational institutions are not eligible for compensation.

It is likely, therefore, the introduction of any grant system in lieu of VAT paid by registered charities in Ireland would undoubtedly lead to other exempt bodies such as schools, hospitals and sporting organisations, many of which are already registered as charities, seeking to benefit from such a system of refunds. These exempt bodies are already receiving considerable Exchequer funding.

The tax code already treats charities in a favourable manner. The tax code currently provides exemption for charities from Income Tax, Corporation Tax, Capital Gains Tax, Deposit Interest Retention Tax, Capital Acquisitions Tax, Stamp Duty, Probate Tax, Dividend Withholding Tax and the uniform scheme of tax relief for donations. While no overall definitive figures are available on the cost to the Exchequer of charitable tax exemption status, Revenue estimated in 2005 that the cost of the various tax exemptions and tax reliefs, including the tax relief on donations scheme, in place for bodies conferred with charitable status could be as high as €190m annually.

In addition to tax exemptions and reliefs, charities, voluntary and community groups, sporting bodies benefit significantly from grants schemes administered by a number of Government Departments. Finally, even if funds were available for grant-aiding charities and other voluntary groups, I am not sure that the most appropriate use of the funds would be to relieve them of the VAT paid on inputs as opposed to grant-aiding their activities using other criteria.

Proposed Legislation.

111. **Mr. P. McGrath** asked the Minister for Finance the circumstances in which a gift to a serving Minister will be deemed to be a conflict of interest under the purposed new amendment to rules governing ethics in public office.

[10206/07]

Minister for Finance (Mr. Cowen): The Deputy will be aware that office holders and members of

the Dáil and the Seanad may accept a gift in only limited circumstances. The Taoiseach and Tánaiste announced in October that the Ethics legislation would be amended to require an office holder or member, before accepting a significant gift or loan, to seek the opinion of the Standards in Public Office Commission that acceptance of it would not be likely to compromise the recipient in the discharge of his or her official duties, and to abide by the Commission's opinion. A Bill to this effect is currently being drafted.

The key provisions of the Bill will be as follows:

- to require office holders, members of the Oireachtas and the Attorney General, if offered a gift or gifts, or a loan or loans of money, worth 2,000 euro or more in any calendar year from a friend for personal reasons, to seek the opinion of the Standards in Public Office Commission as to whether acceptance would be likely to compromise the recipient in the performance of his or her official duties, and to abide by the Commission's opinion;
- this requirement will also apply to property lent or services supplied for less than the commercial price by 2,000 euro or more;
- to update the monetary thresholds for registerable interests in the Ethics in Public Office Act 1995;
- to provide that consulting the Standards Commission will be a confidential process and that the opinion of the Standards Commission will also be confidential. However, all office holders, Oireachtas members and the Attorney General will be required to furnish a statement to the Standards Commission each year that they are in compliance with the new requirement, as part of their annual returns; and
- to provide that if an office holder, Oireachtas member or Attorney General fails to seek the opinion of the Standards Commission or fails to abide by its opinion, he or she can be the subject of an investigation by the Standards Commission, on the lines currently provided for in the Ethics legislation, which will result in a report or decision of the Standards Commission on the matter being laid before the Oireachtas.

I wrote last week to the Chairmen of the Select Committees on Members' Interests of the Dáil and the Seanad setting out the key provisions and asking the Committees to give their views on them as soon as possible. The Government intends to introduce the Bill in the current session.

Fiscal Policy.

112. **Mr. English** asked the Minister for Finance

[Mr. English.]

his views on the heavy reliance of the Exchequer on revenue from the housing sector; and if he will make a statement on the matter. [10208/07]

Minister for Finance (Mr. Cowen): Activity in the housing sector impacts primarily on VAT, Stamp duty and Capital gains tax. Housing market activity also impacts on Income tax and PRSI receipts and Corporation tax from construction sector company profits. While revenues from housing market activity such as Stamp duty and Capital gains tax have made an increasing contribution to the Exchequer in recent years, we are not overly reliant on receipts from these sources. For example, taken together the Stamp duty and Capital Gains tax tax-heads are forecast to contribute just under 15 per cent of total targeted tax revenues in 2007 and it is worth noting that a significant proportion of receipts from these tax-heads come from sources other than residential property.

In contrast the 4 main tax-heads — VAT, Income tax, Corporation tax and Excise duty are forecast to account for 84 per cent of tax receipts this year, even allowing for the lower than usual corporation tax forecast which is due to the cash-flow reduction arising from the ending of the transitional payment arrangements. Care has been taken not to plan the public finances around an assumption that receipts from Stamp duty and Capital gains tax will continue to grow in future years as they have in the recent past. This is a prudent and sensible approach to take and it has been endorsed by the IMF and other commentators.

Tax Collection.

113. **Mr. Quinn** asked the Minister for Finance his estimate of the number of persons non-resident for tax purposes for each of the past three tax years; if the Revenue Commissioners have undertaken additional steps to clarify the number of visits made to the country by such non-residents; and if he will make a statement on the matter. [10249/07]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that it is not possible at present to estimate the number of Irish domiciled individuals claiming to be non-resident for tax purposes as such information has not been captured from tax returns in the past. Information which will assist in such estimation was however requested on the 2005 Return of Income. The processing of these returns is currently under way and when completed this should facilitate the compilation of statistics for 2005. It is intended to capture similar information from the 2006 returns which are due by the end of October 2007.

I am further informed by the Revenue Commissioners that enquiries relating to residence are

as normal part of their risk-based audit programme. The methods and procedures used to verify claims for non-residency are, as with other procedures, reviewed by Revenue on a regular basis.

Price Inflation.

114. **Mr. Wall** asked the Minister for Finance his views on the recent increase in the consumer price index; and if he will make a statement on the matter. [10222/07]

Minister for Finance (Mr. Cowen): Inflation, as measured by the CPI fell to 4.8 per cent in February from 5.2 per cent in January 2007. On a HICP basis inflation fell to 2.6 per cent in February from 2.9 per cent in January. The rate of CPI inflation has increased in the past year; this is mainly due to ECB interest rate increases which are outside of Government control. If mortgage interest was removed, CPI inflation would have measured 2.5 per cent in February.

Maintaining a moderate rate of inflation remains a key priority of economic policy because of its importance in restoring competitiveness. The Government is focusing on areas it can control and taking positive actions to contain inflation by implementing responsible fiscal policies. For example, we have not increased excise duties for the last three years, apart from tobacco excise, which was done for sound health policy reasons. We are promoting greater price competition through various measures. We are also investing in public infrastructure, as evidenced by the recently announced National Development Plan, which will enhance our ability to produce more goods and services and, by improving the economy's efficiency, keep inflation down.

In addition, we recognise that services sector inflation is a cause for concern and this highlights the need for more competition in the economy as well as for pay and profit restraint in all sectors in order to keep our cost base down. We must ensure that the wage increases granted under the Social Partnership agreement, Towards 2016, are reflected in productivity gains.

State Airports.

115. **Dr. Cowley** asked the Minister for Finance if he will review the sniffer dog situation at Ireland West Airport, Knock as there is concern that the cover is not sufficient; and if he will make a statement on the matter. [6762/07]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that Customs control of airports has to be looked at in the context of the Internal Market and the principle of freedom of movement within the European Union. Routine and systematic Customs checks on goods and passengers moving within any part of the EU have been abolished, as have Customs

controls on the baggage of intra-Community passengers other than anti-smuggling checks. This is particularly relevant in the case of Knock Airport where passenger traffic is predominantly intra-Community. In this context, Revenue's approach must of necessity be to balance the freedom of movement principle in regard to people and goods with the need to control smuggling and enforce prohibitions and restrictions.

Detection dogs have been used at Knock Airport for a number of years. Attendance is risk based and targeted using analysis and evaluation of general seizure trends, traffic frequency, route and similar risk indicators. These attendances cover the full range of flights times and are kept under constant review in particular to take account of emerging smuggling trends and any traffic increase at the airport. I am assured by the Revenue Commissioners that the level of use of detection dogs at Knock is adequate to address the risks.

Pension Provisions.

116. **Ms Burton** asked the Minister for Finance the number of small, privately administered pension schemes and the number of persons that have applied for exemptions under the new €5 million limit; the value of each of the five largest pension schemes; and if he will make a statement on the matter. [10213/07]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that to date 6,570 small self-administered pension schemes have been approved by Revenue. As already outlined to the Deputy at the Committee Stage of the Finance Bill, 116 applications were received for Personal Fund Thresholds above the €5 million Standard Fund Threshold introduced in the 2006 Budget and Finance Act. The value of the five largest Personal Fund Thresholds ranged from €27m to €54m. This data is based on notifications made to Revenue by the persons concerned.

Consumer Protection.

117. **Ms Enright** asked the Minister for Finance if his attention has been drawn to the fact that there is no code of practice to protect consumers in the sale of travel insurance; and if he will ask IFSRA to consider fully this gap. [10207/07]

Minister for Finance (Mr. Cowen): Under the EU Insurance Mediation Directive, travel agents who sell insurance only as part of a holiday package are specifically exempt from financial regulation. These agents are therefore not authorised and regulated as financial services providers by the Financial Regulator and do not come within the scope of the Consumer Protection Codes recently introduced by the Financial Regulator. The Financial Regulator does, however, publish

information and advice on travel insurance for the benefit of consumers.

The Package Holidays and Travel Trade Act 1995 covers the holiday package but not the travel insurance that may be sold with it. The Financial Services Ombudsman has powers to deal with complaints which concern the conduct of the underwriting insurance company, in relation to claims about the actual policies themselves, but not the sales process of travel agents.

Any travel agent selling travel insurance that is not part of a package holiday, must be registered with the Financial Regulator as an insurance intermediary. I understand that such insurance is widely available, whether through travel agents or other providers and I would urge consumers to examine carefully the benefits of this option.

Under the Package Holidays and Travel Trade Act it is the Director of Consumer Affairs who has direct responsibility for enforcing consumer protection provisions dealing with information provided to the consumer before conclusion of a package holiday contract. There is an obligation under section 12(1)(c) of the Act for the travel organiser/retailer to provide the consumer with information on the minimum level of travel insurance cover where such insurance cover is compulsory under the holiday contract. If such insurance is not compulsory under the contract, section 12(4) also provides that the travel organiser will inform the consumer about the optional conclusion of an insurance policy to cover certain risks. Under the Consumer Protection Bill 2007, which was recently published by the Minister for Enterprise, Trade and Employment, it is proposed to transfer the functions of the Director of Consumer Affairs to the new National Consumer Agency.

Economic Competitiveness.

118. **Mr. Rabbitte** asked the Minister for Finance his views on the implications for the Irish economy of the recent quarter point increase in interest rates announced by the European Central Bank; and if he will make a statement on the matter. [10217/07]

Minister for Finance (Mr. Cowen): On Budget Day, my Department projected economic growth of 5.3% in both GDP and GNP terms for this year. Interest rates remain relatively low in historical terms, and the recent increase has not altered the economic outlook.

119. **Mr. Morgan** asked the Minister for Finance his views on the economic implications of rising inflation, in view of the fact that consumer price index inflation measured 5.2% in January 2007 up from 4.9% in December 2006. [10181/07]

Minister for Finance (Mr. Cowen): Inflation, as measured by the CPI fell to 4.8 per cent in

[Mr. Cowen.]

February from 5.2 per cent in January 2007. On a HICP basis inflation fell to 2.6 per cent in February from 2.9 per cent in January. The rate of CPI inflation has increased in the past year; this is mainly due to ECB interest rate increases which are outside of Government control. If mortgage interest was removed, CPI inflation would have measured 2.5 per cent in February.

An increase in the rate of inflation is a cause for concern. If our inflation rate increases by more than that of our competitors it reduces our competitiveness. It highlights the need for more competition in the economy as well as pay and profit restraint in all sectors in order to keep our cost base down. It also emphasises that in the long run, in order to remain competitive, wages in Ireland will have to rise in line with productivity. We must ensure that the wage increases granted under the Social Partnership agreement, Towards 2016, are reflected in productivity gains.

Maintaining a moderate rate of inflation remains a key priority of economic policy because of its importance in restoring competitiveness. The Government is focusing on areas it can control and taking positive actions to contain inflation by implementing responsible fiscal policies. For example, we have not increased excise duties for the last three years, apart from tobacco excise, which was done for sound health policy reasons. We are promoting greater price competition through various measures. We are also investing in public infrastructure, as evidenced by the recently announced National Development Plan, which will enhance our ability to produce goods and services more efficiently and therefore keep inflation down.

Tax Code.

120. **Mr. Howlin** asked the Minister for Finance when the stamp duty loophole involving the use of licensing arrangements in respect of land transfer and development land deals, to avoid capital taxation including stamp duty will be closed; the exact date after which new deals will be subject to the new arrangements; the number of house properties and estates and land transfer and development schemes that qualified for the avoidance of capital taxes for each year from the year 2000 to date in 2007; if he will pursue companies or individuals that avoided stamp duty under this scheme; and if he will make a statement on the matter. [10214/07]

Minister for Finance (Mr. Cowen): As the Deputy is aware, I introduced legislation into the Finance Bill at Committee Stage to address the arrangements used by some developers that, under current law, do not involve a liability to stamp duty. The legislation provides that stamp duty may be liable on such arrangements as follows:

- in the case of a contract, where 25 per cent or more of the contract price has been paid over to the landowner,
- in the case of a licence agreement, where 25% or more of the value of the lands concerned has been paid over to the landowner, and
- in the case of agreements for lease, where 25% or more of the consideration has been paid over.

At present no set date is provided in the Bill for the introduction of this legislative provision. It will be put into effect by a Commencement Order.

In recent years, anecdotal evidence has surfaced which suggests that some developers have been using these means to avoid liability to stamp duty. Last year, I asked the Revenue Commissioners to review these arrangements and the extent of their use. Arising from that review, Revenue have concluded that the bypassing by developers of a stamp duty liability is relatively common. However, Revenue are unable to provide details of the transactions as requested by the Deputy. As the transactions in question, under current law, do not involve a liability to stamp duty, no such records are available.

When new legislative provisions are introduced closing off a loophole, it is not possible under the law to introduce such changes retrospectively. As such, it can only apply to arrangements made after the provisions are commenced.

Social Finance Foundation.

121. **Mr. Gilmore** asked the Minister for Finance when the social finance fund announced in budget 2006 will start to issue loans to voluntary projects; the person who will be in charge of the fund; the number of staff members it will have; the responsibilities they will have; their salaries; the criteria they will use for assessing loan applications; the penalties that will be imposed on projects that are unable to meet their repayments; and if he will make a statement on the matter. [10235/07]

137. **Mr. Gogarty** asked the Minister for Finance the sources other than financial institutions from which the newly created social finance foundation is hoping to secure funds. [10154/07]

296. **Mr. Carey** asked the Minister for Finance when the social finance fund will be operational; when guidelines for applicants will be available; and if he will make a statement on the matter. [9753/07]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 121, 137 and 296 together.

On 8 February 2007 I launched the Social Finance Foundation to implement the Social Finance Initiative announced in Budget 2006. The Found-

ation has been established on a not-for-profit basis to act as a wholesale supplier of social finance for on-lending by specialist social finance lenders to support social and developmental projects and social enterprise in local communities.

The Foundation is a private company established under Company Law and is governed by its Board of Directors under its Memorandum and Articles of Association. The company has received seed funding of €25 million from the Irish banking sector for distribution to qualifying lending intermediaries. These intermediaries are expected to comprise existing social finance lenders, as well as those that emerge as a result of the establishment of the Foundation.

The Foundation's lending policies and procedures as well as the appointment, role and responsibilities of staff and their terms and conditions of employment are matters for the Board of the Foundation. The board is chaired by Mr Peter Quinn and information on the other directors of the Foundation is included in the press release issued by my Department which is available on the Department's website at www.finance.gov.ie. The Chair indicated at the launch that the Foundation intends to commence its lending activities by mid-year. An invitation for expressions of interest from lending intermediaries is expected to issue shortly.

The €25m funding made available by the banks for the Initiative represents a very substantial increase over the resources currently devoted to social finance lending. I believe this level of seed funding is sufficient to meet initial requirements for the implementation of the Initiative. Looking to the future, as I indicated when I announced the Initiative in Budget 2006, the door is also open for other sectors and indeed private individuals to participate. I see the launch of the Foundation as a catalyst for deeper participation by private finance in the area of local and community development and social enterprise, providing a long-term sustainable funding stream for suitable social finance projects, over and above the significant seed funding contributed by the banks.

Public Service Employment.

122. **Mr. P. Breen** asked the Minister for Finance if he will indicate the projected increase in public service employment in 2007; and the strategy for the growth in public service numbers underlying budgetary planning for 2008 and 2009. [10192/07]

Minister for Finance (Mr. Cowen): The Government has over the last number of years, followed a policy under which growth in public service employment has slowed overall. The Government will continue to control and regulate numbers employed in the public service within agreed ceilings. The number employed is kept under constant review given the importance of

striking an appropriate balance between the need, on the one hand, to provide resources to improve front-line services and cater for demographic pressures and the need, on the other, to control and regulate overall numbers in the context of providing value for money for the public expenditure involved.

This strategy will govern decisions about employment in public services over the period in question. It is a matter for each Minister and Department to manage their employment levels within this strategy. The table shows the latest figures available for the number of staff serving in the public sector; these are whole-time equivalents at end-December 2006.

	Serving End December 2006
Public Service	
Civil Service [Non Industrials]	35,394
Civil Service [Industrials]	1,790
Health Sector	106,272
Education Sector	87,377
Defence	11,375
Gardaí	12,954
Local Authorities	33,633
Non Commercial Semi-States	9,885
Total	298,680

Decentralisation Programme.

123. **Mr. M. Higgins** asked the Minister for Finance the anticipated costs, in terms of acquiring and equipping premises and other related costs, at the latest date for which figures are available of the original decentralisation programme announced in budget 2004 and the slimmed down version announced in December 2004; and if he will make a statement on the matter. [10242/07]

Minister of State at the Department of Finance (Mr. Parlon): The Government is committed to the full implementation of the Decentralisation Programme announced in Budget 2004, involving some 10,300 civil and public service jobs in more than 56 locations across some 60 Government Departments/Offices and Agencies. My Office is in the process of procuring appropriate properties in the designated locations for the Departments and Agencies involved, with much progress having been made to date. Property acquisition negotiations are completed or are significantly advanced at 37 locations.

The prevailing property market conditions in each geographical area have a significant bearing on the cost of acquiring sites. As the acquisition process is still in progress, it is not possible at this stage to provide a precise estimate of the cost of the site acquisition programme. However, and for

[Mr. Parlon.]

working purposes only, an indicative figure of €75 to €100 million (excluding VAT) is being used by the OPW.

As the Deputy will know the Decentralisation Implementation Group (DIG) in its report of November 2004 announced the names of the Departments and organisations selected as 'early movers' and set out a timetable for provision of accommodation. At the same time the Group published a Report on the Procurement and Financial aspects of decentralisation.

In June 2005 the DIG published a further Report updating the timetable announced in November 2004; this timetable was revised in September 2006. The Report includes a timetable for the balance of organisations comprehended by the decentralisation programme, and sets out commencement and completion dates for accommodation ranging from the final quarter of 2005 to end of 2009. I am confident that this programme will be successfully implemented.

In relation to the Public Private Partnership approach recommended by the DIG my Office has been developing a comprehensive risk-adjusted costing of project elements to measure the value-for-money of future PPP bids. Expressions of Interest have been received and evaluated in respect of 3 locations (Portlaoise, Mullingar and Carlow) with very significant interest being shown. I expect that tenders will be invited in the coming weeks.

Although property solutions will include leasing and fitting-out of existing buildings, it is anticipated that, in the majority of cases, the accommodation facilities will be provided by the construction of new office buildings and cost estimation can be approached on that basis. However, in advance of actual market testing of any procurement methodology, it is possible, at this time, only to assign the most general measurements of cost to such a large-scale, diverse and complex programme.

It is estimated that approximately 210,000 sq. m of office space will be required to accommodate the total numbers included in the programme. OPW cost norms (April 2005, being updated by April 2007) in respect of offices would indicate an average build-cost to fit-out standard, in the range of €1,800 to €2,200 per square metre for suburban/rural locations and €2,500 to €3,000 per square metre in city/town centre locations. Such figures exclude VAT, professional fees and inflation. In addition the cost of equipping the accommodation to standard office equipment levels could be estimated at c.€4,000 per person. This would exclude the cost of Information and Communication Technology and specialised equipment requirements.

Such general measurements of cost do not include specialised facility and equipment requirements and other variables which would

arise from the spread of possible procurement methodologies. In addition general cost indicators of this type show a snapshot in time.

It is self-evident that a firmer scale of costs for the decentralisation programme will only emerge on foot of actual cost proposals being received from the market. It will be some months yet before sufficient data can be extracted from a suitable range of tender competitions to provide a basis on which more robust estimates of the overall cost of the programme can be made. Nevertheless it can be estimated that, generally-speaking, the cost of providing accommodation in provincial, compared to central Dublin locations should yield considerable cost savings to the State over time in terms of site costs, capital build costs and indeed maintenance costs.

Consumer Credit.

124. **Mr. Ferris** asked the Minister for Finance his views on the potential economic implications of record levels of personal indebtedness which have now been reached in this State. [10184/07]

Minister for Finance (Mr. Cowen): The rise in personal indebtedness must be seen in the context of buoyant economic conditions in recent years, which have been associated with very strong employment growth, increases in wages and reductions in direct taxation. A large part of the increase in personal sector indebtedness also reflects the accumulation of housing assets on the part of households. Moreover, the level of public indebtedness as a percentage of national income has fallen in recent years.

Therefore, provided that the economy and the public finances remain strong, the current level of personal indebtedness should have no significant implications at the macroeconomic level. This highlights the importance of remaining competitive and of adhering to prudent budgetary policies.

As I have pointed out before, both borrowers and lenders need to be aware that interest rates are still low by historical standards. Borrowers need to factor the prospective impact of changes to interest rates into their financial planning. I fully support the vigilance of the Central Bank and the Financial Regulator on the issue of private sector credit and in reminding borrowers and lenders of the need for responsible behaviour. The Government, for its part, will continue to contribute to economic and financial stability by pursuing a prudent fiscal policy.

Decentralisation Programme.

125. **Mr. Carty** asked the Minister for Finance the position regarding the decentralisation of the Department of Community, Rural and Gaeltacht Affairs' headquarters to Ireland West Airport, Knock, County Mayo, following the lodgement of

a planning objection against the project recently; and if he will make a statement on the matter. [7596/07]

Minister of State at the Department of Finance (Mr. Parlon): The Office of Public Works (OPW) selected a preferred tenderer for this Decentralisation project in August 2006. An application for planning permission was submitted by the preferred tenderer to Mayo County Council in October 2006. Notification of a decision to grant permission, subject to conditions, was issued by the Council in late November 2006. An appeal was lodged with An Bord Pleanála in early January 2007 and is expected to be decided in May 2007.

On receipt of a satisfactory planning permission, the preferred tenderer will be instructed by the OPW to prepare working drawings, specifications and a Bill of Quantities with a view to a contract being placed and construction work commencing on site. All going well, construction is expected to be completed in mid-2008.

The Knock Decentralised Building:

Involves the provision of office building(s), comprising approximately 4,500 square metres, as a Headquarters for the Department of Community, Rural and Gaeltacht Affairs, to accommodate approximately 183 staff.

Capital Expenditure.

126. **Mr. Deasy** asked the Minister for Finance the system in place for pinning responsibility on named public officials for the delivery of public investment projects on time and on budget. [10201/07]

Minister for Finance (Mr. Cowen): My Department's Capital Appraisal Guidelines of February 2005, as amended by Circular Letter of 25 January 2006 on Value for Money, provide for an individual to be appointed as project manager for each capital project. The guidelines specify that a senior official should be appointed as project manager for capital projects above 30 million euro, including at management committee level, where appropriate, but do not specify a particular salary level or grade. It is a matter for each project implementing Department or Agency to determine who should be appointed project manager in each individual case in the light of the foregoing requirements having regard to the scale, complexity and cost of each project.

The role of the project manager is to monitor progress on the project and to report on progress to the project board during project development to ensure that project objectives, performance criteria and key project milestones are achieved on time and within budget as per the project contract. If adverse developments occur, such as

potential cost overruns or delays, the project manager's progress reports to the project board should include recommendations to address the situation, including if warranted the option of project termination.

Departmental Expenditure.

127. **Mr. Connaughton** asked the Minister for Finance if any Departments have furnished him with proposed performance indicators for measuring the impact of public spending; and if he will arrange to have these presented to the relevant Oireachtas committee for consideration. [10195/07]

Minister for Finance (Mr. Cowen): Responsibility for sectoral policy and the management of programmes rests with individual Ministers and their Departments. The development of performance indicators is an integral part of the development of sectoral policies and Value for Money and Policy Reviews and evaluations carried out by Departments.

As part of the Government's reforms of the Estimates and Budget process announced by me in Budget 2006, Ministers are required commencing in 2007 to present an annual output statement in tandem with their Estimates to assist the Select Committees with their consideration of the Estimates. The annual output statements for 2007 will set out performance output targets by programme and impact indicators linked to the high level goals in Departments' strategy statements. For 2008 onwards, the statements will set out actual outturns against the previous year's output targets and new targets for the year under consideration.

The first such annual output statement was presented to the Select Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs on 7th March by the Minister for Community, Rural and Gaeltacht Affairs. All Ministers are due to present their Annual Output Statements to the relevant Select Committees within the next two weeks. I will be presenting the Finance Group output statement to the Finance and Public Service Committee on Thursday.

Tax Yield.

128. **Mr. Callely** asked the Minister for Finance the revenue generated arising from stamp duty on house sales over the past five years; the consideration that has been given to reduce revenue generated in this area; the works under consideration for revenue generation; and if he will make a statement on the matter. [10202/07]

Minister for Finance (Mr. Cowen): The table sets out actual stamp duty receipts in each of the past five years.

[Mr. Cowen.]

	2002	2003	2004	2005	2006
Stamp Duty Receipts, €m	1,167	1,688	2,088	2,725	3,717
Stamps as a % of Total Tax Revenue:	4%	5%	6%	7%	8%

Although exact data for stamp duty on residential property transactions are not available, the table sets out estimated figures for the period. It shows

	2002	2003	2004	2005	2006
Stamp Duty Receipts from Residential Property	€349m	€528m	€752m	€945m	€1,311m

Stamp duty is a significant contributor to the Exchequer, which helps fund public services such as health and education, while keeping the direct tax burden low thereby facilitating continued economic success, which is of benefit to all taxpayers. Policy with regard to all taxes, including stamp duty, is reviewed every year in the context of the annual Budget. In the most recent Budget I abolished stamp duty on mortgage deeds, assisted sporting bodies wishing to purchase land for the purpose of promoting sports and introduced a new stamp duty relief for stock market intermediaries which better reflects modern share dealing practices.

Departmental Expenditure.

129. **Mr. Coveney** asked the Minister for Finance the cost of travel and subsistence in his Department in each year since 2004 and to date in 2007; and if the establishment of decentralised offices has reduced the bill. [10198/07]

Minister for Finance (Mr. Cowen): The table sets the cost of all home and foreign travel and subsistence paid from my Department's Vote in each of the years 2004 to 2006 and 2007 to date. Payments were made from subheads A2 (Travel and Subsistence), F (Gaeleagrás) and J1 (Structural Funds Technical Assistance).

2004	2005	2006	2007
€,000	€,000	€,000	€,000
894	876	1,041	140

The establishment of an office of my Department in Tullamore in July 2006 did not reduce the cost of travel and subsistence between 2005 and 2006.

Tax Code.

130. **Caoimhghín Ó Caoláin** asked the Minister for Finance his views on whether the high dependence of the Government on tax receipts from property and consumption means that any contraction or downturn in these sectors is liable to

that receipts for residential property are just over a third of total stamp duty receipts.

leave the Government in a vulnerable position. [10179/07]

171. **Mr. Morgan** asked the Minister for Finance his views on the high dependence of the Government on revenue generated from taxes related to property and consumption. [10182/07]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 130 and 171 together.

The main consumption related taxes are VAT and excise duty. Taken together these two tax-heads are forecast to account for almost €21 billion or 43 per cent of total tax revenues in 2007 compared to the 44 per cent and 46 per cent of actual taxes they accounted for in 1997 and 1987 respectively. Construction impacts on a number of tax-heads, most notably capital taxes such as stamp duty and capital gains tax but also VAT and to a lesser extent income tax, PRSI receipts and corporation tax.

While revenues from construction related taxes such as stamp duty and capital gains tax have made an increasing contribution to the Exchequer in recent years, we are not overly reliant on receipts from these sources. For example, taken together the stamp duty and capital gains tax tax-heads are forecast to contribute around 15 per cent of total targeted tax revenues in 2007. In contrast, the 4 main tax-heads — VAT, income tax, corporation tax and excise duty are forecast to account for 84 per cent of tax receipts this year.

Care has been taken not to plan the public finances around an assumption that receipts from stamp duty and capital gains tax will continue to grow in future years as they have in the recent past. This is a prudent and sensible approach to take and it has been endorsed by the IMF and other commentators.

Economic Competitiveness.

131. **Mr. P. Breen** asked the Minister for Finance if he has identified economic factors underlying the loss of export market share by Ireland and significant job losses in trading sectors in the past four years. [10191/07]

Minister for Finance (Mr. Cowen): Exports of goods and services are estimated to have increased, in real terms, by an annual average of 4.1% in the last 4 years. Export growth in recent years has been concentrated in the services sector rather than in traditional manufacturing sectors. Between Q4 2002 and Q4 2006 the numbers employed in manufacturing declined by 13,700, or 4.5%. However, this decline in employment in the manufacturing sector has taken place over a period when total employment increased by 282,500, or 15.8%.

The changes in the composition of exports indicate that some of the decline in manufacturing employment can be seen as part of a process of structural change in the economy. While manufacturing jobs are being lost, many jobs in high value added sectors such as financial services are being created. It is also the case that losses in competitiveness over the last number of years are placing pressure on manufacturing firms. It is for this reason that we must remain focused on restoring and enhancing competitiveness going forward, if Ireland is to continue growing strongly.

In the medium term, the outlook for Irish export performance remains broadly positive. Our existing strong export base, particularly in pharmaceuticals, food, medical devices, software and financial services, allied with our pro-business environment and skilled workforce, are factors which provide good grounds to expect a continued solid export performance from the Irish economy over the medium term. To ensure that our export sector remains strong, the Government is adhering to prudent fiscal policies as well as investing in infrastructure, education and skills development.

Capital Expenditure.

132. **Mr. Bruton** asked the Minister for Finance the projects examined in the past 12 months by the central examination unit of his Department. [10189/07]

Minister for Finance (Mr. Cowen): The examination of projects is a matter for each spending Department. I established the Central Expenditure Evaluation Unit in my Department in June 2006 with the appointment of a Head of Unit and assignment of appropriately qualified staff. The Unit's initial phase of operations included the development of a work programme and running a recruitment process for appropriately skilled expenditure evaluators. Two evaluators have recently been appointed from this competition. In addition, my Department currently has four participants in the Masters Programme in Policy Analysis delivered by the Institute of Public Administration in association with the Faculty of Commerce, UCD. Upon completion of the programme, they will be assigned as expenditure eval-

uators to the Central Expenditure Evaluation Unit, two in mid 2007 and two in mid 2008.

The Unit's work programme for the next twelve months will focus on checking compliance with the capital expenditure VFM frameworks, including undertaking its own programme of spot checks of individual capital projects; overseeing roll out by Departments of the programme of reviews under the Value for Money and Policy Review initiative and development and roll out of a scheme of programme evaluation under the new National Development Plan (2007-2013).

Spot checks of capital projects are in the first instance the responsibility of each spending Department, who are required to put a system in place to carry out spot checks of projects to ensure compliance with the VFM framework and to report the findings of their spot checks annually to my Department. The Central Expenditure Evaluation Unit in my Department will review these spot check reports and may also directly undertake its own spot checks of individual capital projects either as part of this review process or on its own initiative.

As part of its work programme for 2007, the Unit will be undertaking its own series of spot checks of individual capital projects. This programme of spot checks has commenced with the examination of a number of projects in the transport sector. Activity in this area will be expanded over the coming months following the recent appointment of new staff members to the Unit.

Tax Yield.

133. **Mr. S. Ryan** asked the Minister for Finance the estimate of the net VAT paid by the building and construction sectors for each of the years 2003 to 2006; and if he will make a statement on the matter. [10225/07]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that estimates of the amounts of internal VAT paid by taxpayers in the building and construction industry in the years 2003, 2004, 2005 and 2006, after allowing for repayments and not including VAT on imports, are as follows.

VAT yields from building and construction industry

Year	Net VAT paid
	€m
2003	669
2004	780
2005	921
2006	1,091

The sector identifier used on the tax records is based on the 4 digit "NACE code (Rev. 1)" which is an internationally recognised economic activity code system. While the accuracy of the NACE codes on tax records is sufficient to underpin

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broad sector-based analyses there will undoubtedly be some inaccuracies at individual level which should be borne in considering the above data.

In addition, the figure provided for the estimated gross yield from the construction industry does not include the yield from activities and businesses in other economic sectors which are closely linked to the construction sector. An example of these would be architecture, engineering and real estate activities. VAT is levied on taxable activities (i.e. provision of goods and services) and accordingly the yield from a taxable activity such as construction, can be spread over more than one NACE code grouping.

The figures given for the years 2003, 2004 and 2005 are upward revisions of figures provided by the Revenue Commissioners in previous correspondence. The revisions were brought about by the updating of tax records, such as amending NACE codes, having a retrospective effect on historical figures for tax yields.

Proposed Legislation.

134. **Aengus Ó Snodaigh** asked the Minister for Finance his views on legislating for the right to a bank account, as has been done in other states, to enable people without a bank account to open an account at a financial institution of their choice. [10185/07]

Minister for Finance (Mr. Cowen): The banking industry has proposed the development of a universal bank account enabling all citizens to make and receive payments electronically — whether in the form of salary, benefit or welfare. The Deputy may wish to note that there are a number of important issues to be considered in progressing such a proposal such as the fees to be associated, who would have right of access to such an account and also the underlying need for such a product. For example, at the National Payments Conference in December 2006, hosted jointly by the Department of the Taoiseach and the Irish Payments Services Organisation, data was presented which suggested that this is a less widespread issue than has been thought hitherto. More detailed study is therefore necessary in advance of the formulation of any policy initiative in this area.

It must also be remembered that the credit union movement has been a key provider of savings and loans since its inception and has a particular role to play in supporting savings by persons on low incomes.

My responsibility as Minister for Finance is to bring forward proposals for a legislative framework for the regulation of the financial services sector from a prudential, systemic and consumer protection perspective. In general the operational

responsibility for implementation of that framework lies with the Financial Regulator. As far as I am aware the legislative and regulatory framework provides no obstacle to access. There are 7,000 or so financial services providers authorised by the Financial Regulator and the range and scope of the services they provide is primarily a commercial decision in which neither the Financial Regulator nor I have any direct function.

As part of its consumer mandate the Financial Regulator has taken a number of specific initiatives to help consumers in the framework of the Financial Regulator's "It's Your Money" campaign. These have involved publishing consumer guides and cost surveys on credit and other financial products, and fact sheets, including a fact sheet entitled "How to Open a Bank or Building Society Account" all of which are intended to assist consumers in making the most appropriate financial decisions. The Financial Regulator has commissioned independent research into this matter with a view to further possible initiatives or policy proposals to address any problems identified. This research includes the report entitled 'Financial Exclusion in Ireland — An Explanatory Study and Policy Review' which was launched by the Financial Regulator on 11 December 2006. The Financial Regulator has also included in its Consumer Protection Code a requirement that any measures adopted in relation to identification of customers should not deny a person access to financial services solely on the grounds that they do not possess certain specified identification documentation.

Tax Code.

135. **Mr. Naughten** asked the Minister for Finance the tax implications for farmers who do not receive their single farm payment in the year of their application; and if he will make a statement on the matter. [8821/07]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that for taxation purposes single farm payments can be accounted for on either a receipts basis or an annual basis. In cases where farmers make tax returns on a receipts basis the single farm payment is recognised as a receipt pertaining to the date the cheque issues from the Department of Agriculture and Food and is therefore liable to income tax in the tax year during which the payment issued. Where farmers make returns on an annual basis, the single farm payment is recognised by Revenue as a receipt accrued over the year in respect of which the payment was made.

The Revenue Commissioners accept farmers treating income received in respect of single farm payments on either the receipt basis or the annual basis provided that this treatment is carried out on a consistent basis and that the election for one

or other of the methods of making returns was made either from the date of commencement of farming or the year 2005.

Fiscal Policy.

136. **Mr. Sargent** asked the Minister for Finance the amount of further ECB rate rises being anticipated for 2007. [10162/07]

Minister for Finance (Mr. Cowen): Interest rate policy is entirely a matter for the Governing Council of the ECB, which is independent in deciding these matters.

Question No. 137 answered with Question No. 121.

Decentralisation Programme.

138. **Mr. Durkan** asked the Minister for Finance the extent to which his Department's programme for decentralisation has progressed; the associated costs to date; and if he will make a statement on the matter. [10250/07]

Minister for Finance (Mr. Cowen): The official opening of my Department's new offices in Tullamore took place on the 6th of October, 2006. Currently, my Department has decentralised one hundred and eighteen (118) staff to Tullamore and a further six (6) staff have accepted offers of decentralisation. The new offices in the Central Business Park in Tullamore is a modern, state of the art building comprising of three floors, with a total floor area of approximately 3400 sq metres on a site of 2.8 acres. The Office of Public Works (OPW) paid for the purchase and fit out of the building which cost €11,315,670.39. Other costs associated with the move to Tullamore to end 2006 amount to €491,810.77.

My Department together with the OPW is currently examining possibilities for permanent accommodation in Kildare to accommodate circa 30 ICT posts, which will also be moved under the decentralisation programme. Pending the identification of a suitable permanent accommodation solution, interim accommodation options in County Kildare are being examined, with a view to having an advance move commenced later this year. The cost of the provision of accommodation will be paid by the OPW. To date my Department has not incurred any costs associated with the move to Kildare.

Revenue Commissioners

As part of the decentralisation programme it is intended that Revenue will decentralise 50 staff to Newcastlewest, 50 staff to Kilrush, 50 staff to Listowel, 250 staff to Athy, 100 staff to Navan and 380 staff to Kildare. In the case of Newcastle West — Forty six (46) staff of the Office of the

Revenue Commissioners have decentralised to temporary accommodation in Estuary House, Limerick, in preparation for the move to Newcastle West. When the decentralisation move to Newcastle West takes place, a further five (5) officers will move to the location. An accommodation solution is being progressed and it is expected that this will be complete by early 2008, subject to planning issues being resolved.

In the case of Kilrush, fifty four (54) officers have accepted decentralisation offers and the current projection is that building and accommodation works in Kilrush will finish in May 2007 with occupation to follow shortly afterwards. Similar progress is being made in relation to Listowel, forty eight (48) officers have accepted decentralisation offers for Listowel and the current projection is that building and accommodation work will finish in late May 2007 with occupation to follow shortly afterwards.

Fifty four (54) Revenue staff have accepted decentralisation offers for Athy, and a further thirty seven (37) officers have submitted applications through Central Applications Facility. A number of possibilities for permanent accommodation are being examined by the Office of Public Works, and it is hoped to have an advance party move to Athy in advance of a permanent accommodation solution being finalised.

To date, eighty (80) staff have accepted decentralisation offers for Navan, and a further fifty one (51) staff have priority applications for Navan on CAF. A lease for suitable accommodation is being negotiated by the Office of Public Works and the current projection is that Revenue will be in occupation in the third quarter 2007. One hundred and sixteen (116) people have indicated an interest in decentralising to Kildare with Revenue. The Office of Public Works are in the process of identifying a suitable location.

I am informed by the Revenue Commissioners that to-date the Revenue have not incurred costs of any significance associated with the foregoing decentralisation moves.

Office of Public Works

As part of the decentralisation programme it is intended that OPW will decentralise 330 staff to Trim (future OPW HQ); 150 staff to Claremorris and 100 staff to Kanturk. To date three hundred and forty two (342) staff have applied for places in Trim under the CAF process, one hundred and fifty two (152) have applied for places in Claremorris and eighty eight (88) staff applied for places in Kanturk.

OPW has acquired the site in Trim and planning for the new building has been secured and arrangements are being made currently for the Contractor / Developer to move on site shortly. The current target for completion is Q4 2008. It is proposed to manage the move to Claremorris in two phases. The first phase deals with the set-

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ting up of an advance office in Claremorris for up to forty (40) staff. In this regard, OPW has identified accommodation suitable for use, subject to fitting out works. Tenders are currently being evaluated for these works and it is expected that work will commence shortly with a view to having the accommodation ready for occupation in the second quarter of 2007. The second phase of this project will be the construction of a permanent office for up to one hundred and fifty (150) staff. The indicative timeframe at this stage for the completion of the construction is early 2009. A site in Kanturk has been identified as suitable for use and its acquisition is being pursued.

Valuation Office and the Public Appointments Service (PAS) to Youghal, Co. Cork.

As part of the overall decentralisation programme, it is intended that 100 staff of the Valuation Office will be decentralised to Youghal, Co. Cork and there have been twenty two (22) applications to-date on the CAF. It is also intended that 100 staff of the Public Appointments Service (PAS) will be decentralised to Youghal, and eighty seven (87) staff have applied on the CAF to decentralise with the PAS.

While neither the Valuation Office or PAS are on the early-movers list, the Office of Public Works (OPW) has identified a suitable site for the decentralised Offices in close proximity to the town centre of Youghal. The OPW has advised that, following negotiation with the vendor, agreement in principle has been reached for the acquisition of the site and completion of construction is envisaged in mid 2009. To date, the Valuation Office has not incurred any costs associated with the move to Youghal while the costs incurred by PAS amount to €4,500 (not including staff costs or spending on CAF).

Ordnance Survey Ireland (OSI) to Dungarvan, Co. Waterford.

The OSI will decentralise 200 of its Dublin based Headquarters posts to Dungarvan. OSI has a presence in six regional offices where a further 100 staff are located in: Kilkenny, Cork, Ennis, Tuam, Sligo and Longford. These offices will not be relocating to Dungarvan. Applications to decentralise with OSI have been made by forty nine (49) civil and public servants as well as sixteen (16) existing OSI staff based in Dublin. In addition, fifty four (54) OSI staff have been assigned to Dungarvan as a result of recruitment or promotions under the decentralisation programme since its commencement in December 2003. Arrangements for decentralisation are proceeding in accordance with the OSI implementation plan and a site has been acquired in Dungarvan by the Office of Public Works (OPW). To date the OSI has not incurred any financial costs in relation to the decentralisation move.

A detailed table showing the cost of all property and accommodation being acquired by OPW for decentralisation is being compiled and will be forwarded when available to the Deputy.

Tax Collection.

139. **Ms McManus** asked the Minister for Finance the number of random audits carried out by the Revenue Commissioners in 2006; the way this compares with each year from 2003; the number expected to be undertaken during 2007; and if he will make a statement on the matter. [10229/07]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that 402 cases were selected for random audit as part of their 2006 programme. To date, 167 audits have been concluded. 43 cases yielded €233,721. There were no recoveries from 124 cases (74%). 235 cases are still ongoing.

I am advised that 410 cases were selected for random audit under Revenue's 2005 programme. 60 cases did not proceed to final audit due to the particular circumstances of the taxpayer, e.g. trading had discontinued, the taxpayer was deceased or the case had been very recently audited. 111 cases yielded €1,224,528. There were no recoveries from 231 cases (68%). Eight cases are still ongoing.

I am informed that Revenue's approach to random auditing changed significantly for their 2005 programme. The new approach introduced both better design and delivery of the programme and improved statistical rigour. Accordingly any comparisons with previous years must bear this in mind. The traditional random audit programme was not carried out in 2004 due to the change in Revenue's approach following a review of the programme. However, 25 cases selected under the programme for previous years were completed in 2004.

I am advised that 274 random audits were completed in 2003. 122 cases yielded €3.4m and 152 cases (55%) were nil yielding. However, for this year the selection was not purely random as Revenue Districts narrowed down the initial random selection based on risk criteria.

In relation to 2007, I understand that the random audit programme will commence by the end of March. 400 cases have been randomly selected. Internationally a sample in the order of 400 cases is regarded as an appropriate sample for the size of the population being measured.

Tax Code.

140. **Mr. Cuffe** asked the Minister for Finance the status of attempts by the European Commission to harmonise corporate tax rates in the European Union. [10153/07]

Minister for Finance (Mr. Cowen): The EU Commissioner for Taxation and Customs Union has stated on a number of occasions recently that the European Commission has no plans for the harmonisation of corporate tax rates in the European Union. However, a technical working group, chaired by the EU Commission, is working towards the development of a Common Consolidated Corporate Tax Base (CCCTB). Ireland, along with a number of other Member States, opposes the idea of creating common rules for the calculation of company profits for both principled and practical reasons. That said we are participating in the meetings of the technical working group strictly on a without prejudice basis.

The Deputy should be aware that a Proposal from the Commission on the CCCTB is not anticipated until 2008 and that no policy decisions have been taken on the project at the level of the Council of Ministers.

141. **Ms O'Sullivan** asked the Minister for Finance the tax incentive measures he will introduce to ensure that Ireland meets the new target agreed by EU leaders of increasing renewable energy to 20% of all energy use by 2020; and if he will make a statement on the matter. [10246/07]

Minister for Finance (Mr. Cowen): The Government have already made clear that renewable energy will be a critical and growing component of Irish energy supply to 2020 and beyond. Renewable energy is an integral part of our climate change strategy and sustainability objectives. The additional diversity which renewables bring to Ireland's energy demand will also make a direct contribution to our goal of ensuring secure and reliable energy supplies.

The recently published Government White Paper *Delivering a Sustainable Energy Future for Ireland* outlines a range of measures to incentivise the development and deployment of renewable sources of energy. It sets very ambitious targets for expanding the role of renewable energy, most notably the target of 33% of electricity consumption to come from renewable resources by 2020, a target of 12% renewable heat market penetration by 2020 and a biofuels penetration target of at least 10% for 2020.

While the promotion of renewable energy is primarily a matter for my colleague, the Minister for Communications, Marine and Natural Resources, as I have stated previously the taxation system, in conjunction with other policy measures, can play a part in attaining environmental objectives including the development and deployment of renewable sources of energy. In this regard the taxation measures which are already in place or are being introduced include:

- a five year excise relief scheme for biofuels, costing over €200 million, which com-

menced in November 2006. The scheme provides for excise relief on up to 163 million litres of biofuels per annum;

- 50 per cent VRT relief for hybrid vehicles, flexible fuel vehicles and electric vehicles;
- extending the qualifying period from 31 December 2006 to 31 December 2011 for the scheme of corporate tax relief for corporate equity investments in certain renewable energy generation projects i.e. in solar, wind, hydro or biomass technology categories, and which have been approved by the Minister for Communications, Marine and Natural Resources;
- extending to 31 December 2013 and enhancing the Business Expansion Scheme and the Seed Capital Scheme which can, among manufacturing other areas, be used for investment in companies engaged in renewable energy generation and recycling;
- amending the VRT and motor tax systems to take greater account of environmental issues, in particular CO₂ emissions.

The Government will examine other tax incentives or disincentives where these can be shown to have a clear cost-benefit in developing renewable sources of energy.

Decentralisation Programme.

142. **Ms Shortall** asked the Minister for Finance the number of civil servants who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if he will make a statement on the matter. [10232/07]

Minister for Finance (Mr. Cowen): One Hundred and eighteen (118) staff of my Department have decentralised to Tullamore and a further six (6) have accepted offers of decentralisation. Of those in Tullamore, ninety-four (94) moved to my Department to decentralise to Tullamore. The data available in my Department on the previous careers of these staff do not indicate in all cases the previous locations of staff or whether or not they had an earlier transfer within a two year period of the decentralisation transfer. However, nineteen (19) of these staff came to Dublin for training prior to moving to Tullamore. The total time spent in Dublin was six hundred and seventeen weeks (617), giving an average period of thirty two (32) weeks.

I am informed by the Revenue Commissioners that forty six (46) staff of their office have

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decentralised to temporary accommodation in Limerick in preparation for the move to Newcastlewest and a further five (5) have accepted offers of decentralisation. Of those in the temporary accommodation in Limerick, eight (8) moved to the Office to decentralise to Newcastlewest, two (2) of whom served in Dublin with other Departments prior to moving to Limerick.

Ten (10) staff have transferred from other Departments to the Revenue Commissioners in preparation for the move to Kilrush, seven (7) of whom are currently in Limerick, one (1) in Ennis and (2) in Dublin. Of the seven (7) serving in Limerick one (1) was based in Dublin prior to their transfer. A further twenty eight (28) staff of the Revenue Commissioners and sixteen (16) staff of other Departments have accepted offers to decentralise to Kilrush.

Seven (7) staff have transferred from other Departments to the Revenue Commissioners, Limerick in preparation for the move to Listowel. Three (3) of whom were Dublin based prior to their transfers. A further twenty four (24) staff of the Revenue Commissioners and seventeen (17) staff of other Departments have accepted offer to decentralise to Listowel. I am also informed by the Revenue Commissioners that the data available on the previous careers of staff who have transferred in does not indicate in all cases the previous locations of staff.

As part of the overall decentralisation programme the Revenue Commissioners also intend to move 100 staff to Navan and 250 staff to Athy. To date, eighty (80) staff have accepted decentralisation offers for Navan, three (3) of whom are currently serving in provincial locations. The OPW are currently negotiating a lease for suit-

able accommodation and it is expected that Revenue will be in a position to move to Navan in the third quarter of 2007. To date fifty four (54) staff have accepted offers for Athy of whom eight (8) are currently serving in provincial locations. It is intended to send an advance party of approximately 50 staff to Athy in 2007 and the OPW are examining a number of possibilities for permanent accommodation.

With regard to the other agencies under the aegis of my Department, arrangements for decentralisation are proceeding in accordance with their implementation plans which have been prepared and submitted by each of the agencies to the Decentralisation Implementation Group. To date, no staff have been decentralised by the Public Appointments Service (PAS), Valuation Office (VA), Ordnance Survey Ireland (OSI) or the Office of Public Works (OPW). However, it is intended that the OPW will commence the decentralisation of an advance party of up to forty staff to Claremorris later this year.

Tax Code.

143. **Mr. Costello** asked the Minister for Finance the number and percentage of income earners who are paying tax at the higher rate and the standard rate for 2006; the anticipated figures for each category for 2007; and if he will make a statement on the matter. [10227/07]

Minister for Finance (Mr. Cowen): The information requested by the Deputy in a format which presents the data in terms of the effective tax rates actually paid by taxpayers is set out in the table. This is the same format as used for the presentation of pre-Budget 2007 and post-Budget 2007 distributions of earners in the 2007 Budget booklet.

Tax Year	Exempt ⁽¹⁾	Paying at 20% or less ⁽²⁾	Paying at greater than 20%	Total
2006*	776,100 35.92%	937,700 43.40%	446,700 20.68%	2,160,500
2007*#	845,900 38.19%	930,600 42.02%	438,200 19.79%	2,214,700

Notes

⁽¹⁾ Standard rate liability fully covered by tax credits or Age Exemption limits.

⁽²⁾ Higher rate tax liability fully covered by tax credits and includes those who face a gross liability for tax at the marginal relief rate of taxation.

* Provisional and likely to be revised.

Assuming the enactment of the changes announced in the 2007 Budget.

Figures in the table are rounded to the nearest hundred and any apparent discrepancies in totals are due to this. The figures are estimates from the Revenue tax forecasting model using actual data for the year 2003 adjusted as necessary for income and employment growth for the years in question. It should be noted that a married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

144. **Mr. Callely** asked the Minister for Finance if there has been a noticeable increase in the importation of second-hand cars; the three top countries of origin for such imports; the VRT applicable; the revenue that has been generated over the past five years on such VRT; and if he will make a statement on the matter. [10203/07]

Minister for Finance (Mr. Cowen): The tables set out the number of second hand cars imported

and the VRT revenue generated on such cars over the past five years. The VRT rates applicable to such cars are also provided.

Year	Total Registrations, including instances of transfer of residence	VRT Revenue Yield
		€
2002	13,838	20,789,879
2003	14,628	28,184,180
2004	23,573	53,367,076
2005	41,801	100,591,425
2006 (Prov)	56,327	146,280,480

Category of Vehicle	VRT Rate
A1. — Cars up to 1400 cc	22.50% of chargeable value or €315, whichever is greater.
A2. — Cars 1401 to 1900 cc	25.00% of chargeable value or €315, whichever is greater.
A3. — Cars over 1901 cc	30.00% of chargeable value or €315, whichever is greater.

After declining over a number of years, there has been a strong growth in the import of used cars over recent years. Such cars are now imported primarily from the United Kingdom, followed in 2006 by imports from Japan and Singapore. It should be noted that the same VRT rates structure applies to new cars and to imported used cars.

Anti-Poverty Strategy.

145. **Caoimhghín Ó Caoláin** asked the Minister for Finance when, in view of the fact that low income families which have no savings can fall into debt particularly easily, he will introduce a savings scheme for low income households, on a pilot basis for two years, in the form suggested by the Society of St. Vincent de Paul, the money advice and budgeting service and the Combat Poverty Agency. [10180/07]

Minister for Finance (Mr. Cowen): The proposal is to develop a pilot savings scheme for low-income households, similar to the SSIA scheme which is now in its final months. While the proposal has a number of socially progressive features, I am not convinced that a further SSIA type scheme is the appropriate way forward. Raising the income levels of those affected by more jobs, higher wages or better social welfare support may be more productive. That is what this Government's policies are achieving.

Decentralisation Programme.

146. **Mr. Eamon Ryan** asked the Minister for Finance the number of civil and public servants anticipated to have moved under the Government's decentralisation office relocation programme by 1 June 2007. [10159/07]

Minister for Finance (Mr. Cowen): A progress report by the Decentralisation Implementation Group (DIG) was submitted to me and published on 4th October last. The Group reported that implementation of the Decentralisation Programme is progressing satisfactorily. To date, over 2,400 staff had been assigned to decentralising posts. Approximately 800 of these are currently in place, in 17 new locations, while the remainder are being trained in advance of decentralisation to a new location, as soon as accommodation becomes available.

It is envisaged that by the end of 2007 public services will be delivered from 36 of the decentralisation towns with approximately 2,000 staff transferred. The precise numbers moving within that time frame and particularly by June 2007, will depend on the availability of property as well as timeframes for completion of fit out and installation of necessary ICT (information communications technology) and telecommunication cabling and equipment.

Pension Provisions.

147. **Dr. Twomey** asked the Minister for Finance if he is satisfied with the equity of tax relief provisions for pensions. [10205/07]

Minister for Finance (Mr. Cowen): The State encourages individuals to supplement the social welfare pension arrangements with private pension arrangements by offering tax relief on private pension provision. The tax relief arrangements for private pension provision are long-standing and have helped a significant proportion of the workforce to provide for supplementary pensions for their retirement.

Tax relief is provided at an individual's marginal income tax rate on amounts contributed to pension schemes (subject to limits). The amount

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of profits and gains generated by the investments held by the pension schemes are tax exempt subject to certain ceilings. Pension benefits payable on retirement are taxable subject to an entitlement to take a tax-free lump-sum cash benefit.

Over half of all people in employment are covered by voluntary private pensions and, while this proportion has not changed hugely in recent years, the absolute numbers covered have increased, for example, from over 500,000 in 1995 to close to 1 million in 2004. In the 2006 Budget and Finance Act, I introduced some changes which were designed to encourage older people and those on lower incomes to commence or improve their voluntary pension arrangements. These changes involve:

- A Pension Incentive Tax Credit to encourage SSIA holders on lower incomes to put some or all of the proceeds of their SSIA accounts on maturity into a pension product. For each €3 invested in a pension product, the Exchequer will contribute €1 (to a max. of €2,500) together with a proportion of the exit tax deducted from the SSIA on maturity.
- An increase in the rate of age-based tax relief for pensions contributions to all pension products for contributors aged 55 years or over (i.e. from 30% to 35% of net relevant earnings/remuneration for those aged 55 or over but under 60; and from 30% to 40% of net relevant earnings/remuneration for those aged 60 or over).

At the same time, I introduced other changes the purpose of which was to limit the cost to the Exchequer of tax relief provided to higher income earners. These changes are:

- A cap on the value of a pension fund allowable for tax purposes of €5 million (or, if higher, the value of the fund on 7 December 2005).
- A cap on the maximum value of the tax-free lump sum of €1.25 million which is 25% of the new maximum pension fund amount of €5 million.

In the same Budget I introduced, for the first time ever, a general restriction on the use by high earners of special tax reliefs of one type or another and I delivered what in real terms was described by the ESRI as a “highly progressive” Budget. Tax equity, both in relation to pensions and more generally, was therefore a major feature of that Budget.

Tax Yield.

148. **Ms B. Moynihan-Cronin** asked the Minister for Finance the PAYE tax paid over by the 100 largest corporate tax payers in PAYE for

each of the years 2003, 2004, 2005 and 2006; and if he will make a statement on the matter. [10224/07]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the relevant information available in respect of the PAYE yields in each of the calendar years 2003, 2004 and 2005 of PAYE from the 100 largest payers of Corporation Tax in the calendar year 2005 is as follows:

Year	Amount Paid million
	€ million
2003	649.5
2004	703.9
2005	755.7

The corresponding information is not readily available for 2006 and could not be obtained without conducting a detailed examination of the Revenue Commissioners’ records.

It should be pointed out that most large corporations in Ireland have a group situation involving several individual companies, each usually associated with specific business functions of the corporation. The figures supplied above do not include payments from any other related company within a corporation. While the Large Cases Division of Revenue use a system of group markers and special indicators to facilitate the linking and identification of individual companies within corporate groupings, this facility is not available to support the compiling of data on tax payments.

Tax Code.

149. **Mr. Ferris** asked the Minister for Finance the reasons for his failure to introduce increased restrictions on the use of specified tax reliefs by high income individuals as part of recent finance legislation. [10183/07]

Minister for Finance (Mr. Cowen): In Budget 2006 I announced the introduction of a limit, with effect from 1 January 2007, on the use of tax reliefs, including certain exemptions, by some high-income individuals. Section 17 of Finance Act 2006 gave effect to this announcement. This measure was designed to address the issue of a small number of individuals with high incomes who, up to now, mainly by means of the cumulative use of various tax incentive reliefs, have been able to reduce their income tax liability to a very low level or to zero. Such individuals are no longer able to do so. This provision will ensure that such individuals who use tax incentive schemes will have an effective rate of income tax for each year of not less than about 20 per cent on the income sheltered by such schemes.

The method used to increase the tax rates at which these high income individuals pay tax effectively addresses the equity concerns raised

over the past number of years while, at the same time, ensuring that the intended incentive effects of tax schemes will continue to be delivered.

Broadly, the reliefs restricted are those reliefs that have primarily been used by high income individuals to significantly reduce their tax liability. These are:

- the various sectoral and area based property tax incentives,
- certain exemptions including artistic income and patent royalties,
- the reliefs for donations, and
- certain investment incentive reliefs such as the Business Expansion Scheme, film relief and interest relief for investment in companies and partnerships.

The more usual items claimed by taxpayers such as medical expenses, trade union subscriptions, the personal tax credits and exemptions such as that for child benefit are not restricted. In addition, normal business expenses and deductions for capital allowances on plant and machinery, genuine business related trading losses and genuine losses from a rental business have not been restricted.

Finally, I would like to advise the Deputy, that I introduced a number of technical amendments to the restriction in Finance Bill 2007 which will help to ensure that the measure will work as intended. Included in these are provisions to enable the Revenue Commissioners to seek whatever information may be necessary from individuals affected by the restriction, so as to ensure that Revenue are in a position to monitor and assess the impact of the restriction in terms of numbers affected, the additional tax paid and the nature of the reliefs restricted.

150. **Mr. S. Ryan** asked the Minister for Finance the value of the tax relief for each year from 2000 to date in 2007 under capital allowances for the construction of private hospitals; and if he will make a statement on the matter. [10238/07]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that for the tax year 2003 and earlier years claims for capital allowances for the construction of private hospitals were aggregated in tax returns with other claims and could not be distinguished from other reliefs claimed. Accordingly, the specific information on costs for 2003 and earlier years are not available.

Information on the scheme of tax relief for private hospitals was for the first time specified and separately included in personal income tax returns for the tax year 2004, the latest year available, and were filed in October, 2005. Based on the information that has been received and collated for the tax year 2004, a total of €4.5 million was included in 37 claims for capital allowances

for the construction of private hospitals. This figure would correspond to a maximum Exchequer cost of the order of €1.9 million for these returns in terms of income tax foregone.

I should point out, however, that Revenue were concerned at preliminary indications that in some instances the new, separately categorised data on exempt income and property incentives may not have been correctly entered on the 2004 Income Tax returns. Revenue has engaged with the tax practitioner bodies in order to ensure that this situation is rectified for future years. Corresponding data based on 2005 returns is in the process of being compiled and should be available shortly. Data for the tax year 2006 is not yet available as the income tax returns for that year are not due for filing until October 2007.

Financial Services Regulation.

151. **Mr. Cuffe** asked the Minister for Finance the position of the Irish Government in responding to the call of the German Government for greater international regulation of hedge funds. [10151/07]

Minister for Finance (Mr. Cowen): Firstly, I might just explain to the Deputy that there is no specific definition of what a hedge fund is. Funds with the characteristics commonly associated with hedge funds generally invest in the same asset classes as other investment funds, namely, in equities, bonds, foreign exchange and so on. The main difference with hedge funds is that they are more flexible in terms of investment options than traditional collective investment schemes and they may use financial leverage, including derivatives, to magnify their investment returns.

In Ireland, hedge funds are authorised by Financial Regulator. As they are a more risky investment than traditional funds, they are reserved for institutional investors and wealthy individuals. They cannot be sold to retail clients, although such clients might have some exposure through funds of hedge funds and through pension funds.

As the Deputy may be aware, the German Presidency raised the issue as to how greater transparency might be achieved as regards hedge funds' activities and this issue has been discussed in various EU forums. As this is an international matter, the issue was also discussed at the G8. The general consensus is that there is no immediate need to design a set of transparency requirements for hedge funds.

Many hedge funds are legally domiciled in offshore financial centres and, accordingly, the EU cannot subject them to mandatory disclosure requirements. However, many of the investment managers and prime brokers associated with hedge funds are based in EU countries and are subject to authorisation and supervision in those Member States.

Moreover, EU rules on the disclosure of significant stakes in companies are now in place.

[Mr. Cowen.]

The Transparency Directive provides for the mandatory reporting of major holdings of voting rights, once 5% of voting rights are acquired. Some Member States apply even lower notification thresholds. Other regulatory safeguards also apply. EU rules on market abuse and insider trading (the Market Abuse Directive) apply fully to EU hedge fund managers.

As regards the risk to financial stability from hedge funds, from a systemic perspective this issue concerns the ability of lending institutions to withstand failure of their hedge fund creditors. Exposures to hedge funds by banks are monitored by EU banking regulators and the ECB. The recently introduced Capital Requirements Directive regulates the buffer of capital that banks and investment firms must hold against banking-book and trading-book exposures to all counterparties, including hedge funds. The European Commission and the ECB are continuing to closely monitor the hedge fund sector. The general view is that there is no obvious regulatory gap that needs to be completed at EU level at this time.

Disabled Drivers.

152. **Ms C. Murphy** asked the Minister for Finance the consideration he has given to amending the rules relating to the primary medical certificate in order that the qualification criteria include a wider range of disabilities than is currently the case; and if he will make a statement on the matter. [6286/07]

Minister for Finance (Mr. Cowen): A special Interdepartmental Review Group reviewed the operation of the Disabled Drivers Scheme. The terms of reference of the Group were to examine the operation of the existing scheme, including the difficulties experienced by the various groups and individuals involved with it, and to consider the feasibility of alternative schemes, with a view to assisting the Minister for Finance in determining the future direction of the scheme.

The Group's Report, published on my Department's website in July 2004, sets out in detail the genesis and development of the scheme. It examines the current benefits, the qualifying medical criteria, the Exchequer costs, relationship with other schemes and similar schemes in other countries. The Report also makes a number of recommendations, both immediate and long-term, referring respectively to the operation of the appeals process and options for the future development of the scheme.

In respect of the long-term recommendations, including the qualifying disability criteria, given the scale and scope of the scheme, further changes can only be made after careful consideration. For this reason, the Government decided that the Minister for Finance would consider the recommendations contained in the Report of the

Interdepartmental Review Group in the context of the annual budgetary process having regard to the existing and prospective cost of the scheme. This consideration is undertaken on a regular basis.

Tax Code.

153. **Mr. Crowe** asked the Minister for Finance if he will terminate tax breaks for the construction of private hospitals. [10188/07]

Minister for Finance (Mr. Cowen): The scheme of capital allowances for the construction of private hospitals was reviewed by Indecon Economic Consultants as part of the overall review of property tax incentives in 2005. Indecon consulted widely in the course of their review, including consultations with the Department of Health and Children and the Health Service Executive. Their report was published on 6 February 2006 and is available on the Department of Finance's website.

The review recommended that this scheme should continue as there was a need for on-going investment in private hospitals. The consultants observed that the construction of private hospitals could free beds in public hospitals used by private patients. It should also be noted that the consultants observed that the Government's plan for private hospitals in the grounds of public hospitals is designed to be a cost effective way of expanding supply and if properly managed will increase supply and competition.

The summary of the main findings from Indecon's analysis is as follows:

- 'There has been an overall increase in planning applications and approvals for private hospitals since 2000 but most have not proceeded to date.
- Most of the extra investment in the sector would either not have been undertaken, or would have taken longer to come on-line in the absence of the tax incentive scheme.
- While it is too early to provide detailed estimates of the impact of the scheme on the supply and on the costs of hospital beds, Indecon believes the scheme has the potential to address supply shortages in the sector and to reduce costs.'

In all of the circumstances, I have no plans at this time to terminate the scheme of capital allowances for the construction of private hospitals.

Tax Yield.

154. **Mr. Broughan** asked the Minister for Finance the corporation tax paid by the largest 100 corporate tax payers in corporation tax for each of the years 2003, 2004, 2005 and 2006, broken down into quintiles (details supplied); the industries involved in respect of each quintile; the total

paid by IFSC companies; and if he will make a statement on the matter. [10223/07]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the relevant information available is in respect of the

yields in each of the calendar years 2003, 2004 and 2005 of Corporation Tax from the 100 largest payers of Corporation Tax in the calendar year 2005. The figures in question, together with information on the sectoral breakdown of the companies, are set out in the tables.

Table A: Distribution by quintile and economic sector of the 100 largest Corporation Tax (CT) paying companies in 2005

Sector Quintile	Computer	Energy	Finance	Medical/Pharma	Other	Total
1	6		4	8	2	20
2	1		12	3	4	20
3	2	2	12	2	2	20
4	1	2	6	7	4	20
5	1		14	2	3	20
Total	11	4	48	22	15	100

Table B: Breakdown by quintile and economic sector of Corporation Tax paid in 2005, 2004 and 2003 by the 100 largest CT payers

2005

Sector	Computer	Energy	Finance	Medical/Pharma	Other	Total
Quintile	2005 CT	2005 CT	2005 CT	2005 CT	2005 CT	2005 CT
	€	€	€	€	€	€
1	454,768,034		316,925,952	513,493,116	92,795,313	1,377,982,415
2	30,140,532		382,176,614	100,089,863	119,076,478	631,483,488
3	37,465,928	34,757,774	246,278,485	46,884,780	34,282,915	399,669,883
4	10,277,876	25,150,615	79,039,700	85,017,288	46,551,733	246,037,212
5	9,572,279		119,196,396	18,020,233	27,527,422	174,316,331
Total €	542,224,649	59,908,389	1,143,617,148	763,505,280	320,233,862	2,829,489,328

2004

Sector	Computer	Energy	Finance	Medical/Pharma	Other	Total
Quintile	2004 CT	2004 CT	2004 CT	2004 CT	2004 CT	2004 CT
	€	€	€	€	€	€
1	425,547,118		239,594,703	687,444,430	92,703,827	1,445,290,078
2	24,512,409		302,484,569	90,354,951	114,423,353	531,775,282
3	45,806,510	28,777,050	132,209,219	16,906,404	66,364,166	290,063,348
4	7,873,650	13,999,646	64,765,842	95,539,085	23,150,695	205,328,917
5	14,299,990		152,923,767	3,047,418	20,623,995	190,895,170
Total €	518,039,676	42,776,696	891,978,099	893,292,288	317,266,035	2,663,352,795

2003

Sector	Computer	Energy	Finance	Medical/Pharma	Other	Total
Quintile	2003 CT	2003 CT	2003 CT	2003 CT	2003 CT	2003 CT
	€	€	€	€	€	€
1	379,979,894		77,853,215	994,564,338	84,134,882	1,536,532,329
2	7,298,223		203,619,848	105,020,317	82,632,271	398,570,660

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Sector	Computer	Energy	Finance	Medical/Pharma	Other	Total
Quintile	2003 CT	2003 CT	2003 CT	2003 CT	2003 CT	2003 CT
	€	€	€	€	€	€
3	17,800,638	19,730,236	98,154,176		15,009,935	150,694,985
4	13,253,658	11,091,216	58,183,298	106,255,644	25,512,560	214,296,376
5	11,071,386		87,839,443	8,363,731	17,059,251	124,333,810
Total €	429,403,799	30,821,452	525,649,979	1,214,204,030	224,348,899	2,424,428,160

The corresponding information is not readily available for 2006.

With regard to the tax yield from IFSC companies, the available information in respect of

Year	2003	2004	2005	2006
Estimated IFSC tax paid €m	618.4	699.0	823.5	1,118.1

The 10% corporation tax rate was discontinued for some IFSC companies with effect from 1 January 2003 and for the remaining IFSC companies from 1 January 2006. For this reason, it is no longer possible to separately identify the tax paid on IFSC activities from tax paid on other activities of IFSC companies. The inclusion of tax paid on these other activities is reflected in the 2004 and 2005 yield figures to some degree and to a much greater degree in the figures for 2006.

The figures included in Tables A and B of this reply are of the amounts of Corporation Tax paid in 2003, 2004 and 2005 by the top 100 individual companies that paid the most Corporation Tax in 2005 and does not include payments from any other related company within a corporation or company group. Except for Value Added Tax, where group remitting by one specific company applies, each company within a group is only liable for its own tax affairs and is registered separately with Revenue for the taxes to which it is liable.

There were nine economic sectors identified with the top 100 companies namely, Computer, Construction, Energy, Finance, Manufacturing, Medical, Pharmaceutical, Retail & Telecom. However, because of the Revenue Commissioners' obligation to observe confidentiality in relation to the taxation affairs of individual taxpayers and small groups of taxpayers and the possible risk to confidentiality posed by providing a breakdown by sector over quintiles, the number of economic sectors identified in this reply has been aggregated to five namely, Computer, Energy, Finance, Medical/Pharmaceutical & Others.

Economic Competitiveness.

155. **Ms Shortall** asked the Minister for Finance his views on the recent sharp declines in global stock markets; if his attention has been drawn

yield from corporation tax is as set out in the table.

to the fact that over €7 billion was wiped off the value of Irish held shares during the first week of March 2007; if his Department has conducted an evaluation of the implications of stock market volatility for the Irish economy; and if he will make a statement on the matter. [10234/07]

Minister for Finance (Mr. Cowen): Global stock market movements reflect global developments over which we have no control. While the value of the Irish stock market declined in early March, it remains above the level of this time last year. The outlook for the Irish economy has not changed since Budget Day, and I expect growth of 5.3% this year. My Department will continue to monitor all developments potentially affecting the economy.

Tax Code.

156. **Mr. Broughan** asked the Minister for Finance if his attention has been drawn to the practice of three semi-State bodies (details supplied) of using mailbox companies in the Netherlands to reduce their tax bills over the past ten years; if the Revenue Commissioners have investigated this practice; if it is legal under Irish tax law; if the Revenue Commissioners will be conducting an audit of these companies; and if he will make a statement on the matter. [10236/07]

282. **Ms Burton** asked the Minister for Finance if his attention has been drawn to the practice of three semi-State bodies (details supplied) using mailbox companies in the Netherlands to reduce their tax bills over the past ten years; if the Revenue Commissioners have investigated this practice; if it is legal under Irish tax law; if the Revenue Commissioners will be conducting an audit of these companies; and if he will make a statement on the matter. [9434/07]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 156 and 282 together.

I am advised by the Revenue Commissioners that, in accordance with their duty of confidentiality to taxpayers, they neither comment on matters pertaining to specific taxpayers, whether individual or companies, nor do they make general comments which would be likely to be treated as referring to identifiable taxpayers. I would draw the Deputy's attention to the points made by the Taoiseach on the general issues involved here in his reply to a question on the Order of Business on 7 March, 2007.

157. **Mr. Costello** asked the Minister for Finance the volume of complaints received in relation to errors and problems in the certificates of tax free allowances and tax credits; the length of time it takes for errors in tax certificates to be corrected; if he will report on the volume of queries being dealt with through the on-line system; and if he will make a statement on the matter. [10247/07]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that they are not in a position to provide information on the volume of complaints in relation to Tax Credit Certificates. If a taxpayer requests an amendment to a Tax Credit Certificate, this is not recorded as a complaint. I am further advised by the Revenue Commissioners that on the 9th February last, they completed the issue of 2,194,174 Tax Credit Certificates (TCCs) to PAYE taxpayers, reflecting the changes announced in the Budget.

A further 398,061 Tax Credit Certificates containing amendments in individual cases, issued in the period 1 January to 14 March 2007. These would be cases where taxpayers advised Revenue of changed circumstances or additional credits due, subsequent to the general issue of Tax Credit Certificates containing the Budget changes. In general, where a PAYE taxpayer requests changes to their tax credits or allowances, an amended Tax Credit Certificate will issue within 20 working days of the request being received. In addition, Revenue identified a small number of certificates that contained errors and these were rectified automatically.

In relation to the on-line self-service facility now available to PAYE taxpayers, I can inform the Deputy that 46,587 transactions were carried out using this facility from 1 January to 11 March this year.

Public Service Contracts.

158. **Ms C. Murphy** asked the Minister for Finance the rules in relation to mandatory advertising within the European Union of public contracts or public private contracts; if the same rules apply to subcontracting; and if he will make a statement on the matter. [8131/07]

Minister for Finance (Mr. Cowen): Contracting authorities are obliged to advertise contracts valued above thresholds set out in EU Directives in the Official Journal of the European Union (OJEU). The current thresholds are €5,278,000 for works contracts, €137,000 for supplies and service contracts of Government Departments and Offices and €211,000 for supplies and service contracts of most other public bodies. In estimating the value of a contract the totality of the requirement must be included and the value of all lots taken into account when determining if OJEU advertising is necessary. There are exemptions for particularly small lots but these must not exceed 20% of the total value of the contract.

In inviting tenders, contracting authorities may request tenderers to indicate any share of the contract that they intend to subcontract to third parties or any proposed subcontractors. It is not obligatory that such subcontracts be advertised or awarded separately. In building projects there is scope for a contracting authority to separately invite tenders (through an OJEU notice where the total value of the project exceeds the relevant threshold) for carrying out specialist works and services and, on the basis of a separate competitive tendering process, select the successful specialist firm for inclusion in the works requirements for the main contract tender.

House Prices.

159. **Dr. Upton** asked the Minister for Finance his views on the fact that another interest rate increase will place Ireland in the high risk category of experiencing a sharp house price reversal; if his Department has conducted an assessment of the implications of a house price reversal for the economy; and if he will make a statement on the matter. [10219/07]

Minister for Finance (Mr. Cowen): I do not accept as a fact that another interest rate increase will place Ireland at high risk of a sharp house price reversal. House price inflation has moderated in recent months. The consensus is that a soft landing remains a more likely outcome for the housing market. My Department monitors all developments which can have an impact on the economy.

Decentralisation Programme.

160. **Ms O'Sullivan** asked the Minister for Finance the discussions he has had with other Government Departments or State agencies who are concerned at the reported potential loss of up to 20% of the 1,700 specialists whose positions have been earmarked for decentralisation as a result of the Government's decentralisation programme; the steps being taken to address these concerns; and if he will make a statement on the matter. [10241/07]

Minister for Finance (Mr. Cowen): As the Deputy will be aware, approximately 1,000 of the 7,200 Civil Service posts covered by the Decentralisation Programme or 10% of the overall programme is composed of professional and technical posts. While the take up from the professional and technical staff has been low to date, in the region of 130 professional and technical personnel have already been assigned to posts that are decentralising.

The Decentralisation Implementation Group, which was established in 2003 to drive the decentralisation process forward, has acknowledged in their latest report dated September 2006 that challenging issues remain in relation to the decentralisation of professional and technical grades including the filling of posts in under-subscribed locations, the placing of staff remaining in Dublin and promotions. While these issues also arise in relation to general service grades, addressing them in the context of professional and technical grades is complicated by the challenges associated with transferring between different organisations or streams.

The Group has asked my Department to explore all appropriate avenues, in consultation with the relevant union representatives, to overcome these difficulties and to come to a conclusion on these issues as soon as possible. In that regard, discussions have been ongoing with the staff representatives and proposals have been tabled in relation to options for staff remaining in Dublin and in relation to promotion arrangements for the professional and technical grades. In addition, staff have been assured of the voluntary nature of the programme. Those wishing to remain in Dublin will be absorbed into posts in the civil service or, alternatively, in other public service bodies.

As the Deputy will aware, there are, in addition to the professional and technical grades, specialists posts within the State Agencies are due to decentralise under the Decentralisation Programme. The Decentralisation Implementation Group noted in its latest Report that while progress has been made by some State agencies, there has been a marked lack of action in some other agencies. The Group is currently meeting with CEOs from a number of State agencies to get an overview of progress to date and to identify the challenges remaining in implementing the Government policy.

The main issues facing the State agencies are those relating to the filling of posts in under-subscribed locations, the placing of staff choosing to remain in Dublin and promotion arrangements. These issues are further complicated by the absence of any tradition of or agreement on interchangeability between Public Service organisations and between the Public Service and the Civil Service. The Group is of the view that resolution of the outstanding issues is central to the overall implementation process in the State

Agencies. The Group has asked my Department to pursue directly with ICTU proposals for getting central discussions underway on the full range of industrial relations issues relating to the decentralisation of State agencies.

An approach based on negotiations and agreement has enabled significant progress to be made in relation to the Civil Service moves and it is the intention to continue with this policy in relation to the professional and technical grades and the State Agency sector.

Financial Services Regulation.

161. **Mr. Crawford** asked the Minister for Finance if he is satisfied that financial institutions are not walking some borrowers into over-exposed positions; and if he will make a statement on the matter. [10200/07]

Minister for Finance (Mr. Cowen): My function as the Minister for Finance is to provide an appropriate and robust legislative framework for regulation of the financial services sector with a particular focus on the consumer. I am satisfied that, since the establishment of the Financial Regulator and the Financial Services Ombudsman, such a framework is in place.

The provision of consumer credit in Ireland is regulated by the Consumer Credit Act, 1995. The Consumer Credit Act, 1995, which is administered by the Financial Regulator, obliges credit providers to include specific information in all credit agreements in relation to such matters as the total cost of credit, the amount of each repayment instalment and the number of instalments. Additionally, in the case of housing loans, the Act specifically obliges mortgage providers to inform borrowers of the effect on their repayment of a 1% increase in interest rates in the first year of their mortgages. The purpose of obliging credit providers to provide this information is to ensure that consumers can make informed choices when making credit decisions in relation to any credit agreement they are entering into and in particular in relation to the effect that servicing a loan will have on the consumer's household budget.

In addition, the Financial Regulator's Consumer Protection Code requires that before providing a product or service to a consumer, a regulated entity must gather and record sufficient information from the consumer to enable it to provide a recommendation or a product or service appropriate to that consumer. Under the Code, when a credit institution is changing its interest rates, it must state the effective date of the new rate. It must also update the interest rate details on its information services as soon as the change comes into effect. Credit card limits cannot be increased unless requested by the consumer.

The Financial Regulator has prioritised the provision of information for consumers about the potential risk of excessive debt. Cost surveys have

been undertaken by the Financial Regulator and are available to help consumers choose the loan product or credit card that best suits their needs. The Financial Regulator recommends in particular that consumers take on the right type of credit for the right purpose. The Financial Regulator also issues information to help people who have problems with credit card debt. This information is available through its publications, help-line and website.

Fiscal Policy.

162. **Mr. Quinn** asked the Minister for Finance the ethical investment guidelines being adopted in respect of investments and investment vehicles such as the National Pensions Reserve Fund under the remit of his Department; if such investments are in accordance with United Nations guidelines on ethical investments; and if he will make a statement on the matter. [10243/07]

Minister for Finance (Mr. Cowen): Under the National Pensions Reserve Fund Act 2000, the National Pensions Reserve Fund Commission controls and is responsible for the investment of the National Pensions Reserve Fund. The NPRF joined a group of the world's largest institutional investment funds in signing the UN-sponsored Principles for Responsible Investment when they were launched in April 2006. The aim of the Principles is to integrate consideration of environmental, social and governance (ESG) issues into investment decision-making and ownership practices and, thereby, to improve long-term returns for investors.

The Principles reflect the fiduciary duty of investors to their stakeholders as their first responsibility and deliberately do not call for screening or avoiding stocks. Instead, they promote a policy of engagement with companies where shareholders regard themselves as long-term owners of companies and raise concerns directly with company management.

The NPRF is taking specific measures to implement the Principles. Actions it is currently taking include the development and implementation of a comprehensive proxy voting policy and development of an engagement capacity with investee companies on ESG issues. The NPRF has decided to contract third-party service providers to deliver these services within NPRF policy guidelines. It expects that the proxy voting and engagement services will be put in place during the second quarter of this year.

Anti-Poverty Strategy.

163. **Mr. Crowe** asked the Minister for Finance his views on the recent Combat Poverty Agency study, *Financial Exclusion in Ireland — An Exploratory Study and Policy Review*, which found that low income families face particular obstacles in accessing and using financial services

and which found that this may prevent them from engaging fully in normal social and economic activities. [10187/07]

173. **Aengus Ó Snodaigh** asked the Minister for Finance his views on whether helping those on low incomes to save is an important measure to help prevent such families falling into debt. [10186/07]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 163 and 173 together.

The issues surrounding savings and borrowings for people on low incomes are not uniform as they can vary from person to person and over the lifetime of the individual. Persons on low incomes can encounter obstacles in accessing financial services from mainstream financial services providers. The cost and availability of credit for people on low incomes and the barriers they face in accessing mainstream and affordable forms of credit can add to the challenges individuals on low incomes encounter in managing their finances. Building up savings, where possible, can mitigate these difficulties both by reducing the need to borrow and by establishing a relationship with a mainstream credit provider.

The credit union movement has been a key provider of savings and loans since its inception and has a particular role to play in supporting savings by persons on low incomes. There are currently 427 credit unions registered with the Financial Regulator with around 2.5 million members and assets of around EUR13 billion. Since 1995 credit unions have grown significantly with an increase in savings from EUR2 billion to around EUR13 billion.

The banking industry has proposed the development of a universal bank account which would provide basic access to the Irish payments system, enabling citizens to make and receive payments electronically and assisting those on lower incomes to build up savings. However, there are a number of issues to be considered in progressing such a proposal such as the fees to be associated, who would have right of access to such an account and also the actual need for such a product, particularly in the light of the reduction or elimination of bank charges on many standard accounts in recent years and the increased competition in the banking sector.

The Financial Regulator commissioned the Combat Poverty Agency to conduct research on the nature and the extent of financial exclusion in Ireland and the barriers faced by people on low incomes in accessing a wide range of financial services. The report, which I welcomed, and to which the Deputy refers, was entitled 'Financial Exclusion in Ireland — An Exploratory Study and Policy Review' and was launched by the Financial Regulator on 11 December 2006. The Financial Regulator and my Department, together with other interested parties, are currently con-

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sidering how the report's findings and recommendations can be addressed.

Decentralisation Programme.

164. **Mr. Sherlock** asked the Minister for Finance if he will report on the work of the decentralisation implementation group; when it last met with the Minister of State; when it last reported on its work; and if he will make a statement on the matter. [10239/07]

Minister for Finance (Mr. Cowen): The Decentralisation Implementation Group submitted its most recent report to me in September 2006. This report was approved by Government and published in early October last. I met with the Chair of the Implementation Group prior to this to receive an update in relation to the progress being made in the implementation of the programme and the issues arising in the implementation of the programme.

The Group is satisfied with the level of planning in each of the Departments, and is confident that the senior civil service are leading the implementation of this programme in a professional and carefully planned manner. Having already met with a number of Secretaries General, the Decentralisation Implementation Group is currently meeting with some of the Chief Executives of State Agencies to discuss their Implementation Plans, the planning framework in place, to assess progress to date and to hear about the challenges arising and steps proposed by the agencies to address them.

My colleague, the Minister of State, has not met with the Group.

Price Inflation.

165. **Mr. Eamon Ryan** asked the Minister for Finance the expected average rate of inflation for 2007; and if his budgetary figures will be re-adjusted as a result. [10161/07]

Minister for Finance (Mr. Cowen): The Department of Finance's current inflation forecasts were published with Budget 2007 on the 6th December 2006. My Department forecast that CPI inflation will average 4.1 per cent and HICP inflation will average 2.6 per cent this year.

Financial Services Regulation.

166. **Mr. G. Mitchell** asked the Minister for Finance if he is satisfied that as interest rates rise, the financial institutions are not taking the opportunity to increase their margins. [10210/07]

Minister for Finance (Mr. Cowen): The Deputy may wish to note that my function as the Minister for Finance is to provide an appropriate and robust legislative framework for regulation of the financial services sector. I am satisfied that, since

the establishment of the Financial Regulator and the Financial Services Ombudsman, with a particular focus on the consumer, we have such a framework in place.

I have no statutory function in setting the interest rates offered by credit institutions — they are based on commercial criteria in the light of market conditions. Since 1992, the Irish banking market has been open to competition from credit institutions authorised in any EU/EEA Member State. Hence, new entrants to the market have helped stimulate increased competition in, for example, the mortgage market and the market for personal deposits. In addition, the Financial Integration Monitor, published by the European Commission to assess major trends in the pan-European financial market, indicates that the cross border competition inherent in the single market has contributed to convergence in interest rates across the euro area.

The Financial Regulator has drawn attention to the need for consumers to choose the right type of financial product for their needs. The Consumer Director in the Financial Regulator has statutory obligations in relation to monitoring and reporting on the extent to which competition exists in the Irish financial services market, as it affects customers. The Consumer Director reports on this area in the Annual Report of the Financial Regulator and it is also reflected in the priorities of the Financial Regulator set out in its Strategic Plan. Furthermore, the Financial Regulator's Consumer Protection Code requires that financial service providers, in all their dealings with customers, act fairly and honestly in the best interests of customers and make full disclosure of all relevant material information, including all charges. Also, when a credit institution is changing its interest rates, it must state the effective date of the new rate. It must also update the interest rate details on its information services as soon as the change comes into effect. The Consumer Credit Act, 1995, obliges credit providers to include specific information on the cost of all credit agreements.

The September 2005 Competition Authority report on banking focused on two markets — personal current accounts and SME lending. It suggested measures aimed at promoting more active competition, but found no evidence of anti-competitive behaviour by banks. The Authority recommended steps to make switching of accounts easier, and this recommendation has now been implemented both in respect of personal and business accounts among domestic financial institutions.

Official Engagements.

167. **Mr. Gormley** asked the Minister for Finance the way he outlined the global threat of climate change at the recent Irish-American partnership breakfast held in Chicago, USA. [10158/07]

Minister for Finance (Mr. Cowen): Given the nature of the event my remarks to the Irish American Partnership Breakfast focussed in particular on developments in relation to the peace process in Northern Ireland. I did however touch on a number of other policy issues such as the roll out of the new National Development Plan. I highlighted that global warming is a major challenge which requires a global response. I noted that Ireland is seeking to address the issue by taking strong measures such as a commitment that by 2020 a third of Ireland's electricity consumption will come from renewable resources. I also emphasised that we must work together globally on this issue to make a difference.

Tax Code.

168. **Ms O. Mitchell** asked the Minister for Finance the Government's view on the potential for taxation to play a role in promoting energy efficiency and emissions reductions. [10209/07]

Minister for Finance (Mr. Cowen): As I have stated previously taxation, in conjunction with other policy measures, can play a part in attaining environment objectives which includes promoting energy efficiency and reducing emissions. Essentially this approach uses the tax system to provide incentives for certain behaviour.

Such incentives include capital allowances for corporate investment in renewable energy projects which have been available since 1998, and the significant Biofuels excise relief scheme which I provided for in Finance Act 2006. This latter Scheme will

- provide for excise relief on up to 163 million litres of biofuels per annum;
- cost over €200m over 5 years;
- result in CO₂ savings of over 250,000 tonnes per annum;
- contribute towards meeting a target of 5.75% transport fuel market penetration by biofuels by 2009,
- help reduce our dependency on conventional fossil fuels, and
- stimulate activity in the agricultural sector.

As a complementary measure, I provided in Finance Act 2006 for a new 50% VRT relief to promote new flexible fuel vehicles (cars designed to operate on biofuels) for an initial period of 2 years, and also extended the existing VRT relief for hybrid cars by a further year to end 2007. I am also providing in Finance Bill 2007 for the introduction of a VRT relief of 50% for electric cars — cars which can be propelled by a rechargeable battery — on a pilot one year basis with effect from 1 January, 2007.

In addition I announced in the Budget the commencement of a public consultation process on adjusting VRT to take account of CO₂ emissions of vehicles. A similar exercise is under way in the

area of motor tax. Any changes will have effect from a target date of 1 January 2008.

Consumer Credit.

169. **Ms McManus** asked the Minister for Finance his views on the effect that the relentless pace of interest rate increases over the past 15 months may be having on families with high credit card debt; if there are plans to increase the resources of MABS in view of the difficulties that families are now having in meeting existing debts given the seven successive interest rate rises since December 2005; and if he will make a statement on the matter. [10218/07]

Minister for Finance (Mr. Cowen): My function as the Minister for Finance is to provide an appropriate and robust legislative framework for regulation of the financial services sector with a particular focus on the consumer. I am satisfied that, since the establishment of the Financial Regulator and the Financial Services Ombudsman, such a framework is in place.

The Financial Regulator has prioritised the provision of information for consumers about the potential risk of excessive credit card debt. Credit card cost surveys have been undertaken by the Financial Regulator and are available to help consumers choose the credit card that best suits their needs. The Financial Regulator recommends in particular that consumers take on the right type of credit for the right purpose; credit cards are not suitable for long-term debt as the rates are considerably higher than other forms of credit. The Financial Regulator also issues information to help people who have problems with credit card debt. This information is available through its publications, help-line and website.

All credit card providers must comply with the Financial Regulator's Consumer Protection Code. This requires financial services providers to ensure that any financial products provided are suitable for the needs of the consumer. When a credit institution is changing its interest rates, it must state the effective date of the new rate. It must also update the interest rate details on its information services as soon as the change comes into effect. Credit card limits cannot be increased unless requested by the consumer.

The Deputy may wish to note that credit card debt represents less than 2% of personal sector credit, and less than 1% of overall private sector credit (PSC). In addition, credit card data refers to debt outstanding on all credit cards at end-month and includes balances that may be paid in full at the payment due date. The increase in the number of credit cards issued and the amount of debt outstanding is in line with a general trend of increased market penetration in the EU and a move towards electronic retail payment methods. The Deputy may further wish to note that, unlike interest rate increases in variable-rate mortgage products, interest rates on credit cards tend to

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remain relatively stable over longer periods of time.

The Money Advice and Budgeting Service (MABS), which falls under the remit of my colleague, the Minister for Social and Family Affairs, is a national, free, confidential and independent service for people in debt or in danger of getting into debt. Very substantial additional resources have been provided to MABS to support it in its work of reaching out to people in debt and helping them to regain control of their finances and budgets for the future. From 2006 to 2007, the budget for MABS has increased by 30%, from 13.57 million Euro to 17.67 million Euro.

National Development Plan.

170. **Mr. Bruton** asked the Minister for Finance if he has carried out an assessment of the capacity of the construction industry to deal with added work under the national development plan; and his findings on same. [10190/07]

Minister for Finance (Mr. Cowen): As part of the preparatory process for the National Development Plan 2007-2013, consideration was given to the capacity of the construction industry. My Department, together with the Department of the Environment, Heritage and Local Government, which is the lead Department with immediate responsibility for the construction industry, examined this issue.

As Chapter 1 of the Plan indicates, current tender price inflation, employment and tendering patterns suggest that the construction industry is operating well at its present level of activity and that it has the capability to grow without generating significant additional inflationary pressures. Recent trends in tender prices in civil engineering contracts indicate that:

- Tender prices for civil engineering projects in the sector have remained competitive;
- Despite increased activity and opportunity for construction firms, the number of tenderers for individual projects has remained healthy with no discernible fall-off; and
- Foreign firms and partnerships between Irish and foreign firms competing for business is increasingly becoming a feature of large projects with contracts awarded to such consortia in a number of cases including major road, water and waste water projects.

The Government's view is that the construction industry has the capacity to produce the additional output under the NDP. Our open labour market and greater participation from foreign construction firms support this view. In addition, if the level of new housing output begins to ease, this will free up resources for other construction projects, including those under the

NDP. Leading indicators of construction activity and developments in the industry generally will, of course, continue to be monitored over the period of the NDP.

Question No. 171 answered with Question No. 130.

Departmental Staff.

172. **Mr. Gormley** asked the Minister for Finance the percentage of staff in his Department who receive expenses for use of private cars, use of public transport or use of bicycles. [10157/07]

Minister for Finance (Mr. Cowen): The percentage of staff in my Department, who claimed expenses for use of private cars in 2006, was 32% and the percentage of staff who claimed expenses in respect of public transport, including bus, rail, and taxis, was 35%. There were no instances of staff members claiming expenses for the use of bicycles.

Question No. 173 answered with Question No. 163.

Tax Code.

174. **Mr. Allen** asked the Minister for Finance his plans to introduce a subvention scheme for charities in respect of VAT payments along the lines of that operated in Denmark; and if he will make a statement on the matter. [10194/07]

Minister for Finance (Mr. Cowen): The position is that charities and non-profit groups engaged in non-commercial activity are exempt from VAT under the EU VAT Directive, with which Irish VAT law must comply. This means they do not charge VAT on the services they provide and cannot recover VAT incurred on goods and services that they purchase. Essentially only VAT registered businesses which charge VAT are able to recover VAT.

The Irish Charities Tax Reform Group (ICTRG) appears to accept that charities can not be granted VAT refunds through the tax system. However, they are still seeking the introduction of a grant or subsidy in lieu of the VAT charities pay on their business inputs and estimate that this would cost €18 million per annum in respect of the bodies they represent. However, given that Exchequer funding is made available to very many charitable organisations this is in effect already happening.

The 140 bodies represented by the Irish Charities Tax Reform Group already acknowledge that they receive some €9 million in funding either directly or indirectly from the Exchequer. However, there are approximately 7,000 charities registered with the Revenue Commissioners. It is therefore likely that the introduction of a scheme along the lines proposed by the Irish Charities Tax Reform Group would cost the Exchequer significantly more than the €18 million estimate

put forward by the group in respect of the bodies they represent.

I understand that the only EU Member State to introduce a scheme providing partial compensation for a limited number of charities for VAT incurred on input costs is Denmark. To be eligible under the Danish scheme charities must already be approved bodies under the Danish equivalent of our tax relief on donations scheme. My Department understands that some 750 charities in Denmark could benefit as a result. In comparison, over 1,900 organisations have to date been approved under the Irish donations relief scheme. It also understands that under the Danish scheme educational institutions are not eligible for compensation.

It is likely, therefore, the introduction of any grant system in lieu of VAT paid by registered charities in Ireland would undoubtedly lead to other exempt bodies such as schools, hospitals and sporting organisations, many of which are already registered as charities, seeking to benefit from such a system of refunds. These exempt bodies are already receiving considerable Exchequer funding.

The tax code already treats charities in a favourable manner. The tax code currently provides exemption for charities from Income Tax, Corporation Tax, Capital Gains Tax, Deposit Interest Retention Tax, Capital Acquisitions Tax, Stamp Duty, Probate Tax, Dividend Withholding Tax and the uniform scheme of tax relief for donations. While no overall definitive figures are available on the cost to the Exchequer of charitable tax exemption status, Revenue estimated in 2005 that the cost of the various tax exemptions and tax reliefs, including the tax relief on donations scheme, in place for bodies conferred with charitable status could be as high as €190m annually.

In addition to tax exemptions and reliefs, charities, voluntary and community groups, sporting bodies benefit significantly from grants schemes administered by a number of Government Departments. Finally, even if funds were available for grant-aiding charities and other voluntary groups, I am not sure that the most appropriate use of the funds would be to relieve them of the VAT paid on inputs as opposed to grant-aiding their activities using other criteria.

Dublin-Monaghan Bombings.

175. **Mr. Bruton** asked the Taoiseach the next steps which the Government envisages in respect of the MacEntee report on the Dublin and Monaghan bombings; and if he will make a statement on the matter. [9457/07]

The Taoiseach: I received the Final Report of the Commission of Investigation into the Dublin and Monaghan Bombings of 1974 from the Sole Member Mr Patrick MacEntee, SC QC on 12 March. I would like to take this opportunity to thank Mr MacEntee and his team for all their

work in the preparation of this Report. By law, I am now required to consider certain legal issues prior to publication.

I have requested legal advice on these matters from the Attorney General. I will also submit the Report to the Cabinet prior to publication. It is my intention to publish the Report as soon as possible.

National Statistics.

176. **Mr. McGinley** asked the Taoiseach the accuracy of the 2006 census on a county basis; the breakdown of forms distributed to households; the number returned completed; the number of households that did not return forms; and if he will make a statement on the matter. [9575/07]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The Central Statistics Office employed a field force comprising 6 Census Liaison Officers, 40 Regional Supervisors, 400 Field Supervisors and 4,400 Enumerators to carry out the census field operation. During the four weeks before Census Day the enumerators entered details in respect of 1.8 million private residences and communal establishments in their enumerator record books. They simultaneously delivered blank census forms to 1.5 million of these dwellings that were expected to be occupied on Census Night — 23 April 2006. Of the remaining 300,000 residences, 270,000 were vacant at the time of the census while in the remaining 30,000 cases the household was either enumerated elsewhere or temporarily absent from the State.

While the census field management reporting system provided ongoing information about forms being delivered and collected during the course of the census field work these were not collated on a county basis because the census field operation was not organised on strict county lines. During the course of the nine week field campaign it is estimated that about 3,500 households with about 6,000 residents may have evaded contact. Operating under strict guidelines, the enumerators were instructed to impute basic demographic information such as age, sex and nationality for the occupants of these households.

The Principal Demographic Results to be published on 29 March will contain a table analysing permanent housing units on a county basis according to whether they were occupied or vacant on census night.

177. **Mr. Costello** asked the Taoiseach the number of non-Irish nationals living in postal areas Dublin 1 and 7; and if he will make a statement on the matter. [9968/07]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The Principal Demographic Results of the 2006 census which is to be published on 29 March will contain information on the number of non-Irish nationals at State and county levels. I have asked the Central Statistics

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Office to provide the deputy with the requested information as soon as possible after that date.

178. **Ms Shortall** asked the Taoiseach the way in which the number of unemployed people here is counted; if the count includes those who are signing on for credits, those on FÁS courses who retain their jobseekers payment and those who no longer sign on having exhausted all of their credits and who are not eligible for jobseekers allowance; and if he will make a statement on the matter. [9416/07]

Minister of State at the Department of the Taoiseach (Mr. Kitt): Labour market estimates are derived from data collected through the Quarterly National Household Survey (QNHS) which forms part of the EU wide (Community) Labour Force Survey. The primary classification used for the labour market status of an individual is the internationally agreed International Labour Office (ILO) labour force classification. The ILO classification distinguishes the following main subgroups:

In Employment: Persons who worked in the week before the survey for one hour or more for payment or profit, including work on the family farm or business and all persons who had a job but were not at work because of illness, holidays etc. in the week.

Unemployed: Persons who, in the week before the survey, were without work and available for work within the next two weeks, and had taken specific steps, in the preceding four weeks, to find work. The specific definition to be applied by all EU member states for the measurement of the unemployed is detailed in Commission Regulation (EC) No. 1897/2000.

Inactive Population (not in labour force): All other persons.

An individual's status from an unemployment perspective is not determined by their activity within the schemes or courses provided by the various Government Departments or other public bodies but rather by their situation vis-à-vis the three criteria outlined in the definition of the unemployed outlined above. For example persons signing on for credits will only be considered as unemployed on an ILO basis if they satisfy the three criteria outlined above.

The Live Register which includes all claimants for jobseekers benefit (excluding systematic short-time workers), jobseekers assistance (excluding smallholders/farm assists and other self-employed persons) and other registrants including applicants for credited Social Welfare contributions but excluding those directly involved in an industrial dispute, treats the three groups outlined in the question as follows:

- Those who are signing on for credits would be included in the Live Register figures;

- Those on FÁS courses who retain their jobseekers payment are not included in the Live Register figures;
- Those who no longer sign on having exhausted all of their benefits (rather than credits) and who are not eligible for jobseekers allowance would sign-on for credits and be included in the Live Register figures.

It should be noted that the Live Register is not designed to measure unemployment.

Ministerial Appointments.

179. **Mr. Boyle** asked the Taoiseach the number of public appointments he made in the past two months. [9417/07]

The Taoiseach: I have made no public appointments in the past two months.

Departmental Expenditure.

180. **Mr. Eamon Ryan** asked the Taoiseach the amount his Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if he will make a statement on the matter. [9780/07]

The Taoiseach: The amounts paid by my Department in 2006 for car mileage, rail and bus ticket expenses are as shown in the table.

Expense	Total Amount paid in 2006
	€
Car Mileage Expenses	95,366
Rail Ticket Expenses	11,107
Bus Ticket Expenses	2,119

These amounts include car mileage and rail ticket expenses paid to delegates of the National Forum on Europe, the Taskforce on Active Citizenship and to members of the Ireland Newfoundland Partnership.

181. **Mr. G. Mitchell** asked the Taoiseach the cost of energy used running his Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and his plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9829/07]

The Taoiseach: The total cost of energy supplies to my Department was €106,862.16 in 2002 and €174,316.99 in 2006. Electricity and gas supplies to Government Buildings/Leinster House are metered through the Houses of the Oireachtas. The actual quantity of energy consumed by my Department is unavailable, as the supply is not separately metered.

My Department has introduced a number of measures following the advice outlined in the

Department of the Environment, Heritage and Local Government's Green Government Guide. This involves the purchase of energy efficient equipment such as photocopiers and computer equipment as well as turning off lighting and office equipment when they are not required. My Department is also working closely with the Office of Public Works (OPW) to effectively manage our consumption of energy resources and to raise staff energy awareness.

Departmental Staff.

182. **Mr. Sargent** asked the Taoiseach if he will report on gender balance at each grade in his Department and in agencies that come under the aegis of his Department. [9857/07]

The Taoiseach: The information requested by the Deputy is outlined in the Tables.

Department of the Taoiseach: Departmental staff at all grades

Grade	No. of Staff	Male	Female
Secretary General	1	1	0
Second Secretary	1	1	0
Assistant Secretary (A/Sec)	4	3	1
Principal Officer (PO)	14	11	3
Assistant Principal (AP)	31	11	20
Higher Executive Officer (HEO)	27	8	19
Administrative Officer (AO)	13	7	6
Executive Officer (EO)	25	4	21
Staff Officer (SO)	10	1	9
Clerical Officer (CO)	42	9	33
Service Officers/Service Attendants	13	13	0
Cleaners	10	0	10
Total	191	69	122

Agencies that come under the aegis of the Department of the Taoiseach

Office of the Attorney General: Office staff at all grades

Grade	No. of Staff	Male	Female
Chief Parliamentary Counsel	1	0	1
First Parliamentary Counsel	1	1	0
Parliamentary Counsel	4	3	1
Assistant Parliamentary Counsel Grade I	3	1	2
Assistant Parliamentary Counsel Grade II	10	3	7
Director General	1	0	1
Deputy Director General	1	1	0
Advisory Counsel Grade I	5	3	2
Advisory Counsel Grade II	15	9	6
Advisory Counsel Grade III	7	4	3
Consultant Drafter	6	6	0
Legal Researchers	1	0	1
Principal Officer (PO)	1	1	0
Information Manager	1	0	1
Assistant Principal (AP)	5	5	0
Systems Librarian	1	0	1
Higher Executive Officer (HEO)	6	4	2
Executive Officer (EO)	8	4	4
Staff Officer (SO)	7	1	6
Clerical Officer Programmer	1	1	0
Clerical Officer (CO)	33	2	31
Total	118	49	69

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Moriarty Tribunal: Staff at all grades

Grade	No. of Staff	Male	Female
Registrar (AP with allowance)	1	0	1
Office Manager (AP)	1	1	0
Executive Officer	2	1	1
Legal Secretary (freelance — 3 day week employed via a recruitment agency)	1	0	1
Judge's Tipstaff	1	1	0
Total:	6	3	3

Law Reform Commission: Staff at all grades

Grade	No. of Staff	Male	Female
Commissioner	5	2	3
Director of Research	1	1	0
Legal Researcher	11	5	6
Secretary/Head of Administration	1	1	0
Executive Officer	1	1	0
Clerical Officer	3	2	1
Legal Information Manager	1	1	0
Cataloguer	1	0	1
Project Manager	1	1	0
Total	25	14	11

All Party Oireachtas Committee on the Constitution: Staff at all grades

Grade	No. of Staff	Male	Female
Secretary	1	1	0
Executive Assistant	1	0	1
Total	2	1	1

Chief State Solicitors Office (CSSO): Staff at all grades

Grade	No. of Staff	Male	Female
Chief State Solicitor	1	1	0
Assistant Chief State Solicitor	5	4	1
Deputy Assistant Chief State Solicitor	12	6	6
Accountant	1	1	0
Law Librarian	1	0	1
Assistant Law Librarian	1	0	1
Assistant Principal Legal Executive	5	3	2
Assistant Principal Officer (Higher)	2	2	0
Principal Legal Executive	1	1	0
Deputy Principal Legal Executive	2	2	0
Principal Solicitor	12	6	6
State Solicitor	71	25	46
State Solicitor (Higher)	8	3	5
Higher Executive Officer (HEO)	6	4	2

Grade	No. of Staff	Male	Female
Higher Legal Executive	15	5	10
Records Management Officer	1	0	1
Executive Officer (EO)	11	3	8
Legal Executive	18	6	12
Staff Officer (SO)	14	1	13
Clerical Officer (CO)	55	13	42
Services Officer	5	5	0
Cleaner	1	0	1
Total	248	91	157

Director of Public Prosecutions (DPP): Staff at all grades

Grade	No. of Staff	Male	Female
Director	1	1	0
Deputy Director	1	1	0
Chief Prosecution Solicitor	1	0	1
Professional Officer Grade 11	4	4	0
Professional Officer Grade 111	9	2	7
Principal Prosecution Solicitor	5	3	2
Head of Administration	1	1	0
Senior Prosecution Solicitor	9	5	4
Principal Legal Executive	1	1	0
Professional Officer Grade 1V	7	6	1
Prosecution Solicitor AP1	5	5	0
Deputy Principal Legal Executive	1	0	1
Assistant Principal Legal Executive	3	3	0
General Service Assistant Principal AP1	3	1	2
General Service Assistant Principal	3	2	1
Prosecution Solicitor	39	10	19
Law Librarian	1	0	1
General Service Higher Executive Officers	9	2	7
Higher Legal Executive	6	3	3
Legal Executive	5	2	3
Executive Officers	14	4	10
Staff Officers	5	0	5
Assistant Librarian	1	1	0
Special Legal Officer	1	1	0
Legal Researchers	2	0	2
Trainee Law Clerk	1	0	1
Clerical Officers Higher	8	2	6
Clerical Officers	45	13	32
Service Officers	6	6	0
Total	187	79	108

Central Statistics Office (CSO): Staff at all grades

Grade	No. of Staff	Male	Female
Director General	1	1	0
Director CSO	3	3	0
Principal Officer (PO)	3	3	0

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Grade	No. of Staff	Male	Female
Senior Statistician	22	19	3
Assistant Principal Officer (AP)	23	15	8
Statistician	91	53	38
Administrative Officer (AO)	1	1	0
Accountant	1	1	0
Higher Executive Officer (HEO)	76	38	38
Executive Officer (EO)	164	79	85
Staff Officer (SO)	34	8	26
Clerical Officer (CO)	399	127	272
Service Officer	8	8	0
Service Attendant	2	2	0
Telephonist	1	1	0
Quarterly National Household Survey Co-ordinator	11	1	10
Quarterly National Household Survey Interview	131	18	113
Senior Implant Operator	3	3	0
Total	974	381	593

National Forum On Europe: Staff at all grades

Grade	No. of Staff	Male	Female
Director	1	0	1
Principal Officer (PO)	1	0	1
Assistant Principal (AP)	1	0	1
Staff Officer (SO)	1	0	1
Clerical Officer (CO)	2	0	2
Contract Staff	4	1	3
Student Placement	1	0	1
Total	11	1	10

Ireland Newfoundland Partnership: Staff at all grades

Grade	No. of Staff	Male	Female
Director	1	0	1
Assistant Director	1	0	1
Receptionist	1	0	1
Total	3	0	3

National Economic and Social Development Office (NESDO): Staff at all grades

Grade	No. of Staff	Male	Female
Assistant Secretary (A/Sec)	1	1	0
Assistant Principal Officer (AP)	1	1	0
Clerical Officer (CO)	2	0	2
Total	4	2	2

National Economic and Social Council (NESC): Staff at all grades

Grade	No. of Staff	Male	Female
Assistant Secretary (A/Sec)	1	1	0
Principal Officer (PO)	2	2	0
Assistant Principal Officer (AP)	2	2	0
Executive Officer (EO)	2	0	2
Clerical Officer (CO)	1	0	1
Total	8	5	3

National Economic and Social Forum (NESF): Staff at all grades

Grade	No. of Staff	Male	Female
Chairperson (Senior Psychologist)	1	0	1
Assistant Secretary (A/Sec)	1	1	0
Assistant Principal Officer (AP)	3	1	2
Executive Officer (EO)	1	0	1
Total	6	2	4

National Centre for Partnership and Performance (NCP): Staff at all grades

Grade	No. of Staff	Male	Female
Chairperson	1	1	0
Director Principal Officer	1	0	1
National Coordinator [Assistant Principal (AP) grade]	3	2	1
Head of Communications [Assistant Principal (AP) grade]	1	1	0
Higher Executive Officer (HEO)	1	0	1
Executive Officer (EO)	1	0	1
Total	8	4	4

Note: Worksharers are counted as one person.

EU Directives.

183. **Mr. Allen** asked the Taoiseach the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if he will make a statement on the matter. [10058/07]

The Taoiseach: The Department of the Taoiseach has no Directives awaiting transposition. My Department does however have a role in monitoring the transposition of EU Directives. Minister of State Noel Treacy chairs an Interdepartmental Coordinating Committee on European Union Affairs. The Committee keeps under review, and works to ensure coherence on, the full range of issues on the EU's agenda. The Committee has a particular focus on the correct and timely transposition of EU legislation.

Departmental Communications.

184. **Mr. Kehoe** asked the Taoiseach the services and facilities available to persons with a hearing disability who wish to phone a Government Department; and if he will make a statement on the matter. [10360/07]

The Taoiseach: While there are a number of channels available, which can be utilised by people with hearing disabilities to communicate with my Department, such as email, website feedback forms, post and fax, we do not currently have facilities for people with a hearing disability to phone my Department. We have, however, recently received proposals from our telecom suppliers for the installation of induction couplers and other telephone devices for the deaf (TDD) (text phones/Minicoms) which we are considering.

My Department will continue to explore and implement opportunities to improve services to people with disabilities, including through the Department's Disability Monitoring Committee

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which seeks to ensure that the range of services provided by the Department is accessible to people with disabilities and that staff of the Department engage actively in the process.

Decentralisation Programme.

185. **Ms Shortall** asked the Taoiseach the number of civil servants in his Department who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if he will make a statement on the matter. [10535/07]

The Taoiseach: Since the introduction of the decentralisation programme, 10 former members of staff from my Department have been assigned to decentralised posts. The Deputy will be aware that the Department of Finance is responsible for the overall decentralisation programme. The Deputy will also be aware that there are no proposals to decentralise my Department or any of the bodies under its aegis.

Interdepartmental Committees.

186. **Mr. Stanton** asked the Taoiseach the members and functions of the Cabinet committee on social inclusion. [10579/07]

The Taoiseach: I chair the Cabinet Committee on Social Inclusion and the membership includes the Tánaiste and Minister for Justice, Equality and Law Reform and the Ministers for:

- Education and Science;
- Enterprise, Trade and Employment;
- Community, Rural and Gaeltacht Affairs;
- Finance;
- Environment, Heritage and Local Government;
- Health and Children;
- Social and Family Affairs; and Children.

and the Ministers of State with Special Responsibility for:

- Housing and Urban Renewal;
- Drugs Strategy and Community Affairs;
- Equality Issues (including Disability Issues); and
- Labour Affairs (including Training).

It is now well established practice that while it is in order to answer factually on the number of meetings held by a Cabinet Committee and its membership, more wide ranging questions which

seek to ascertain the discussions at, decisions, work programme, role, function or progress of a Cabinet Committee are internal to the Cabinet process.

Departmental Properties.

187. **Mr. Carey** asked the Tánaiste and Minister for Justice, Equality and Law Reform if, arising from correspondence regarding the unsatisfactory state of upkeep of lands on which a centre (details supplied) in Dublin 11 is located, he will arrange to have the lands involved cleaned up; if these lands could be used by another Government Department or by the local authority for affordable housing; and if he will make a statement on the matter. [9510/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy may be aware, on 1 March 2007, responsibility for the centre, which is one of four children detention schools, was transferred to the Irish Youth Justice Service in my Department from the Department of Education and Science. There are no plans to dispose or change the use of the land associated with the centre at this time.

I understand that the area of land referred to in the correspondence supplied by the Deputy is being accessed through a damaged boundary wall of an adjacent housing estate. As it is not owned by the centre, the upkeep of the boundary wall, which has been damaged and repaired previously, is the responsibility of a company associated with the housing estate.

Every effort is being made by the centre to ensure that illegally dumped material is cleared from its lands. The centre has been in contact with the local authority seeking assistance and has informed it regarding the steps the centre has undertaken in this regard. The centre has been monitoring the area and has on more than one occasion cleaned up material which was deposited on its lands by persons unknown. The Director and management of the centre has indicated to the Irish Youth Justice Service that they will continue to monitor the situation and would welcome the opportunity to discuss the matter with the residents committee.

Employment Rights.

188. **Mr. O'Connor** asked the Tánaiste and Minister for Justice, Equality and Law Reform his views on introducing paid paternity leave; the annual cost to the Exchequer of introducing a week's paid paternity leave; and if he will make a statement on the matter. [9530/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Public sector employers provide 3 days paid paternity leave for civil servants, teachers, health service workers, Gardaí, prison officers and the Defence Forces,

while some private sector employers and semi-state bodies provide a short period of paid paternity leave. There is currently no statutory entitlement to paternity leave.

The question of paid paternity leave was considered by the Working Group on the Review of the Parental Leave Act 1998, which reported in April 2002. The Working Group which comprised the social partners, relevant Government Departments and the Equality Authority, could not reach consensus on this issue. The employers' organisations could not agree to the introduction of a statutory entitlement to paternity leave paid for by employers.

I have no objection, in principle, to the introduction of a statutory entitlement to a short period of paid paternity leave. However, before doing so I think it desirable to secure consensus among the social partners on the issue. In this connection, I would draw the Deputy's attention to the commitment in the Partnership Agreement "Towards 2016" that the level of provision of maternity/paternity leave would be reviewed again before end 2008.

I am not in a position at this stage to estimate the annual cost to the Exchequer of introducing a week's paid paternity leave since the cost would depend on the model involved, for example, whether it would be PRSI based, the take-up and whether it would be at full pay or whether there would be a contribution.

Property Law.

189. **Mr. Bruton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the way the legislation banning the creation of new ground leases passed some years ago interacts with the leasehold arrangements used for the sale of apartments; if he is satisfied that the present legal framework adequately protects the interests of the purchasers; and if he will make a statement on the matter. [9736/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The position is that section 2 of the Landlord and Tenant (Ground Rents) Act 1978, which prevents the creation of new leases reserving ground rents on dwellings, does not apply to separate and self-contained dwelling units in developments containing two or more such units. As regards the legal framework applicable to such developments, the position is that the Law Reform Commission published a Consultation Paper on Multi-Unit Developments in December last. A consultation process is currently under way in relation to the draft recommendations set out in the Paper and the Commission intends to publish a Report containing its definitive recommendations later this year.

In recognition of the cross-cutting nature of many of the issues and the broad range of policy areas involved, including the planning and

development code, company law, consumer protection law and the development of regulatory structures, the Government has established a high-level, interdepartmental committee to assist in the development of a coherent and comprehensive legislative response to difficulties arising in relation to multi-unit developments and property management companies.

A key task of the committee will be to identify the key legislative and administrative actions to be taken and to determine a timescale for implementation as soon as possible. In particular, the committee will have regard to recommendations for legislative reforms contained in the Law Reform Commission's Report on Multi-Unit Developments which will be published later this year.

Gaming and Lotteries Acts.

190. **Mr. Carey** asked the Tánaiste and Minister for Justice, Equality and Law Reform the role of his Department in supervising and monitoring the operation of foreign lotteries (details supplied); and if he will make a statement on the matter. [9754/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): In Ireland, the Gaming and Lotteries Acts, 1956 -86 cover gaming and lotteries other than the National Lottery, which is covered by the National Lottery Act 1986, with the Betting Act, 1931 governing all matters relating to betting. In general, all forms of gaming are illegal in this jurisdiction except where specifically permitted.

Section 21, 26 and 34 of the 1956 Gaming and Lotteries Act disallow the promotion and purchase in this country of tickets for a foreign lottery. This restriction applies to all lotteries in any country outside of the Irish State. With regard to the supervision and monitoring of the operation of foreign lotteries, I have been informed by An Garda Síochána, that when information is received by them concerning the running of illegal lotteries in this jurisdiction enquiries are conducted by the Garda Bureau of Fraud Investigation (GBFI) and any evidence found in support of such allegations is passed through the appropriate channels to the relevant authorities where the lottery purports to originate.

In respect of the details supplied by Deputy Carey, information about that lottery has been passed to the Spanish authorities. When Garda Síochána receive information, usually from an injured party, concerning information relating to a bogus lottery win they are advised by the Garda Bureau of Fraud Investigation not to provide any personal details, including bank account numbers etc. Unfortunately persons contacted by such fraudsters usually only make contact with An Garda Síochána after money has been sent abroad. However in such cases the Bureau requests that all records relating to the trans-

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action be forwarded to the GBFI. This information is then passed to Interpol for the attention of the country from which the bogus lottery has emanated. Efforts are also made to trace the money sent abroad, however I am informed by the Garda authorities that the details supplied are frequently false.

Court Procedures.

191. **Mr. Quinn** asked the Tánaiste and Minister for Justice, Equality and Law Reform the background to subject matter and status of negotiations between the Government and the widow of a person (details supplied); if issues relating to the question of the person having acted on superior orders or with the knowledge of their superiors during the course of events that gave rise to the arms trial are involved; if an exoneration of the person has been sought; if such an exoneration has been sought, if it is expected to be granted; if a review of relevant files and other information is taking place for this purpose; if so, if it will be published; if all information relevant to this question is in the public domain; if not, when it is proposed to release such information; and if he will make a statement on the matter. [9947/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that the Programme Manager of the Department of the Taoiseach met recently with the widow of the person in question in relation to her late husband and matters associated with the Arms Trial. I further understand that notwithstanding a continuing reflection on the person's representations in the case, no official initiative in this case is anticipated.

In this respect, the events in question are a matter of public record. No finding of guilt was ever made in the Courts in relation to the person in question and, accordingly, the question of 'exoneration' does not appear to arise.

Crime Prevention.

192. **Mr. Callely** asked the Tánaiste and Minister for Justice, Equality and Law Reform the mechanisms in place to protect children from offensive, age inappropriate or dangerous multimedia activities that are now easily accessible; and if he will make a statement on the matter. [10296/07]

193. **Mr. Callely** asked the Tánaiste and Minister for Justice, Equality and Law Reform the consideration given, to put in place a consumer protection bureau that would give parents a mechanism to register complaints against Internet predators and the video game industry; and if he will make a statement on the matter. [10297/07]

194. **Mr. Callely** asked the Tánaiste and Minister for Justice, Equality and Law Reform the consideration given, to put in place a consumer protection bureau that would give parents a mechanism to register complaints against Internet predators and the video game industry; and if he will make a statement on the matter. [10298/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 192 to 194, inclusive, together.

Protection of children from the inappropriate use of multimedia activities is a very broad and encompassing term, but I take it that the Deputy is referring particularly to the internet, video games and mobile phones. I have no function in the regulation of broadcast media or phones but I can inform him as to the child protection arrangements in place in respect of a number of other media formats. As the Deputy will be aware by its very nature, the internet lends itself to being used for a wide range of criminal activities. This can include illegal pornography, racist or hate materials, financial fraud, intimidation or any other criminal activity carried out via the internet. Combatting such illegal, harmful and predatory use of the internet requires a response at national, EU and wider international levels.

The internet is an international and world-wide phenomenon with no borders and no single organisation controlling it. Measures to combat illegal materials and activities on the internet are, therefore, hampered by a multiplicity of jurisdictions, differing legal systems, and differing societal norms. Furthermore, new developments in communications technologies allowing for internet access by new means are a regular occurrence. These are largely positive developments but also bring particular challenges for those charged with protecting against the downsides of the internet. A combination of responses, and the co-operation of all the stakeholders, at both national and international level — legislators, law enforcement, schools, child protection practitioners, parents and guardians — is essential.

In terms of legislation, in the Child Trafficking and Pornography Act, 1998, Ireland has one of the most robust pieces of legislation anywhere. Under the Act, the possession, distribution, importation and exportation or sale of all forms of child pornography — films, video or material in written or auditory form including material produced or transmitted via the internet — are offences with penalties of up to 14 years' imprisonment. Mere possession of child pornography can be punishable by imprisonment for up to 5 years. Using a child or allowing a child to be used for the production of child pornography is also punishable by up to 14 years' imprisonment.

The EU Council adopted a Framework Decision on Combating the Sexual Exploitation of Children and Child Pornography on 22 December 2003. While the Child Trafficking and

Pornography Act 1998 is a particularly robust legislative measure, this Framework Decision requires some relatively minor amendments to our legislation and these are contained in the Criminal Law (Trafficking in Persons and Sexual Offences) Bill which is at present being drafted in the Office of the Parliamentary Counsel. Among the provisions of the Bill is one that prohibits the sale of children, including through a computer system, for the purpose of the sexual or labour exploitation of a child.

In addition, a new offence of meeting a child following sexual grooming, on the internet or otherwise, was included in the recently enacted Criminal Law (Sexual Offences) (Amendment) Act 2007. I am informed by the Garda Authorities that they monitor child pornography on the internet and where evidence is available action is taken in accordance with legislation. Other incidents of child pornography coming to the attention of An Garda Síochána are fully investigated and where there is evidence to support a prosecution criminal proceedings are commenced, as directed by the Law Officers.

I am also informed by the Garda Authorities that staff from the Computer Crime Investigation Unit (CCIU) in the Garda Bureau of Fraud Investigation participate in numerous fora where crime prevention advice is given to companies and members of the public on the safe use of the internet. The Unit provides support to the many operations by other national and local units in targeting paedophiles and others suspected of downloading child pornography in Ireland. Members of An Garda Síochána attached to the National Bureau of Investigation augment these units as the volume of work requires. Computer forensics are carried out by the members attached to the Domestic and Sexual Assault Unit and also by members attached to the Garda Bureau of Fraud Investigation utilising up-to-date forensic software. I understand that An Garda Síochána, in conjunction with its EU colleagues, is currently examining new methods of preventing the production and distribution of child pornography on the internet.

On the structural side, the Government established a working Group in 1997 to examine and report on the whole question of the illegal and harmful use of the internet with particular reference to child pornography. The Report of the Working Group on the Illegal and Harmful Use of the Internet was published in July 1998. The main recommendation of the Report was for a system of self-regulation by the Internet Service Provider industry and the components of such a system were to include: an Internet Advisory Board (IAB) — established Feb 2000 — to promote awareness of Internet downside issues, co-ordinate efforts to combat child pornography on the Internet and monitor the progress of self regulation by the Internet Service Provider industry; a Public Hotline for reporting child pornogra-

phy (established 1999 and funded by the industry); an industry Code of Practice and Ethics setting out the duties and responsibilities of each Internet Service Provider (agreed February 2002 and reviewed in 2004)

The Internet Advisory Board (IAB) as well as overseeing a self-regulatory regime for the Irish Internet Service Providers, encourages best practice procedures, provides advice and facilitates research in Internet-related issues including child safety. My Department provides secretarial and other supports for the Board's work. The IAB in its role of encouraging best practice, procedures and formulating advice on Internet downside issues is currently evaluating electronic technology which can be used to block access to websites on the internet and is preparing a report on the matter.

The Hotline (www.hotline.ie), funded by the Internet Service Providers' Association of Ireland with support from the EU Safer Internet Action Plan. It accepts and investigates reports from the public in relation to child pornography and other illegal material on the internet and attempts to identify the source. If the material is hosted in Ireland, it will request the relevant Internet Service Provider (ISP) to remove it, in accordance with their Code of Practice and Ethics. Special protocols operate between the Gardaí and the Hotline that maximise co-operation on law enforcement issues so that offences in the area of child pornography can be detected and prosecuted. The Hotline works closely with, and is a founding member of, the international INHOPE Association (www.inhope.org), a network of European hotlines which is expanding to all parts of the world. The INHOPE Association develops procedures and shares information on the best practices for the tracing and tracking of illegal child pornography. International co-operation is a vital part of the fight against pornography on the internet, and Ireland is fully committed to playing its part. The Deputy may be aware that the European Union has taken a strong line on combating child pornography and other illegal and harmful uses of the internet. Since 1999, under the Safer Internet Action Plan, the EU has provided financial and other supports for measures in the member states to combat illegal and harmful uses of the internet, with particular emphasis on protecting children. A new EU action plan — Safer Internet Plus — covering the period 2005 to 2008, and with a budget of €45m, was agreed under the Irish presidency in June 2004 and is now in operation. My Department is represented on the management committee for the programme. In September 2001, the Council of Europe approved the first international Convention on Cybercrime. Ireland signed up to the Convention in June 2002. The main objective of the Convention is to foster international co-operation in protecting society against cybercrime. The Convention deals specifically with the distri-

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bution of child pornography on the internet, infringements of copyright, computer related fraud and violations of network security. On 15 September 2006, I announced that Government approval had been obtained for the drafting of the Criminal Justice (Miscellaneous Provisions) Bill. This Bill is being used to give effect to a number of international instruments including the Council of Europe Convention on Cybercrime 2001.

With regard to video games, the position is that Ireland is a member of the Pan European Games Information (PEGI) system. Video games are classified by age appropriateness at the following levels; 3+: 7+ 12+; 15+ and 18+. The categorisation is then indicated on product packaging. Under these arrangements, video games are categorised according to a robust and consistent system and subject to independent non-industry verification.

A key component of video game arrangements is that the classification systems are designed to provide useful information as to the content of the product. In particular, the intention is to assist parents in making informed choices concerning the media they acquire for their children or which they permit their children to use.

In so far as films and videos/DVDs are concerned, the position is that these must be classified by the Irish Film Censor for sale, exhibition or rental. The age appropriateness of each work is then displayed in cinema and all video/DVD works must carry the age classification on the packaging and video/DVD. My Department is fully committed to co-operating with and promoting measures both nationally, at EU level and in the wider international fora with regard to child protection.

Public Order Offences.

195. **Mr. Gormley** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the problems in the Ranelagh area being caused by a group of young adults, who smash bottles, leave rubbish on the ground and make it difficult for people to sleep at night; the steps he has taken to ensure this behaviour ceases; and if he will make a statement on the matter. [9401/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the area referred to is regularly patrolled by uniform and plain clothes Gardaí from the Donnybrook and Terenure Garda Districts with a view to ensuring a concentrated and visible Garda presence in the area. These patrols are backed up by District Detective and Drug Units, Community Policing personnel, the District Mountain Bike Units as well as the Divisional Crime Task Force and Traffic Corps personnel. During weekends there are also dedicated public order patrols specifically targeting

public disorder and anti-social behaviour in the Garda Districts referred to and, where appropriate, powers under the Litter Pollution Act are also enforced.

I am further informed by the Garda authorities that current policing plans in the area are predicated on the prevention of anti-social and public order offences; the prevention of crime including crimes of violence against persons and property and the maintenance of an environment conducive to the improvement of quality of life of the residents. This strategy will continue to be central to the delivery of a policing service to the area.

Prison Committals.

196. **Mr. Neville** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of persons who were placed in padded cells in 2005 and 2006. [9443/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have honoured my commitment to abolish the use of old style padded cells with the introduction of newly designed and improved cells. Information relating to the instances of placement of prisoners in close supervision and special observation cells are set out in the following table. These figures are composite in nature and include placement in both types of cells. On occasion, it is a matter of practical necessity to put some prisoners in a place of safety within the prison system when they prove difficult to manage in the general prison population or where authorised by a Prison Doctor for medical observation or for the prisoner's own protection if he/she has suicidal tendencies.

Year	2005	2006
Mountjoy Prison	389	203
Dóchas Centre	94	70
Cloverhill Prison	107	203
Wheatfield Prison	135	305
Cork Prison	86	61
Limerick Prison	47	49
Castlerea Prison	39	88
Midlands Prison	1	0
Arbour Hill Prison	7	11
St. Patrick's Institution	170	270
Portlaoise Prison	0	0
Total	1,075	1,260

Citizenship Applications.

197. **Mr. Crawford** asked the Tánaiste and Minister for Justice, Equality and Law Reform when persons (details supplied) in County Monaghan will be granted their citizenship; and

if he will make a statement on the matter.
[9459/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Applications for certificates of naturalisation from the persons referred to in the Deputy's question were received in the Citizenship Section of my Department on 29 June 2006. Applications received in the second half of 2004 are currently being processed and there are approximately 8,500 applications awaiting processing before those of the persons in question. It is likely that the processing of these application will commence in the second half of 2008. I will inform the Deputy and the applicants when I have reached a decision on the applications.

Garda Deployment.

198. **Mr. Costello** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of drug units in Dublin and their distribution; the number of gardaí who are working in each unit; if he has proposals to increase the number of gardaí who are combatting drugs; and if he will make a statement on the matter.
[9506/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An Garda Síochána invokes a number of broad strategic responses in combating the drugs trade. These include the following: identifying, targeting and dismantling national and international drug trafficking networks which supply and distribute illegal drugs within this state; conducting intelligence driven operations focusing on all aspects of the illicit drugs trade including commodity, logistics, distribution and financing. working with other national and international law enforcement agencies on joint actions designed to reduce the availability of drugs and the proceeds derived from the drugs trade; working in partnership with statutory, community and voluntary groups to reduce both the supply and demand for drugs within society.

Tackling organised crime and drug trafficking is primarily achieved through the use of specialist units and targeted intelligence led operations. National Units, such as the Garda National Drugs Unit, the Criminal Assets Bureau and the Garda Bureau of Fraud Investigation all have specific roles in reducing drug supply and the material benefits which accrue from drug trafficking. All of these units operate under the direction of an Assistant Commissioner, National Support Services. The Organised Crime Unit, established in November 2005, in conjunction with the Garda National Drugs Unit and local Gardaí, continue to implement initiatives such as Operations Anvil

and Oak which target criminals involved in the trafficking of drugs.

These operations, which are ongoing, continue to dismantle drug trafficking networks and have led to the arrest in recent times of major criminals both based here and abroad who are involved in the drugs trade and significant drug seizures continue to be made as a result of this work.

The record level of resources, both in financial and personnel terms, being made available to An Garda Síochána this year is proof of the Government's commitment and determination to ensure that the Garda authorities will continue to implement targeted, intelligence and high intensity operations against organised crime with a special focus on drugs crime. This commitment is further evidenced by the fact that the allocation for the Garda Vote for 2007 is up by €135.3m to €1.445 billion — an increase of 10% on this year's allocation.

Furthermore we are ensuring that our law enforcement agencies have a strong legislative platform from which to operate in their work tackling those involved in such criminal activity. I am informed by An Garda Síochána that the personnel strength (all ranks) of the District Drugs Units within the Dublin Metropolitan Region as on the 8th March 2007 is as set out hereunder.

Garda Station	Personnel
Store Street	14
Pearse Street	8
Donnybrook	4
Kevin Street	10
Santry	6
Clontarf	4
Coolock	13
Crumlin	6
Tallaght	9
Terenure	7
Dún Laoghaire	5
Bray	5
Dundrum	6
Blanchardstown	9
Clondalkin	12
Ronanstown	7

All Gardaí have responsibility for, inter alia, dealing with drug related issues as and when they arise. The numbers of Garda personnel assigned throughout the country, together with overall policing arrangements and operational strategy, are constantly monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources and that the best possible Garda service is provided to the general public.

Citizenship Applications.

199. **Mr. Hayes** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made in the case of a person (details supplied) in County Tipperary. [9520/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship Section of my Department on 31 October 2006.

Applications received in the second half of 2004 are currently being processed and there are approximately 11,400 applications awaiting processing before that of the person in question. Applications for naturalisation, including those made from persons married to Irish citizens, are generally dealt with in chronological order as this method is deemed to be fairest to all applicants. It is likely that the processing of this application will commence in late 2008.

I will inform the Deputy and the person concerned when I have reached a decision on the matter.

Residency Permits.

200. **Mr. Ring** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made on an appeal by a person (details supplied) in County Mayo in respect of family reunification. [9543/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand the Immigration Division has recently been in contact with the person concerned regarding his request for a review of his Family Reunification Application in respect of his wife.

The person concerned has been advised to make a new application at his nearest Irish Embassy or Consulate.

Asylum Applications.

201. **Mr. Curran** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made regarding an application by a person (details supplied) in Dublin 22 to remain here on humanitarian grounds. [9547/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned, a Nigerian national, arrived in the State on 28 April, 2003 and applied for asylum. Her application was refused following consideration of the case by the Office of the Refugee Applications Commissioner on 12 February, 2004 and on appeal by the Refugee Appeals Tribunal on 22 April, 2004.

Subsequently, in accordance with section 3 of the Immigration Act 1999, as amended, the person concerned was informed by letter dated 25 May, 2004 that the Minister was proposing to make a deportation order in respect of her. She was, in accordance with the Act, given the option of making representations, within 15 working days, setting out the reasons why she should not be deported i.e. be allowed to remain temporarily in the State; leaving the State before the deportation order was made; or consenting to the making of the deportation order. Representations have been received on behalf of the person concerned.

The person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act 1999, as amended, and Section 5 of the Refugee Act, 1996, (Prohibition of Refoulement) as amended. I expect the file to be passed to me for decision in due course.

Public Order Offences.

202. **Dr. Fitzpatrick** asked the Tánaiste and Minister for Justice, Equality and Law Reform when he will introduce on the spot fines for public order offences; the offences that will be covered by the fines; and if he will make a statement on the matter. [9560/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Section 184 of the Criminal Justice Act, 2006 provides for fixed charge offences in respect of section 4 (intoxication in a public place) and section 5 (disorderly conduct in a public place) of the Criminal Justice (Public Order) Act, 1994.

Work by An Garda Síochána is ongoing to facilitate the implementation of the section. I intend to commence the section in the near future.

Citizenship Applications.

203. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made on the application by a person (details supplied) in County Carlow for citizenship. [9564/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to by the Deputy was received in the Citizenship section of my Department on 22 November 2005. The application was examined and it was determined that the person in question did not have the five years reckonable residency required and consequently was not eligible to apply for a certificate of naturalisation at that time. The person in question was informed of this by letter dated 2 December 2005.

Officials in the Citizenship Section of my Department inform me that provided the applicant has kept her permission to remain in the State up to date she is now eligible to lodge a new application.

Road Traffic Offences.

204. **Ms O. Mitchell** asked the Tánaiste and Minister for Justice, Equality and Law Reform the full cost of the installation and operation of the proposed national speed camera system; and if he will make a statement on the matter. [9566/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Work is well advanced on the procurement process for the provision and operation of safety cameras by a private service provider. Following a call for expressions of interest, a number of candidates have been awarded pre-qualification status. The next stage is the issue of a Request for Tender to the shortlisted candidates which will take place shortly. The tenders received will be evaluated on an individual basis in accordance with the criteria set down in the Request for Tender.

As the choice of the private service provider is being made through a competitive tendering process and as the cost of the project will depend, inter alia on the proposals received in response to the Request for Tender, I am not in a position to indicate at this time the cost of the project.

Tribunals of Inquiry.

205. **Cecilia Keaveney** asked the Tánaiste and Minister for Justice, Equality and Law Reform if an apology will issue to a person (details supplied); and if he will make a statement on the matter. [9604/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned, although a vital witness at the Morris Tribunal, has a civil action against the State arising from events which did not come within the terms of reference of that Tribunal and thus were not determined upon by that Tribunal. I am therefore constrained in any comment I might wish to make. What I can say however is that in civil action cases arising from the events in Donegal the general practice has been to address the question of an apology in the context of the settlement of the action itself.

Asylum Applications.

206. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if permission can or will be given to persons (details supplied) in County Cork to transfer to a self

catering unit; and if he will make a statement on the matter. [9612/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Reception and Integration Agency is responsible for the accommodation of asylum seekers through the Government policy of direct provision and dispersal. Through direct provision, asylum seekers are provided with full board accommodation and ancillary services. The accommodation centre at Kinsale Road also facilitates Community Welfare Services, medical supports and VEC training on-site for residents.

In addition to direct provision accommodation, the Agency operates a very limited number of self-catering accommodation centres in certain parts of the country. There are no centres of this type in Cork City. This accommodation is reserved for special needs and extreme medical cases in the main.

As outlined in my answer to a previous Dáil question on this matter on 27 February 2007, the Reception and Integration Agency received a request from the persons referred to in the details supplied for a move to self-catering accommodation dated 18th December, 2006. As the request was made on medical grounds, the Agency referred the details of the request to a Medical Referee for recommendation. The view of the Medical Referee in this case was that there was no clear indication to support a change to self catering accommodation.

Citizenship Applications.

207. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to an application for family reunification in the case of a person (details supplied) in Dublin 22; and if he will make a statement on the matter. [9613/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made an application for Family Reunification under Section 18 of the Refugee Act 1996 on behalf of her husband in October 2006. The application has recently been approved and the person in question has been informed of same.

208. **Mr. Bruton** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason for the apparent delay in the application by a person (details supplied) in Dublin 3 for naturalisation even though they appear to meet all the conditions for early approval. [9635/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for naturalisation from the individual in question was received in the Citizenship Section of my Department on 20 February 2006.

[Mr. McDowell.]

Applications for naturalisation, including those from persons married to Irish citizens, are generally dealt with in chronological order as this method is deemed to be fairest to all applicants. Applications received in the second half of 2004 are currently being processed and there are approximately 6,000 applications awaiting processing before that of the person in question. It is likely that processing of the application will commence in the first half of 2008. I will advise the Deputy and the applicant when I have reached a decision in the matter.

Sexual Offences.

209. **Mr. J. O’Keeffe** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the concerns that have been expressed regarding the inadequacies in the operation of the sex offenders register which is a measure intended to assist in the tracking of convicted paedophiles; his views on whether there is a need for a central database; and if so, the time frame for the provision of same. [9682/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Sex Offenders Act which commenced on 27 September 2001 sets out the obligations on persons convicted of a range of sexual offences against both children and adults. A convicted sex offender must notify his/her name(s), date of birth and current home address to An Garda Síochána within seven days of the conviction for the sexual offence concerned or, where the offender is sentenced to imprisonment, from the date of full release from prison.

Thereafter, the offender must notify the Gardaí of any change of name or address within seven days of that change. Notification of any address where the offender spends either as much as seven days or two or more periods amounting to seven days in any twelve month period must also be given to the Gardaí.

If the offender intends to leave the State for a period of seven days or more s/he must inform the Gardaí of this fact and the address at which s/he intends to stay and also notify the Gardaí of his/her return. If s/he did not intend to stay away for more than seven days but did, s/he must inform the Gardaí within a further seven days. The provisions of the Act extend to any sex offenders entering this jurisdiction from abroad who have an obligation to register in their own countries or who have been convicted abroad of an offence comparable to one covered by the Act.

Part 4 of the Sex Offenders Act 2001 provides that it is an offence for convicted sex offenders to apply for, or to accept, work or to offer services, a necessary and regular part of which consists

mainly of unsupervised access to, or contact with, children or mentally impaired persons, without informing the employer or organisation of his/her conviction for a qualifying sexual offence. It is an offence to fail to comply with the notification requirements. The penalty is imprisonment for up to 12 months or a fine of €1,900 or both. The courts can also sentence an offender who has been found guilty of an offence under the schedule of offences in the Act to a period of statutory supervision under the Probation Service on their release from prison.

Before an offender is released from prison, the Prison Service must inform him/her that they are subject to the notification requirement of the Act. Ten days before the date of release, the Prison Service must inform An Garda Síochána that s/he is being released. An Garda Síochána has in place a system for the monitoring of persons subject to these requirements. The Domestic Violence and Sexual Assault Unit monitor and manage the notification provisions. The information on persons who are subject to the requirements of the Sex Offenders Act, 2001 is maintained on the PULSE computer system.

There are nominated Garda Inspectors in each Garda Division who are notified by the Domestic Violence and Sexual Assault Unit when a sex offender, who is subject to the requirements of the Act, is resident in their Division. These inspectors are responsible for the monitoring of such offenders.

I am advised by the Garda authorities that any child protection issues arising are advised to the relevant Health Service authorities, as provided for under the Children First guidelines. The provisions of the Act are kept under constant review by my Department with a view to ensuring the Act is operating in an efficient and effective manner. It is my intention that the Criminal Law (Trafficking in Persons and Sexual Offences) Bill, which is currently being drafted, will contain provisions to strengthen the monitoring of registered sex offenders. Among these are raising the penalty for failure to register from 12 months to five years imprisonment, thus making it an arrestable offence, and giving probation officers power to prosecute offenders who fail to comply with the terms of a post release supervision order. Other provisions in the Bill will relate to risk assessment of sex offenders.

Prisoner Releases.

210. **Mr. J. O’Keeffe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of prisoners from each prison here who prior to their release date and taking into account normal remission, were let out on early release in 2006. [9683/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am advised by the Director General of the Irish Prison Service that the information requested by the Deputy is set out in the table below. The vast bulk of the individuals granted temporary release — 70% — had a month or less of their sentence remaining. In fact, 31% were released in the final week of their sentence.

Institution	Number
Arbour Hill Prison	10
Castlerea Prison	96
Cloverhill Prison	46
Cork Prison	470
Limerick Prison	375
Loughan House	314
Midlands Prison	256
Mountjoy Prison	652
Dóchas Centre	183
Portlaoise Prison	24
Shelton Abbey	239
St Patrick's Institution	154
Training Unit	69
Wheatfield Prison	177

I am advised that on the 16th March, 2007, there were 166 persons on temporary release, a figure that represents about 4.5% of the total prison population. This small number on temporary release is due in large measure to the expansion in our prison accommodation over the last number of years and stands in stark contrast to the unacceptable level of temporary release back in 1996, when on 9 December 1996 we had 552 persons on temporary release, about 20% of the prison population.

The overriding issue in considering any application for temporary release of a prisoner is the safety of the public. In addition, all releases are subject to conditions, which in the vast majority of cases include a requirement to report on a regular basis to his or her Garda Station. Of course, any offender who breaches his or her conditions may be arrested and returned to prison immediately by the Gardaí.

Temporary release arrangements operate similarly to a system of parole, which is a feature of prison systems worldwide. They are an important vehicle for re-integrating an offender into the community in a planned way. The generally accepted view is that the risk to the community would be reduced by planned re-integration of offenders compared with their return to the community on the completion of their full sentence. Each case is examined on its own merits and as already stated the safety of the public is paramount when decisions are made on temporary release applications.

Prisoners are considered for temporary release in various circumstances, for example, release under the direct supervision of the Probation Service; to employment or training programmes; on compassionate release because of ill health or family related circumstances; or for reintegration purposes because they are nearing the end of their sentence.

Sexual Offences.

211. **Mr. Howlin** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason there was a decline and then cessation over the past seven years in the number of prosecutions under section 6 of the Criminal Justice (Sexual Offences) Act 1993; if advice or directive of a prosecution or policing nature was issued which had this consequence; and if he will make a statement on the matter. [9707/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The role of the Gardaí is to investigate alleged offences, to gather whatever evidence may be available and to submit a report to the Director of Public Prosecutions. The question of whether or not a particular person should be prosecuted and for what criminal offence is the responsibility of the DPP. The Director, who is independent in the performance of his functions, makes his decision on the basis of the Garda findings viewed against the background of common and/or statute law. It would, therefore, be inappropriate for me to comment on his decisions.

I am informed by the Garda authorities that no directive has issued in respect of section 6 of the Criminal Law (Sexual Offences Act) 1993.

212. **Mr. Howlin** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason section 250 of the Children Act 2001 was incorrectly represented in the accompanying explanatory memorandum as proposing a new offence which provided a higher penalty for soliciting or importuning a child for the purpose of prostitution; if confusion as to the nature or purpose of the section led to the subsequent non-prosecution of the offence; and if he will make a statement on the matter. [9708/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Section 6 of the Criminal Law (Sexual Offences) Act 1993 created an offence of soliciting or importuning a person for the commission of an act which would constitute an offence under section 3, 4 or 5 of that Act or section 1 of the Criminal Law Amendment Act 1935. The maximum penalty on summary conviction was €1270 and/or 12 months imprisonment. Section 7 of the 1993 Act recreated in modern format the offence of soliciting or importuning a person for the purpose of prostitution. The maximum penalty on summary conviction, for a

[Mr. McDowell.]

third or subsequent offence, was €635 and/or 4 weeks imprisonment.

The preparation of the child protection provisions of the Children Act 2001 provided an opportunity to increase the maximum penalty for soliciting or importuning a child or mentally impaired person for the purpose of prostitution. Prior to that, the law did not differentiate between soliciting or importuning a child or adult for the purpose of prostitution. The drafting method used was to substitute a new section 6 into the 1993 Act which, in effect, provided within that section a means of prosecuting the soliciting or importuning of a child or mentally impaired person for the purpose of prostitution with a maximum penalty of €1905 and/or 12 months imprisonment. This contrasted to the considerably lower penalty provided under section 7 of the 1993 Act.

I am informed by the Garda Síochána that there is no confusion as to the nature or purpose of section 250 of the Children Act. There have been no convictions under section 6 of the 1993 Act in the years 2001 to 2005 inclusive while there were 34 convictions in 2000. However in the 5 years prior to 2000, the year 1998 was the only year in which there were a significant number of convictions under section 6 with 86 convictions that year. There were no convictions in 1996 and 1997, one conviction in 1995 and 3 convictions in 1999.

The changes made in the Children Act to the criminal laws governing prostitution were not designed as a permanent solution to the offence of child prostitution. Instead, they were meant as a temporary initiative until an opportunity arose for a more in depth examination of the law in this respect. The Criminal Law (Trafficking in Persons and Sexual Offences) Bill which is at present being drafted provides a new offence of soliciting or importuning a child, or paying, offering or promising to pay, a child or another person for the purpose of sexually exploiting the child. Sexual exploitation in this context is defined widely to include the prostitution of the child, production of child pornography or any sexual activity which would be an offence under any enactment.

Proposed Legislation.

213. **Mr. Cuffe** asked the Tánaiste and Minister for Justice, Equality and Law Reform his plans to repeal or reform the Legal Practitioners (Qualification) Act 1929 in response to the report of the Competition Authority into the legal profession; and if he will make a statement on the matter. [9729/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Competition Authority recommended that the existing Irish competency requirement should be abolished and

replaced by a voluntary system of high level Irish language training.

The Legal Practitioners (Qualification) Act 1929 provides that no person may be admitted by the Chief Justice to practise as a barrister-at-law in Irish courts unless he or she satisfies the Chief Justice that he or she possesses a competent knowledge of the Irish language. The 1929 Act applied to solicitors until 1954 when new arrangements were introduced in the Solicitors Act 1954. To qualify for admission as a solicitor, the 1954 Act stipulates that the Law Society requires students to undertake two examinations in Irish. The first examination applies to persons seeking to enter apprenticeship and the second applies to persons wishing to be admitted as solicitors. The purpose of the second examination is to ensure that persons who pass it have a competent knowledge of the Irish language.

My Department is currently examining the implementation of the recommendation of the Competition Authority in consultation with the legal professions and other Government Departments.

Departmental Correspondence.

214. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will make public the letter written by the Secretary General of his Department to An Garda Síochána complaining about the publication of an article (details supplied) containing information on the Birmingham report into the Dean Lyons case. [9731/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Secretary General of my Department did not issue a letter “complaining about the publication of an article” relating to the Birmingham report into the Dean Lyons case. A letter dated 14 August 2006 was issued to the Garda Síochána on his behalf stating that there was reason to believe that a person or persons who had received a draft of the report pursuant to section 34 of the Commissions of Investigation Act, 2004 had disclosed material contrary to section 37 of that Act. Section 37 creates a very specific offence and only relates to draft reports. There was reason to believe that the article in question may have been based on a draft disclosed contrary to section 37.

It is open to any individual to make a request under section 7 of Freedom of Information Act, 1997 for a copy of the letter of 14th August 2006 and such request will be determined in accordance with the various provisions of the Act by a designated official of my Department in the normal way. However I have to say that legal advice is that it would not be appropriate to make public documents pertinent to an ongoing Garda investigation.

215. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he discussed in advance with the Secretary General of his Department the decision by the Secretary General to write a letter to An Garda Síochána complaining about the leak of information to a journalist (details supplied) in respect of the Bermingham report into the Dean Lyons case. [9732/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Last August, the Secretary General of my Department contacted me while I was on a family holiday and said that it appeared probable that a draft report of the Birmingham Commission of Investigation had been disclosed by a statutory recipient. He told me that he intended to report the alleged disclosure by the statutory recipient to the Garda Síochána. It was clear to me that it was to be a complaint about a suspected breach of the criminal law by a statutory recipient and not a complaint about the publication of the material or the work of a journalist who was not a statutory recipient.

I was aware that under the Commissions of Investigation Act 2004 such recipients, being persons named in the draft report, could seek amendments or apply to court to ensure that their constitutional rights were not infringed. I was further aware that they were not empowered to seek to publicise the draft for their own purposes — whether nefarious or otherwise. This applies whether the disclosure covers material relating to themselves or material relating to others who might be impugned and who might be in the process of making their own representations. It was also the case under the legislation that I, as specified Minister, was obliged to publish the final report as soon as possible after I received it and that arrangements were in train within my Department to do so at the end of the month. It should be borne in mind that unauthorised disclosure of a draft report by a statutory recipient constitutes a criminal offence even if such disclosure takes place after the final report has been published. In other words it is a permanent rather than a temporary prohibition.

The Bermingham Report on the Dean Lyons case was the first report prepared under the Commissions of Investigation Act 2004 which was intended to provide a speedier and more cost effective inquiry mechanism than Tribunals of Inquiry. The Secretary General was greatly concerned that there was a real danger that if the provisions of the Act were to be flouted without sanction, the new mechanism could be fatally undermined on its first outing.

Mr George Bermingham, who was out of the country at the time, was contacted and confirmed that he had not given any written consent to disclosure of the draft report. The Commission staff had also informed the statutory recipients that it was a criminal offence to make a draft report

public. However, under section 43 of the Act of 2004, the Commission had been legally dissolved on the submission of its final Report to the Minister on 28 July 2006 and therefore the Commission itself could not pursue the matter. Nonetheless Mr Birmingham who had been the sole member of the Commission indicated to the Department that he favoured a criminal investigation.

In these circumstances, the Secretary General of my Department decided to make a formal complaint seeking an investigation by the Garda Síochána into the matter and the purpose of his call was to advise me of his intention to do this. He made it clear to me that his decision was not being submitted to me for any form of approval or consent. He further advised that it would be both unnecessary and inappropriate for me to be involved in any way in this decision. The Secretary General contacted a Deputy Commissioner of An Garda Síochána to make the complaint verbally. This was followed up by a formal letter issued on 14 August 2006 setting out the situation insofar as it was known to the Department.

Departmental Expenditure.

216. **Mr. Eamon Ryan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the amount his Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if he will make a statement on the matter. [9778/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to inform the Deputy that my Department paid €1.292m in car mileage/km expenses in 2006, of which €445,000 related to payments made under the Criminal Legal Aid Scheme. In addition, €25,000 was paid in respect of rail and bus ticket expenses during the same period.

Land Registry.

217. **Mr. G. Murphy** asked the Tánaiste and Minister for Justice, Equality and Law Reform the status of a transaction by a person (details supplied) in County Limerick in the Land Registry Office. [9795/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will be aware, under the provisions of the Registration of Deeds and Title Act 2006, the Property Registration Authority was established as and from 4 November, 2006. The Property Registration Authority replaces the Registrar of Deeds and Titles as the registering authority in relation to property registration in Ireland and, subject to the above Act, is independent in the performance of its functions.

[Mr. McDowell.]

In order to be of assistance I forwarded the Deputy's query to the Authority for its attention and direct reply. I understand that a reply has already issued. I would also like to refer the Deputy to my letter of 26 May, 2006 to members of the Oireachtas regarding a new service for Deputies and Senators concerning the current status of applications of this type. As outlined in my letter, the service was introduced, inter alia, to provide a speedier and more cost effective alternative to submitting Parliamentary Questions.

Departmental Expenditure.

218. **Mr. G. Mitchell** asked the Tánaiste and Minister for Justice, Equality and Law Reform the cost of energy used running his Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and his plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9827/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that the cost of energy supplied to my Department's offices in 2002 amounted to €319,405. The cost for the year 2006 was €556,596. Data in relation to the quantity of energy supplied is not readily available, however, the Deputy should note that my Department has moved offices since 2002 and has in fact acquired additional accommodation to meet new service delivery needs, notably in the field of immigration. As such a straightforward comparison of energy use between the two years is not feasible.

I can further inform the Deputy that having recently completed its building moves, my Department intends, with the assistance of the Office of Public Works, to carry out an audit of energy use, in line with best practice. Standard and common-sense energy efficiency measures are currently applied in any event.

Departmental Staff.

219. **Mr. Sargent** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will report on gender balance at each grade in his Department and in agencies that come under the aegis of his Department. [9855/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I presume that the Deputy's question refers to administrative civil servants working in my Department and its Agencies. I have set out, in the table under, this information insofar as it relates to my Department and those Agencies whose staff are staff of the Department. It does not include Bodies which recruit their own staff (Courts Service, Legal Aid Board, Property Registration Authority, Garda Síochána Ombudsman Commission and the Garda Síochána) and I have requested the information from those Bodies and will provide it to the Deputy when it comes to hand.

Before dealing with my Department's figures, it is worth noting that recruitment of staff to the Civil Service is conducted in the main by the Public Appointments Service, and that staff are recruited in accordance with the equality legislation and assigned to Departments as vacancies occur. Having said that, my Department is acutely aware of the need for greater gender balance and significant progress has been made in recent years. At the key middle management grade of Assistant Principal, there are now almost equal numbers of men and women, significantly exceeding the civil service target for women of 33%. Assistant Principal is a key gateway grade to higher levels in the Civil Service and I am confident that this breakthrough will lead to greater numbers of women progressing to the more senior positions in the coming years.

It is also worth noting that a significant number of the Heads of Agency within my Department's remit are women, viz. the Chief Inspector of the Garda Inspectorate, the National Director of the Irish Youth Justice Service, the Chief Executive of the Private Security Authority, the Refugee Applications Commissioner, the Director of the Equality Tribunal, the Director of the National Disability Authority, the Chief Executive of the Property Registration Authority, the State Pathologist, and the Director of the Forensic Science Laboratory.

I will shortly be publishing the National Women's Strategy which will, inter alia, be addressing the issue of Women in Decision Making. It is my view that notwithstanding the significant progress that has been made in recent years, there is more that all of us can do to ensure that women take their rightful place in the key positions across the public and private sectors.

Breakdown of Department of Justice, Equality and Law Reform Staff by Grade and Gender

Grade	% Male	% Female
Secretary General	100	Nil
Deputy Secretary and equivalent	66	34
Assistant Secretary and equivalent	83	17
Principal Officer and equivalent	77	23
Assistant Principal and equivalent	51	49
Administrative Officer and equivalent	30	70

Grade	% Male	% Female
Higher Executive Officer	44	56
Executive Officer	38	62
Staff Officer	24	76
Clerical Officer	23	77
Other	66	34
Total	37	63

Gaming and Lotteries Acts.

220. **Mr. G. Mitchell** asked the Tánaiste and Minister for Justice, Equality and Law Reform if the reply to Parliamentary Question No. 162 of 7 March 2007 means that it is not lawful to purchase a lottery ticket in a European state lottery on the Internet from Ireland using a credit card. [9859/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will be aware, it is not the function of the Minister for Justice, Equality and Law Reform to provide legal advice. The position is as stated in my reply to Parliamentary Question 162 on the 7th March 2007.

Garda Operations.

221. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 142 of 29 November 2006, if the Garda authorities will report on the untaxed and uninsured vehicles at a location (details supplied) in Dublin 9; and if they belong to the garage owner referred to. [9867/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that local Garda management in the area referred to is aware of on-going difficulties being experienced by local residents in relation to untaxed and uninsured vehicles being parked on public roads and is examining how the situation can be improved.

I am also informed that in respect of the two vehicles referred to, following receipt of a complaint to a member of the local Community Policing Unit, members from Mountjoy Garda Station conducted enquiries to establish the ownership of these vehicles both of which are registered to private owners. When interviewed they indicated that they had sold the vehicles to the motor trade but could not recall to whom, due to the passage of time.

I am further informed that on 8 March, 2007 a written request was made by Gardaí to the Abandoned Vehicles Section of the local authority concerned to have the vehicles removed. Further enquiries were conducted with car-dealers and garages in the locality regarding ownership of

these vehicles but with negative results. Fixed Penalty Notices were affixed to both vehicles in respect of road traffic violations disclosed. I understand from the Garda authorities that the vehicles are no longer parked in the area referred to.

Residency Permits.

222. **Mr. Howlin** asked the Tánaiste and Minister for Justice, Equality and Law Reform the status of an application for long-term residency by a person (details supplied) in County Donegal; and if he will make a statement on the matter. [9872/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The position in relation to granting long term residency is as follows: persons who have been legally resident in the State for over five years 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. An application for long term residence from the person referred to by the Deputy was received in August 2006. I understand that applications received in June 2006 are currently being dealt with. As soon as a decision is made on the case, the person concerned will be notified.

Garda Stations.

223. **Mr. Kenny** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the conditions at Portlaoise divisional headquarters; if a new divisional headquarters will be built on a new site or reconstructed on its existing site; and if he will make a statement on the matter. [9899/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I can confirm for the Deputy that the provision of upgraded facilities at Portlaoise station is a priority and that plans to address the accommodation needs there are well advanced.

Visa Applications.

224. **Mr. M. Higgins** asked the Tánaiste and Minister for Justice, Equality and Law Reform if, further to Parliamentary Question No. 39 of 15 February 2007, he will indicate such knowledge as he has of the case of a person (details supplied) in Dublin 12 whose child was born here in early 2007; if he will consider favourably this family's request to allow the mother of this infant leave to remain, if even for a half-year period in order that the child be cared for by its mother in its country of birth; and if he will make a statement on the matter. [9914/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Immigration Division of my Department that the person referred to by the Deputy has recently been granted permission to remain in the State.

Road Traffic Offences.

225. **Ms O. Mitchell** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to the reply to Parliamentary Question No. 93 of 22 February 2007, the number of penalty points imposed against such persons as referred to in the response to this question; and if he will make a statement on the matter. [9915/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I have informed the Deputy in reply to Parliamentary Question No. 93 of 22 February 2007 that I have been informed by the Garda authorities that since the introduction of the Fixed Charge Processing System prosecutions have been initiated against 41,753 persons who had been issued with a fixed charge notice for a penalty point offence and had failed to pay the fixed charge.

I am informed that in accordance with the provisions of section 2 of the Road Traffic Act, 2002, the Courts Service must notify the Minister for Transport of all convictions requiring the awarding of penalty points. I have no responsibility to the Dáil in relation to the endorsement of penalty points on driving licence record entries.

Residency Permits.

226. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in regard to residency in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [9917/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to Parliamentary Questions Nos. 130 of Thursday, 8th March, 2007, and 149 of Thursday, 14th December, 2006 and the written replies to those Questions. The position is unchanged.

Garda Deployment.

227. **Mr. Blaney** asked the Tánaiste and Minister for Justice, Equality and Law Reform the strength of the Garda force employed in County Donegal by location; the increase in Garda numbers in this division between 1997, 2002 and 31 December 2006 and in which Garda stations; and if he will make a statement on the matter. [9930/07]

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 13,178 following the attestation of 273 new members on Wednesday 14 March, 2007. This compares with a total strength of 10,702 (all ranks) on 30 June, 1997 and represents an increase of 2,476 (or over 23%) in the personnel strength of the Force during that period. The combined strength (all ranks), of both attested Gardaí and recruits in training on 14 March, 2007 was 14,258. Furthermore, I should say that on 19 December, 2006, as part of a package of anti-crime measures, the Government approved the continuation of the existing Garda recruitment programme to achieve a total Garda strength of 15,000. The accelerated intake of approximately 1,100 new recruits per annum into the Garda College will continue until this target is met. The Garda Budget now stands at €1.4 billion, an 11% increase on 2006 and a 96% increase since 1997 in real terms.

I have been further informed by the Garda authorities that the personnel strength of the Donegal Division by station on 31 December, 1997, 2002, 2006 and 15 March, 2007 was as set out in the table.

Station	31/12/97	31/12/02	31/12/06	15/03/07
Annagry	1	2	2	2
Ardara	3	3	3	3
Ballintra	3	1	2	2
Ballybofey	20	24	21	21
Ballyshannon	35	31	36	35

Station	31/12/97	31/12/02	31/12/06	15/03/07
Brocach	2	1	1	1
Bunbeag	6	5	7	7
Buncrana	36	34	51	51
Bundoran	14	12	12	12
Burnfoot	21	18	12	12
Burtonport	3	2	1	1
Carndonagh	5	5	5	5
Carrick	2	2	2	2
Carrigans	12	8	5	5
Carrigart	3	3	3	3
Castlefin	18	4	3	3
Churchill	1	1	1	1
Clonmany	2	3	2	2
Clougher	1	1	1	1
Convoy	2	4	3	3
Craosloch	1	1	1	1
Culdaff	1	1	-	1
Doochary	1	1	-	-
Donegal Town	29	34	32	32
Dunfanaghy	2	2	4	4
Dungloe	5	6	9	8
Dunkineely	3	2	1	1
Falcarragh	6	6	6	6
Gleann Cholmcille	1	2	1	0
Glenties	19	21	22	23
Kerrykeel	3	3	2	2
Kilmacrennan	2	2	2	2
Letterkenny	90	92	119	121
Lifford	22	15	15	14
Malin	2	3	3	7
Milford	18	20	24	25
Mountcharles	3	3	2	2
Moville	9	9	9	9
Muff	2	4	4	4
Na Cealla Beaga	6	6	7	7
Newtowncunningham	3	3	2	2
Pettigo	13	4	1	1
Ramelton	3	4	4	4
Raphoe	5	7	4	4
Rathmullen	1	1	1	1
Total	440	416	448	453

The personnel strength of the Donegal Division on 31 December, 1997 and 15 March, 2007 was 440 and 453 (all ranks) respectively. This represents an increase of 13 (or 2.9%) in the number of personnel allocated since that date.

The Deputy should appreciate that, as with any large organisation, on any given day, personnel strengths of individual stations and units may fluctuate due, for example, to promotions, retirements and transfers. Resources are further augmented by a number of Garda National Units such as the Garda National Drugs Unit, the Garda National Immigration Bureau (GNIB),

other specialised units and the Criminal Assets Bureau (CAB), all of which have had increased resources.

I should add that it is the responsibility of Garda management to allocate personnel to and within Divisions. These personnel allocations are determined by a number of factors including demographics, crime trends and other operational policing needs. Such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made

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of Garda resources and that the best possible service is provided to the public.

Garda Transport.

228. **Mr. Glennon** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of patrol cars available in Malahide, Swords, Balbriggan, Skerries, Lusk, Rush and Garristown stations by location; and if he will make a statement on the matter. [9931/07]

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, that the number of vehicles, both marked and unmarked, attached to stations in Malahide, Swords, Balbriggan, Skerries, Lusk, Rush and Garristown is as follows:

Garda Station	No. and Type of Vehicle
Malahide	4 Cars
Swords	6 Cars 1 Van
Balbriggan	5 Cars 1 Van
Skerries	1 Car
Lusk	1 Car
Rush	1 Car
Garristown	1 Car

I have been further informed that an additional 3 cars have been available to Swords station for the duration of a murder investigation.

Garda Deployment.

229. **Mr. Mulcahy** asked the Tánaiste and Minister for Justice, Equality and Law Reform the strength of the Garda force and community gardaí employed in Crumlin, Kevin Street and Terenure Garda stations; the increase in Garda numbers in these stations between 1997, 2002 and 31 December 2006 and in which Garda stations; and if he will make a statement on the matter. [9932/07]

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 13,178 following the attestation of 273 new members on Wednesday 14 March, 2007. This compares with a total strength of 10,702 (all ranks) on 30 June, 1997 and represents an increase of 2,476 (or over 23%) in the personnel strength of the Force during that period. The combined strength (all ranks), of both attested Gardaí and recruits in training on 14 March, 2007 was 14,258. Furthermore, I should say that on 19 December, 2006, as part of a pack-

age of anti-crime measures, the Government approved the continuation of the existing Garda recruitment programme to achieve a total Garda strength of 15,000. The accelerated intake of approximately 1,100 new recruits per annum into the Garda College will continue until this target is met. The Garda Budget now stands at €1.4 billion, an 11% increase on 2006 and a 96% increase since 1997 in real terms.

I have been further informed by the Garda authorities that the personnel strength of Crumlin, Kevin Street and Terenure Garda Stations on 31 December, 1997, 2002, 2006 and 15 March, 2007 was as set out in the table.

District	31/12/97	31/12/02	31/12/06	15/03/07
Crumlin	82	88	98	101
Kevin Street	124	117	127	128
Terenure	49	84	98	101

The personnel strength of Crumlin Garda Station on 31 December, 1997 and 15 March, 2007 was 82 and 101 (all ranks) respectively. This represents an increase of 19 (or 23.1%) in the number of personnel allocated since that date. The personnel strength of Kevin Street Garda Station on 31 December, 1997 and 15 March, 2007 was 124 and 128 (all ranks) respectively. This represents an increase of 4 (or 3.2%) in the number of personnel allocated since that date. The personnel strength of Terenure Garda Station on 31 December, 1997 and 15 March, 2007 was 49 and 101 (all ranks) respectively. This represents an increase of 52 (or 106.1%) in the number of personnel allocated since that date.

I have also been further informed by the Garda authorities that the personnel strength of Community Gardaí (all ranks) of Crumlin, Kevin Street and Terenure Garda Stations on 31 December, 2006 was as set out in the table.

District	31/12/06
Crumlin	4
Kevin Street	7
Terenure	6

All Gardaí have responsibility, inter alia, to deal with Community Policing issues as they arise. The Deputy should appreciate that, as with any large organisation, on any given day, personnel strengths of individual stations and units may fluctuate due, for example, to promotions, retirements and transfers.

Resources are further augmented by a number of Garda National Units such as the Garda National Drugs Unit, the Garda National Immigration Bureau (GNIB), other specialised units and the Criminal Assets Bureau (CAB), all of which have had increased resources. I should add that it is the responsibility of Garda management

to allocate personnel to and within Divisions. These personnel allocations are determined by a number of factors including demographics, crime trends and other operational policing needs. Such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources and that the best possible service is provided to the public.

230. **Mr. O'Flynn** asked the Tánaiste and Minister for Justice, Equality and Law Reform the strength of the Garda force employed in Cork by division and location; the increase in Garda numbers in each division between 1997, 2002 and 31 December 2006 and in which Garda stations; and if he will make a statement on the matter. [9933/07]

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 13,178 following the attestation of 273 new members on Wednesday 14 March, 2007. This compares with a total strength of 10,702 (all ranks) on 30 June, 1997 and represents an increase of 2,476 (or over 23%) in the personnel strength of the Force during that period. The combined strength (all ranks), of both attested Gardai and recruits in training on 14 March, 2007 was 14,258. Furthermore, I should say that on 19 December, 2006, as part of a package of anti-crime measures, the Government approved the continuation of the existing Garda recruitment programme to achieve a total Garda strength of 15,000. The accelerated intake of approximately 1,100 new recruits per annum into the Garda College will continue until this target is met. The Garda Budget now stands at €1.4 billion, an 11% increase on 2006 and a 96% increase since 1997 in real terms.

I have been further informed by the Garda authorities that the personnel strength of Cork by Division and District on 31 December, 1997, 2002, 2006 and 15 March, 2007 was as set out in the table.

Division: Cork City	31/12/97	31/12/02	31/12/06	15/03/07
Anglesea Street	257	286	309	312
Gurrabraher	75	91	93	93
Mayfield	103	110	106	105
Togher	105	125	130	132
Total	540	612	638	642
<i>Division: Cork North</i>				
Fermoy	63	71	82	81
Cobh	43	53	55	59
Midleton	56	69	69	71
Mallow	47	54	56	59
Total	209	247	262	270
<i>Division: Cork West</i>				
Bandon	72	88	97	100
Bantry	36	41	41	42
Clonakilty	41	42	44	43
Kanturk	37	40	42	42
Macroom	37	35	40	41
Total	223	246	264	268

The personnel strength of the Cork City Division on 31 December, 1997 and 15 March, 2007 was 540 and 642 (all ranks) respectively. This represents an increase of 102 (or 18.8%) in the number of personnel allocated since that date. The personnel strength of the Cork North Division on 31 December, 1997 and 15 March, 2007 was 209 and 270 (all ranks) respectively. This represents an increase of 61 (or 29.1%) in the number of personnel allocated since that date.

The personnel strength of the Cork West Division on 31 December, 1997 and 15 March, 2007 was 223 and 268 (all ranks) respectively. This represents an increase of 45 (or 20.1%) in the number of personnel allocated since that date.

The Deputy should appreciate that, as with any large organisation, on any given day, personnel strengths of individual stations and units may fluctuate due, for example, to promotions, retirements and transfers. Resources are further aug-

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mented by a number of Garda National Units such as the Garda National Drugs Unit, the Garda National Immigration Bureau (GNIB), other specialised units and the Criminal Assets Bureau (CAB), all of which have had increased resources.

I should add that it is the responsibility of Garda management to allocate personnel to and within Divisions. These personnel allocations are determined by a number of factors including demographics, crime trends and other operational policing needs. Such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources and that the best possible service is provided to the public.

231. **Mr. Glennon** asked the Tánaiste and Minister for Justice, Equality and Law Reform the strength of the Garda force and community gardaí employed in the Malahide, Swords, Balbriggan, Skerries, Lusk, Rush and Garristown stations by location; the increase in Garda numbers in this division between 1997, 2002 and 31 December 2006 and in which Garda stations; and if he will make a statement on the matter. [9934/07]

Station	31/12/97	31/12/02	31/12/06	15/03/07
Malahide	43	43	45	45
Swords	45	57	68	72
Balbriggan	31	35	32	33
Skerries	8	10	11	11
Lusk	4	4	4	4
Rush	5	4	7	7
Garristown	3	3	3	3

I have been further informed by the Garda authorities that there are designated Community Gardaí of Malahide, Swords and Balbriggan, Garda Stations as set out in the table.

Station	31/12/06
Malahide	4
Swords	11
Balbriggan	1

All Gardaí have responsibility, inter alia, to deal with Community Policing issues as they arise. It should also be pointed out that resources are further augmented by a number of Garda National Units such as the Garda National Drugs Unit, the Garda National Immigration Bureau (GNIB), other specialised units and the Criminal Assets Bureau (CAB), all of which have had increased resources.

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 13,178 following the attestation of 273 new members on Wednesday 14 March, 2007. This compares with a total strength of 10,702 (all ranks) on 30 June, 1997 and represents an increase of 2,476 (or over 23%) in the personnel strength of the Force during that period. The combined strength (all ranks), of both attested Gardaí and recruits in training on 14 March, 2007 was 14,258. Furthermore, I should say that on 19 December, 2006, as part of a package of anti-crime measures, the Government approved the continuation of the existing Garda recruitment programme to achieve a total Garda strength of 15,000. The accelerated intake of approximately 1,100 new recruits per annum into the Garda College will continue until this target is met. The Garda Budget now stands at €1.4 billion, an 11% increase on 2006 and a 96% increase since 1997 in real terms.

I have also been informed by the Garda authorities that the personnel strength of Malahide, Swords, Balbriggan, Skerries, Lusk, Rush and Garristown Garda Stations on 31 December, 1997, 2002, 2006 and 15 March, 2007 was as set out in the table.

The Deputy should appreciate that, as with any large organisation, on any given day, the personnel strength of individual stations and units may fluctuate due, for example, to promotions, retirements and transfers. I should add that it is the responsibility of Garda management to allocate personnel to and within Divisions. These personnel allocations are determined by a number of factors including demographics, crime trends and other operational policing needs. Such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources and that the best possible service is provided to the public.

Residency Permits.

232. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the

current or expected residency status in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [9953/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Immigration Division of my Department that the person in question was granted permission to remain in the State on the 11th of August 2005 following a Family Reunification application. I understand that the person's permission to remain expired on the 13th March 2007. The Immigration Division has recently written to the person concerned regarding this matter and it is now open to the person referred to by the Deputy to contact their local Immigration Officer to seek to renew their permission to remain.

Citizenship Applications.

233. **Mr. Timmins** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to applications for naturalisation for persons (details supplied); if they will be dealt with as speedily as possible; and if he will make a statement on the matter. [9955/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Applications for certificates of naturalisation from the persons referred to by the Deputy are currently being dealt with by officials in the Citizenship section of my Department. However, as the Deputy and the applicants are aware, a difficulty arose over the identities used by the persons in question on entering the State. My officials are continuing their efforts to satisfactorily resolve this issue. I will inform both the Deputy and the applicants when the matter has been resolved.

Residency Permits.

234. **Mr. Ring** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made on the residency application for the spouse of a person (details supplied) in County Mayo. [9956/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for residency in the State on the basis of marriage to an Irish national was received from the person in question in February 2007. An acknowledgement of receipt of the application was issued on 1 March 2007.

Applications of this kind, in fairness to all other such applications, are dealt with in strict chronological order and currently take approximately twelve months to process. It should be noted that marriage to an Irish national does not confer an automatic right of residence in the State.

Road Traffic Offences.

235. **Ms Burton** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the fact that there is only one Garda allocated to monitoring speeding for the whole of the Dublin west region; if there are proposals to increase resources for monitoring speeding in the area; and if he will make a statement on the matter. [9975/07]

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 13,178 following the attestation of 273 new members on Wednesday 14 March, 2007. This compares with a total strength of 10,702 (all ranks) as at 30 June, 1997 and represents an increase of 2,476 (or over 23%) in the personnel strength of the Force during that period. The combined strength (all ranks), of both attested Gardaí and recruits in training as at 14 March, 2007 was 14,258. Furthermore, I should say that on 19 December, 2006, as part of a package of anti-crime measures, the Government approved the continuation of the existing Garda recruitment programme to achieve a total Garda strength of 15,000. The accelerated intake of approximately 1,100 new recruits per annum into the Garda College will continue until this target is met. The Garda Budget now stands at €1.4 billion, an 11% increase on 2006 and a 96% increase since 1997 in real terms.

I have also been informed by the Garda authorities that the Traffic Corps in the DMR West Division, dedicated to the enforcement of road traffic and transport legislation, is made up of one Inspector, three Sergeants and eighteen Gardaí. Members of the Regional Traffic Corps also conduct regular patrols and checkpoints in this Division.

I have been further informed by the Garda authorities that at present there are ten (10) hand-held speed detection devices allocated to the Division for use by members to detect speeding offences.

Garda Management also state that one static camera for the detection of speeding offences is located in the DMR West on the N4 at Lucan. GATSO vans are regularly allocated at various locations within this Division to detect speeding offences.

Following the enactment of the Road Traffic Act, 2006, the procurement procedure for the provision and operation of safety cameras by a service provider was initiated. I am informed by the Garda authorities that it is intended that the service provider will be required to provide all resources including personnel to collect and process all data on speeding obtained by the mobile and fixed safety cameras used. The service pro-

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vider will also be required to process data collected by the safety cameras currently operated by An Garda Síochána.

In parallel with this process, work is ongoing with the Garda Síochána and the National Roads Authority on identifying locations that either have a speed related collision history or are of a type where a higher than expected frequency of collisions may be expected to occur. Monitoring of driver speeds by the outsourced service provider will focus on these locations.

Garda Stations.

236. **Mr. Costello** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will shut down Mountjoy or Fiitzgibbon Street Garda station; and if he will make a statement on the matter. [9976/07]

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 they have made no decision regarding Fitzgibbon Street Garda Station at this stage. I should add that the formulation of proposals in relation to the opening and closing of Garda stations is a matter, in the first instance, for the Garda Commissioner in the context of the annual policing plan, as provided for in Section 22 of the Garda Síochána Act 2005.

Residency Permits.

237. **Mr. J. Higgins** asked the Tánaiste and Minister for Justice, Equality and Law Reform the reason persons (details supplied) have not yet been granted a residence permit despite the fact that such permits should be processed within six months of the application being made. [9977/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Immigration Division of my Department that the application is at the final stage of processing and as soon as a decision is reached the person concerned will be notified of same in writing.

EU Directives.

238. **Mr. Allen** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if he will make a statement on the matter. [10056/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is set out in the table. I would like to point out that there are no Directives currently overdue for transposition in my Department.

	EU Measure	Transposition date	Current position
1	Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data	05/09/2006	The transposition deadline is 6 September 2006. However this date does not apply to Ireland as this is a Schengen-related measure and therefore the deadline only applies to Schengen Member States. The Immigration and Residence Bill will, in the main, provide the legislative vehicle for implementing the provisions of this Directive. Drafting of this Bill is at an advanced stage.
2	Council Directive 2005/7/EC of 12 October 2005 relating to the specific admission procedure for third-country nationals for the purpose of scientific research	12/10/2007	Work is under way to allow for transposition into domestic legislation.
3	Council Directive 2005/85/EC of 1 December 2005, relating to the minimum standards concerning the procedure for granting and withdrawal of refugee status in the Member States	1/12/2007/12/2008 (Article 15)	Work is underway to allow for transposition into domestic legislation.
4	Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services	21/12/2007	Work is under way to allow for transposition into domestic legislation.

	EU Measure	Transposition date	Current position
5	Council Directive 2002/90/EC defining the facilitation of unauthorised entry, transit and residence	5/12/2004	The transposition date does not apply to Ireland as this is a Schengen-related measure and therefore the deadline only applies to Schengen Member States. The legislative changes required to transpose this Directive will be brought forward by means of the Criminal Justice (Miscellaneous Provisions) Bill which is expected to be published this year.
6	Council Directive 2001/40/EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals	Original deadline 2/12/2002 (No longer relevant)	The transposition date does not apply to Ireland as this is a Schengen-related measure and therefore the deadline only applies to Schengen Member States. The instrument is due to be repealed by the draft Council Directive on common standards on procedures in Member States for returning illegally staying third country nationals. Discussions on this instrument are ongoing at Council working group level.
7	Directive 2006/24/EC of 15 March 2006 of the European Parliament and Council on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC.	17/9/2007	Ireland has challenged the legal base of this Directive before the European Court of Justice.
8	Directive 2005/60/EC of the European Parliament and the Council of 26 October 2005 on the prevention of the use of financial systems for the purpose of money laundering and terrorist financing	15/12/2007	The Minister for Finance has the overall responsibility for the implementation of the Directive. However, a number of amendments to the criminal law will also arise for which my Department is responsible. Arrangements for the assessment of the legislative changes required are already in train with a view to meeting the transposition deadline.

Proposed Legislation.

239. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform when he will introduce the Criminal Justice (Trafficking in Persons and Sexual Offences) Bill; and if he will make a statement on the matter. [10088/07]

240. **Mr. Naughten** asked the Tánaiste and Minister for Justice, Equality and Law Reform when he will sign the UN Protocol on Trafficking and the Council of Europe Convention on Action against Trafficking in Human Beings; and if he will make a statement on the matter. [10089/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 239 and 240 together.

As I informed the House on 31 January the Government approved the drafting of the Criminal Law (Trafficking in Persons and Sexual Offences) Bill 2006 last July. It is at present being drafted in the Office of the Parliamentary Counsel.

The Bill is criminal law legislation which will implement the criminal law aspects of EU, UN and Council of Europe instruments on trafficking by creating offences of recruiting, transporting, transferring to another person, harbouring or knowingly arranging or facilitating:

(a) the entry into, travel within or departure from, the State of a person, or

(b) the provision of accommodation or employment in the State for that person, for the purpose of that person's exploitation. The term "exploitation" in the Bill is defined as meaning sexual or labour exploitation or the removal of a person's organs for the purpose of transplanting into another person. A copy of the draft Bill as approved by Government is available on my Department's website.

The UN Protocol to prevent and punish trafficking in persons, especially women and children, was signed by Ireland in December 2000 and I recently announced my intention to ask the Government to sign the Council of Europe Convention on Action Against Trafficking in Human Beings. I also stated that it is intended, as part of the new immigration policy framework to provide

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a clear policy statement setting out how these cases will be managed once it is established that trafficking has taken place. I would reiterate, however, that the lack of a specific legislative provision on the victims of trafficking has in no way reduced Ireland's commitment to dealing with cases sympathetically as they arise.

Garda Equipment.

241. **Mr. P. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if gardaí who are operating machinery for breath tests are required to wear gloves to prevent the possibility of cross contamination from tested persons. [10090/07]

242. **Mr. P. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform his views on the possibility of cross contamination of infections of persons who are breath tested when the garda administering the test was not wearing sterile gloves. [10091/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 241 and 242 together.

I am informed by the Garda Authorities that there is no legal, operational or manufacturer's requirement for members of An Garda Síochána operating alcometer breath-testing equipment to wear gloves. Instructions on the correct handling of mouth-pieces to avoid contamination are given as part of the specific training members of An Garda Síochána receive in the use of alcometer breath-testing equipment.

Witness Intimidation.

243. **Mr. J. O'Keefe** asked the Tánaiste and Minister for Justice, Equality and Law Reform if a process involving two-way mirrors is available for the holding of identity parades, in order that the person who may have been a rape victim or a victim of serious assault and who is identifying the offender does not have their own identity disclosed. [10092/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that formal identification parades are the main way identification of a suspect by a victim or witness is tested prior to court. Instructions issued to every member of An Garda Síochána set out how, based on established best practice and case law precedent, a parade should be conducted. At present this process does not involve a two-way mirror.

The current procedure used by An Garda Síochána was introduced following advice from the Law Officers. In order to ensure that there is no doubt as to the person the victim or witness has identified, it is necessary that a clear identifi-

cation is made. This may be done in a number of ways, including pointing to or stating the position of a person on the line-up or stating a number assigned to them. Prior to this the procedure necessitated the witness or victim placing their hand on the shoulder of the person as part of the identification process.

The conduct of identification parades generally is an issue I am reviewing at present with a view to seeing what improvements, if any, might be made, including the possibility of making the procedure less traumatic for victims or witnesses.

Visa Applications.

244. **Mr. Costello** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made on the visa application of persons (details supplied) in Dublin 7; when the passports of the applicants will be returned to them; and if he will make a statement on the matter. [10125/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand from the Immigration Division of my Department that the persons concerned have recently been granted permission to remain in the State and that the passports have been returned to them.

Coroners Service.

245. **Mr. Costello** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will honour his commitment to pay the cost of independent forensic tests in the case of a person (details supplied); and if he will make a statement on the matter. [10128/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to state at the outset that at no time was a commitment made by me to pay the costs of independent forensic tests in this case. My understanding is that agreement was reached under the auspices of the Coroner between the Garda Síochána, the Forensic Science Laboratory and solicitors for the Wheelock family to allow experts appointed by the Wheelock family to attend the Laboratory and carry out an examination of certain exhibits. A Coroner's Inquest is an independent inquisitorial process and it would have been wholly improper for me to attempt to play any role in this agreement. Consequently the agreement did not represent an implicit undertaking on the part of State to pay for the independent analysis.

However, I did offer the family an ex gratia payment for their representation as a unit at the Inquest. That offer of legal assistance was to cover costs relating to the provision of oral and written legal advice, along with representation by a solicitor or barrister at the Inquest. The offer was expressed to be subject to the then maximum Government approved rates for representation at

Tribunals of Inquiry — i.e. €800 per day for a solicitor, €744 per day for a junior counsel or €1116 per day for a senior counsel.

When the issue of payment for independent forensic analysis was raised with me by the family solicitors I gave the matter due consideration. Unlike a criminal trial an Inquest is not an adversarial process. The person who decides who gives evidence is the Coroner. I ascertained from the Coroner that he had not directed that an independent forensic analysis be commissioned and that evidence of a third party expert would not be admissible at the Inquest.

Given the nature of the process and the fact that there is already independent evidence available to the Coroner, I was not prepared to meet the costs relating to the engagement of independent experts to facilitate forensic examination where the only purpose would be to act as private advisors to Counsel as distinct from giving evidence. This decision was conveyed to the family's solicitor on the 1 August 2006.

Garda Strength.

246. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the delay in replying to Parliamentary Question No. 202 of 6 February 2007; if an urgent response can be made; and if he will make a statement on the matter. [10143/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my letter to him of 27 February 2007, issued as a follow up to Question No. 202, which sets out the information sought by the Deputy.

Citizenship Applications.

247. **Mr. Deasy** asked the Tánaiste and Minister for Justice, Equality and Law Reform the exact requirements for citizenship for an individual who is married to an Irish citizen; the length of time that person must be resident before applying for citizenship; if he can grant discretion in certain cases; and if he will make a statement on the matter. [10170/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister for Justice, Equality and Law Reform may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. In the case of a non national applicant who is the spouse of an Irish citizen those conditions are that the applicant must:

- be of full age
- be of good character
- be married to the Irish citizen for at least 3 years

- be in a marriage recognised under the laws of the State as subsisting
- be living together as husband and wife with the Irish spouse
- have had a period of one year's continuous residency in the island of Ireland immediately before the date of the application and, during the four years immediately preceding that period, have had a total residence in the island of Ireland amounting to two years.
- intend in good faith to continue to reside in the island of Ireland after naturalisation
- have made, either before a Judge of the District Court in open court or in such a manner as the Minister, for special reasons allows, a declaration in the prescribed manner, of fidelity to the nation and loyalty to the State.

Section 16 of the Irish Nationality and Citizenship Act 1956, as amended provides that I can exercise my absolute discretion to waive some or all of the statutory requirements for naturalisation in certain circumstances, e.g. where the applicant is of Irish descent or Irish associations, where the applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the Status of Refugees or where the person is the spouse of an Irish citizen or a naturalised person.

Data Protection.

248. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform if the persons arrested for drunk driving and who subsequently were not convicted have had their names removed from the Garda PULSE system as being drunk drivers in compliance with the Data Protection Act 1988. [10261/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that data entered onto PULSE, the crime recording system, is entered in compliance with the Data Protection Acts. I am further informed that incidents where required are updated and marked invalid if such be the case. If a person is not convicted in a court the result of the case is marked as non-conviction.

Visa Applications.

249. **Mr. Timmins** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to a person (details supplied) who has applied for an education visa; if this will be granted as a matter of urgency; and if he will make a statement on the matter. [10279/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was recently received

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in the Visa Office, Moscow. I am pleased to inform the Deputy that the visa application in question has been approved.

Equality Issues.

250. **Ms McManus** asked the Tánaiste and Minister for Justice, Equality and Law Reform when the national women's strategy will be implemented; and if he will make a statement on the matter. [10357/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Arrangements are being made for publication of the National Women's Strategy in the very near future.

Garda Operations.

251. **Dr. Cowley** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of people within a group (details supplied) under Garda surveillance; and if he will make a statement on the matter. [10358/07]

252. **Dr. Cowley** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of persons in County Mayo and particularly persons within a group (details supplied) who have had surveillance carried out on their telephones taking into account the legislation readily available to do so; and if he will make a statement on the matter. [10359/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 251 and 252 together.

It is not the practice and it would be contrary to the public interest to comment upon the existence or otherwise of covert Garda operational measures and associated details, if and where applicable.

Citizenship Applications.

253. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in relation to an application for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [10371/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person referred to by the Deputy applied for a certificate of naturalisation in January 2003 and I decided to refuse the application. The reason for my decision was disclosed to the individual concerned in a letter dated 10 July 2006. It is open to the person in question to submit a further application at any time provided he satisfies the relevant statutory conditions. In doing so, however, he should give due regard to my reasons for refusing the previous application.

Residency Permits.

254. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in regard to residency status in the case of a person (details supplied) in Dublin 22; and if he will make a statement on the matter. [10373/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): It is not the practice to comment in detail on individual asylum applications. As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. A final decision on this application will be made upon receipt of the decision of the Refugee Appeals Tribunal.

I am also informed by the Immigration Division of my Department that the person in question is currently the subject of a Family Reunification application submitted in October 2006. The application was forwarded to the Refugee Applications Commissioner for investigation as required under Section 18 of the Refugee Act 1996. This investigation is completed and the Commissioner has forwarded a report to my Department. This application for Family Reunification will be considered by my Department and a decision will issue in due course.

255. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in regard to residency status in the case of a person (details supplied) in Dublin 22; and if he will make a statement on the matter. [10374/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned claimed asylum in the State on 7 January 2004 and had her claim examined by the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal, following which it was recommended that she should be recognised as a refugee.

Based on this recommendation, the person concerned was advised of my decision to issue her with a formal declaration of refugee status by letter dated 16 August 2005. This communication also advised the person concerned of the rights and entitlements accompanying refugee status in the State. The person concerned continues to hold the status of refugee in the State.

Citizenship Applications.

256. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in regard to an application for naturalisation in the case of a person (details supplied) in

Dublin 22; and if he will make a statement on the matter. [10375/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am pleased to inform the Deputy that I have approved this application. The Citizenship section of my Department has written to the person concerned informing him of my decision. He has also been advised of the formalities to be completed before a certificate of naturalisation can issue. Once such matters are completed, a certificate of naturalisation will issue as soon as possible thereafter.

Residency Permits.

257. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position in regard to a residency application in the case of a person (details supplied) in Dublin 2; and if he will make a statement on the matter. [10376/07]

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.

While it is not the practice to comment in detail on individual asylum applications, I am advised that the finalisation of the case referred to by the Deputy must await the outcome of Judicial Review proceedings.

Citizenship Applications.

258. **Mr. Hayes** asked the Tánaiste and Minister for Justice, Equality and Law Reform the position regarding a person (details supplied) in County Tipperary who has applied for citizenship. [10428/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to was received in the Citizenship section of my Department in October 2006. The case was recently submitted to me for a decision as to whether it might be expedited. However, as no reason has been put forward by the Deputy which would justify the application being dealt with ahead of other applicants, I decided that it should be processed in the normal manner.

Officials in the Citizenship section are currently processing applications received in the latter half of 2004 and have approximately 10,450 applications on hand to be dealt with before that of the person in question. I will inform the Deputy and the person concerned when I have reached a decision on the application.

Closed Circuit Television Systems.

259. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform the closed circuit television schemes in Dublin 8, 10, 12 and 20 which have received or are expected to receive grant aid from his Department. [10429/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware I launched the Community Based CCTV Scheme in June 2005 in response to the demonstrated demand from local communities across Ireland for the provision of CCTV systems. This Scheme is designed to provide financial assistance to qualifying local organisations towards meeting the capital costs associated with the establishment of local community CCTV systems. This Scheme offers two types of funding:

Stage 1 offers a pre-development grant of up to €5,000 to enable qualifying applicants investigate the need for CCTV in their area and to complete a detailed proposal, for submission under Stage 2. Stage 2 is a direct Application Process for organisations who consider that they can develop and deliver a CCTV Programme immediately. It enables communities to avail of grant aid funding of up to €100,000 from this Department to install a CCTV system in their area. In addition, the Department of Community, Rural and Gaeltacht Affairs has given a commitment to provide successful applications from RAPID areas with a further grant to a maximum of €100,000 subject to the total grant-aid from both Departments not exceeding €200,000 or 100% of the capital costs of the project, whichever is the lesser.

I have been informed by Pobal, who have been engaged to administer the Scheme on behalf of my Department, that in the areas referred to by the Deputy, the following applications have been received: Dublin City Council — (Liberties Area, Oliver Bond complex) — applied for Stage 1 (pre-development grant) and received €5,000. Pobal invited all groups who received Stage 1 grants to apply for stage 2 funding. The group applied within the closing date of the end of January 2007 for stage 2 funding and Pobal are now carrying out evaluations of this and other applications received under this round of the scheme.

When the scheme was first launched, The Base, Ballyfermot and the Islamic Foundation (South Circular Road) both applied for Stage 2 funding in September, 2005. Following a thorough assessment of their applications both groups application for funding was deemed not to reach a high enough standard to be granted funding. Pobal have provided direct feedback to the unsuccessful applicants under the Scheme.

A new round of funding under the Community Based CCTV Scheme was advertised on 1 December 2006. The closing date for applications

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was 28 February 2007. I have been informed by Pobal that under this round an application for Stage 2 funding has been received from Dublin City Council (St Teresa's Gardens Youth Project). This application will be evaluated by Pobal and recommendations will be made by end May 2007.

260. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to a closed circuit television scheme being proposed for the Cleggan area of Ballyfermot; the exact sites that have been chosen for cameras; if there has been or is intended to be local public consultation on the matter; the person who will be responsible for the scheme and its monitoring; and if it is connected in any way with his Department. [10430/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Garda based CCTV Systems are a positive aid to policing and public safety and act as a deterrent to crime and public disorder. The schemes are usually located within the commercial and recreational areas of our towns and cities.

Applications for Garda CCTV systems are assessed by the CCTV Advisory Committee (a committee set up by the Garda Commissioner) on the basis of Garda operational needs and take into account the following criteria:

- crime/public order statistics in the area;
- population and level of activity there;
- the recommendation of local Garda management;
- any special circumstances/needs that exist; and
- the likely impact of a Garda CCTV system on the area.

In October, 2006, the Garda authorities sought tenders for the provision of 3 systems — Ballyfermot, Clondalkin and Tullamore. I am informed by the Garda authorities that the Ballyfermot CCTV system will be made up of eighteen cameras at the following locations:

- (1) Ballyfermot Road/Cherry Orchard Industrial Estate,
- (2) Ballyfermot Road/Clifden Road,
- (3) Ballyfermot Road/Le Fanu Road,
- (4) Ballyfermot Road/Tesco's Junction,
- (5) Decies Road/O'Hogan Road,
- (6) Decies Road/Garryowen Road,
- (7) Ballyfermot Road/Garryowen Road,
- (8) Kylemore Road/Le Fanu Road,
- (9) Ballyfermot Road/Colepark Drive,

- (10) Raheen Park/Cloverhill Road,
- (11) Kylemore Avenue/Ballyfermot Road,
- (12) Clifden Road/Clifden Drive,
- (13) Cherry Orchard Avenue/Blackditch Road,
- (14) Claddagh Green Shopping Area,
- (15) Sarsfield Road/St. Lawrences Road,
- (16) Kylemore Road/Labre Park,
- (17) Cleggan Park/Drumfinn Avenue,
- (18) Kennelsforth Road/Old Lucan Road.

Details of the proposed installation were advertised in the national newspapers and in accordance with normal planning processes are available for inspection at Ballyfermot Garda Station, Dublin City Council Planning Department Wood Quay and Garda Headquarters Phoenix Park.

The scheme is under the control of the local Garda District Officer and will be monitored in Ballyfermot Garda Station.

261. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the erection of a closed circuit television scheme in the Lisadell area of Drimnagh; if there was local public consultation on the matter; the person who is responsible for the scheme and its monitoring; and if it is connected in any way with his Department. [10431/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy may be aware I launched the Community Based CCTV Scheme in June 2005 in response to the demonstrated demand from local communities across Ireland for the provision of CCTV systems. This Scheme is designed to provide financial assistance to qualifying local organisations towards meeting the capital costs associated with the establishment of local community CCTV systems. Pobal have been engaged to administer the Scheme on behalf of my Department. Grant aid funding of up to €100,000 is available from my Department with the Department of Community, Rural and Gaeltacht Affairs providing matching funds for successful applications from RAPID areas.

I have been informed by the Garda authorities that the CCTV System referred to by the Deputy is not a Garda CCTV System. I have also been informed by Pobal that no application for funding under the Community Based CCTV Scheme has been received from any group/organisation in the Lisadell area of Drimnagh.

Asylum Applications.

262. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a determination will be made in the

appeal by a person (details supplied) in Dublin 2; and if the applicant has been communicated with to ensure that they are familiar with the way the asylum process works. [10432/07]

263. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the hunger strike of a person (details supplied) in Dublin 2 whose frustration with the slow progress of their application has led them to taking this action; and if he will arrange for officials from his Department to meet with the applicant to reassure him that their appeal against refusal for asylum will receive due regard when it is being considered; and if he will indicate to them the timeframe for their appeal. [10433/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 262 and 263 together.

It is not the practice to comment in detail on individual asylum applications and I do not propose to do so in this case. As the Deputy will be aware, applications for refugee status in the State are determined by an independent process within the framework of the Refugee Act, 1996 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.

Applicants are provided with comprehensive information material on the asylum process. In addition, applicants who appeal to the Refugee Appeals Tribunal have the opportunity to submit detailed grounds of appeal and are provided with information material on the appeals process. Applicants also have access to legal advice at all stages of the asylum process provided by the Refugee Legal Service. A final decision will be made on receipt of the decision of the Refugee Appeals Tribunal.

Residency Permits.

264. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Justice, Equality and Law Reform the status of the application for the right to remain by a person (details supplied) in Dublin 8 which had previously been granted on a temporary basis on 19 November 2003. [10434/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The persons in question entered the state on 18 September 1999 and applied for asylum. They were unsuccessful in their claim at initial stage with the Office of the Refugee Applications Commissioner and at appeal before the Refugee Appeals Tribunal, both of which are statutory independent bodies. They were informed of the decision to refuse to grant them refugee status by the Minister on 01/05/2002.

These applicants challenged the decision through the medium of judicial review on three separate occasions. This delayed finalising their case. Their request to remain in the state is being considered at present. I expect their file to be submitted to me for my decision in due course.

Official Engagements.

265. **Mr. J. O’Keeffe** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he will provide a list of each of the occasions he has visited each of the prisons in the State since he became Minister. [10449/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is contained in the table.

Prison	Date Visited
St. Patricks Institution	03/07/2002
Portlaoise Prison	17/02/2003
Wheatfield	21/06/2002 12/11/2004
Castlerea	19/01/2006
Limerick	20/10/2006
Mountjoy Complex	24/07/2003
Cork	29/04/2003
Spike Island	05/04/2004
Cloverhill	21/06/2002 12/07/2004 12/11/2004 05/12/2005
Shelton Abbey	09/02/2007

Garda Operations.

266. **Mr. Gregory** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to a matter (details supplied); if he will ask the Garda Commissioner to ensure that no repetition of these events is allowed to happen in 2007 or in future years; and if he will make a statement on the matter. [10467/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Policing arrangements for public events and in locations generally, along with the allocation of Garda resources, are a matter for the Garda Commissioner. Where such events take place the Garda authorities work closely with local residents in order to avoid as far as possible disruption to local communities.

I am informed by the Garda authorities that an extensive policing plan, covering the area referred to, is put in place by local Garda management for every event held at the venue in question. As part of this plan members of An Garda Síochána are detailed for duty on the main

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thoroughfares and at licensed premises surrounding the venue. Specific areas which have been identified as prone to incidents of public disorder or anti-social behaviour are the subject of particular Garda attention in order to ensure a concentrated and visible Garda presence. Dedicated public order patrols are also on duty in the surrounding areas and proactively target the types of incidents referred to by the Deputy.

I understand that local Garda management is aware of the specific complaints referred to by the Deputy. The area referred to is closely monitored by the Garda authorities and is subject to regular Garda patrols by uniform and plain-clothes personnel on the days where events are held at the venue referred to. Members of the local Community Policing Unit attend community meetings and record and report to local Garda management any concerns or issues from local residents which may have occurred when events take place. The Garda authorities take account of concerns expressed and policing plans for future events are amended accordingly. I am assured by the Garda authorities that they will continue to give the matter their ongoing attention.

Juvenile Offenders.

267. **Mr. Curran** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of young people taking part in the Garda youth diversion project in Clondalkin and Lucan; and if he will make a statement on the matter. [10485/07]

268. **Mr. Curran** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of young people from Clondalkin and Lucan referred to the juvenile diversion programme for the years 2004, 2005, 2006 and to date in 2007; and if he will make a statement on the matter. [10486/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 267 and 268 together.

Garda Youth Diversion Projects are community-based, multi-agency crime prevention initiatives which seek to divert young people from becoming involved (or further involved) in anti-social and/or criminal behaviour by providing suitable activities to facilitate personal development, and promote civic responsibility and improve long-term employability prospects. By doing so, the projects also contribute to improving the quality of life within communities and enhancing Garda/community relations.

There are currently 84 Garda Youth Diversion Projects funded and administered through the Community Relations Section of An Garda Síochána. The allocation of funding for the these Projects (along with 7 Local Drug Task Force Projects) in 2007 is just over €9.8 million, which

is an increase of 48% on 2006. It is my intention to ensure that 100 projects will be established nationwide before the end of 2007. The projects are particularly targeted at 10-18 year old “at risk” youths in communities where a specific need has been identified.

I am informed by the Garda Authorities that there is a total of five Garda Youth Diversion Projects operating in the areas of Clondalkin/Lucan/Ballyfermot. There are currently 178 young people taking part in these projects. In addition to the Garda Youth Diversion Projects, the Garda Juvenile Diversion Programme provides an opportunity to divert juvenile offenders from criminal activity. It operates on a nationwide basis under the supervision and direction of the Garda National Juvenile Office, Harcourt Square, Dublin 2. The Programme provides that, in certain circumstances, a young person under 18 years of age, who freely accepts responsibility for a criminal incident, may be cautioned as an alternative to prosecution.

I have been informed by the Garda authorities, who are responsible for the operation of the Programme that the number of young people from the Clondalkin and Lucan areas referred to the juvenile diversion programme for the years 2004, 2005, 2006 and to date in 2007 are as follows:

Year	Total
2004	319
2005	389
2006	499
2007 to date	82

Residency Permits.

269. **Mr. M. Higgins** asked the Tánaiste and Minister for Justice, Equality and Law Reform the status regarding the case of a person (details supplied) seeking Irish residence; and if he will make a statement on the matter. [10487/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question was granted permission to remain in the State under the revised arrangements for parents of Irish children born prior to 1 January 2005, commonly referred to as the IBC/05 scheme. A letter granting permission to remain in the State for two years issued on 13 September 2005.

Advertisements inviting applications for renewal of permission to remain granted under the IBC/05 scheme were placed in National Newspapers on 31 January 2007. It is open to the person in question to submit an application for consideration to my Department. Details of the Scheme and the renewals process can be found on my Department’s website (www.justice.ie).

Decentralisation Programme.

270. **Ms Shortall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of civil servants in his Department that have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if he will make a statement on the matter. [10533/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Under my Department's Decentralisation Programme, around nine hundred posts are scheduled to transfer from twelve agencies to seven locations around the country. To date, one hundred and thirteen civil servants from within my Department have been re-assigned to provincial locations. By the second half of this year, we will have a presence in all seven locations when over four hundred posts will have moved. This will account for 46% of my Department's overall target with three years of the programme still to run.

During this phase of my Department's programme, thirteen people have transferred from a non-Dublin office for training, spending on average eight weeks in Dublin for that purpose. The information sought by the Deputy in respect of staff who transferred prior to their decentralisation assignment cannot be compiled without the usage of a disproportionate amount of staff resources which would not be warranted.

Proposed Legislation.

271. **Mr. Morgan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he plans to amend equality legislation to prevent discrimination on grounds (details supplied). [8556/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Employment Equality Acts 1998 and 2004 and the Equal Status Acts, 2000 to 2004 prohibit direct and indirect discrimination in the area of employment and in the provision of goods and services respectively, on nine grounds. These grounds are gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community.

The Employment Equality Act 1998, as amended by the Equality Act 2004, deals comprehensively with all areas relevant to employment, including access to employment, conditions of employment, remuneration, promotion and vocational training. This Act provides for a review of its operation with a view to assessing whether there is need to add to the discriminatory grounds set out in the Act.

This review commenced in 2001 and included a Round Table conference involving the social partners, relevant Government Departments, the Equality Authority, the Equality Tribunal and the Labour Court. It was argued by some interest groups that the Employment Equality Act should be amended to include the following new grounds socio-economic status (including social origin), trade union membership, criminal conviction/ex-prisoner/ex-offender and political opinion. It was also acknowledged, however, that the legislation, which has led to new challenges for enforcement bodies, employers and Government, is relatively new and that the practical implications of extending its scope to include the proposed new grounds would require detailed examination and debate. As part of the process UCC Law Department was commissioned to carry out a comparative review of the international experience of employment legislation prohibiting discrimination on some of the grounds suggested. Following completion of this review Government has decided not to add to the existing nine grounds contained in the Employment Equality Act.

The Equal Status Act 2000 also provides for a review of its operation to assess whether there is need to add to the discriminatory grounds covered by the Act. This review, which is a commitment under the Programme for Government and had been postponed pending completion of the review of the operation of the Employment Equality Acts, will now commence in April 2007 with a view to finalising a recommendation to Government in September 2007.

The Deputy will note that the list of grounds on which discrimination is outlawed already includes race, ethnic origin, nationality, colour, gender, sexual orientation, disability, age, marital status, family status, religious belief and membership of the Traveller community.

272. **Mr. Morgan** asked the Tánaiste and Minister for Justice, Equality and Law Reform if he plans to initiate legislation to ratify Optional Protocol 12 of the European Convention on Human Rights in order to provide a full guarantee of workers' fundamental right to freedom from discrimination. [8555/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): My Department is considering, in consultation with other Departments, the legal and policy implications of ratification. The Government will consider whether or not to ratify based on a thorough review of the implications.

Departmental Communications.

273. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the services and facilities available to persons with a hearing disability who wish to phone his Depart-

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ment; and if he will make a statement on the matter. [10956/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): In keeping with the principles contained in my Department's Customer Charter and the requirements of the Disability Act, my Department endeavours to ensure, insofar as is practicable, that information provided orally is also available in an accessible format where required by persons with a hearing impairment.

An internal advisory group monitors the provision of services to persons with a disability and an Access Officer has also been appointed to assist in identifying and meeting particular needs in this field. Insofar as oral communication is concerned, and taking into account the inherent limitations of telephone services in assisting persons with a hearing impairment, the Department's policy emphasises the use of alternative two-way communication formats, especially email, as well as the provision in a written format of information which might otherwise be sought orally. In this latter regard, a major project to enhance the content and accessibility of the Department's website is currently at an advanced stage. Particular emphasis will be placed on making available comprehensive FAQ and Application Forms sections on the website, so as to reduce the necessity to make oral contact with the Department for routine enquiries or information requests. The Department has also been introducing loop systems in its key buildings in order to make communication easier and will continue to monitor the best means of meeting the needs of this particular group of customers.

Disabled Drivers.

274. **Ms Harkin** asked the Minister for Finance if there is flexibility in the medical criteria for a person (details supplied) in County Roscommon to receive a primary medical certificate under the Disabled Drivers (Tax Concessions) Regulations, 1994. [9574/07]

Minister for Finance (Mr. Cowen): The Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme provides relief from VAT and VRT (up to certain limit) on the purchase of a car adapted for the transport of a person with specific severe and permanent physical disabilities, as well as relief from excise on the fuel used in the car up to a certain limit.

The disability criteria for eligibility for the tax concessions under this scheme are set out in the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994. To get the Primary Medical Certificate, an applicant must be severely and permanently disabled and satisfy one of the following conditions:

(a) be wholly or almost wholly without the use of both legs;

(b) be wholly without the use of one leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the lower limbs;

(c) be without both hands or without both arms;

(d) be without one or both legs;

(e) be wholly or almost wholly without the use of both hands or arms and wholly or almost wholly without the use of one leg;

(f) have the medical condition of dwarfism and have serious difficulties of movement of the lower limbs.

A special Interdepartmental Review Group reviewed the operation of the Disabled Drivers Scheme. The terms of reference of the Group were to examine the operation of the existing scheme, including the difficulties experienced by the various groups and individuals involved with it, and to consider the feasibility of alternative schemes, with a view to assisting the Minister for Finance in determining the future direction of the scheme.

The Group's Report, published on my Department's website in July 2004, sets out in detail the genesis and development of the scheme. It examines the current benefits, the qualifying medical criteria, the Exchequer costs, relationship with other schemes and similar schemes in other countries. The Report also makes a number of recommendations, both immediate and long-term, referring respectively to the operation of the appeals process and options for the future development of the scheme.

In respect of the long-term recommendations, including the qualifying disability criteria, given the scale and scope of the scheme, further changes can only be made after careful consideration. For this reason, the Government decided that the Minister for Finance would consider the recommendations contained in the Report of the Interdepartmental Review Group in the context of the annual budgetary process having regard to the existing and prospective cost of the scheme. This consideration is undertaken on a regular basis.

I understand the person concerned has appealed the decision to refuse them a Primary Medical Certificate, to the Disabled Drivers Medical Board of Appeal. The Medical Board of Appeal is independent in the exercise of its functions. Queries in respect of the appeal should be addressed by the person concerned to the Secretary to the Board, Disabled Drivers Medical Board of Appeal, c/o National Rehabilitation Hospital, Rochestown Avenue, Dún Laoghaire, County Dublin, Ph: 01-2355279.

Tax Code.

275. **Ms B. Moynihan-Cronin** asked the Minister for Finance if his Department has plans to extend the VAT exemption, which is currently available to fishermen who own boats of 15 tons and over, to smaller fishermen; and if he will make a statement on the matter. [9739/07]

Minister for Finance (Mr. Cowen): I presume the Deputy is seeking an extension to sea-fishing boats of 15 tons or less of the zero-rating that applies to the supply, modification, repair and maintenance and hiring of such boats that are over 15 tons. The position is that the VAT regime and indeed the rating of all goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. Under EU VAT law we are precluded from extending the zero VAT rating regime. However, VAT registered fishermen can claim recovery of VAT suffered on boats of 15 tons or less and on their other business inputs in the normal way on their VAT returns.

An unregistered fisherman may claim repayment of any VAT incurred on the purchase, intra-Community acquisition, importation, hire, maintenance and repair of sea-fishing vessels of a gross tonnage of not more than 15 tons, provided the fishing vessel concerned has been the subject of a grant or loan from An Bord Iascaigh Mhara. In addition, unregistered fisherman may claim repayment of VAT on the purchase, intra-Community acquisition, importation, hire, maintenance and repair of specified fishing equipment for use in such vessels. The following are specified fishing equipment: anchors, autopilots, bilge and deck pumps, buoys and floats, compasses, cranes, echo graphs, echo sounders, electrical generating sets, fish boxes, fish finders, fishing baskets, life boats and life rafts, marine lights, marine engines, net drums, net hauliers, net sounders, radar apparatus, radio navigational aid apparatus, radio telephones, refrigeration plant, trawl doors, trawl gallows and winches.

Application for repayments by unregistered fishermen should be made on Form VAT 58A to the Central Repayments Office, Revenue Commissioners, The Plantation, Monaghan (Telephone. 047-81425). Applications for repayment must be submitted within four years from the end of the taxable period to which the claim relates.

Garda Stations.

276. **Mr. J. O'Keeffe** asked the Minister for Finance if he will sanction the proposals to commence the redevelopment of the old derelict Garda station at Dunmanway, County Cork. [10093/07]

319. **Mr. J. O'Keeffe** asked the Minister for Finance if he will confirm that all outstanding

issues, including confirmation of title and otherwise have been cleared up in relation to the Garda station at Dunmanway, County Cork and that the long promised upgrading of the station will now proceed. [10086/07]

Minister of State at the Department of Finance (Mr. Parlon): I propose to take Questions Nos. 276 and 319 together.

The Commissioners of Public Works have agreed terms with the vendors for the purchase of a strip of land to the rear of Dunmanway Garda Station. The Chief State Solicitor awaits confirmation of title from the vendor's solicitors. It is essential that contracts be signed in advance of any redevelopment of the existing Garda Station. The Commissioners of Public Works have also advertised both nationally and locally for a greenfield site in Dunmanway. The closing date for receipt of proposals is 30th March 2007.

Disabled Drivers.

277. **Mr. Kehoe** asked the Minister for Finance the relationship there must be between a person in receipt of a primary medical certificate and the person availing of the relief when purchasing a vehicle; and if he will make a statement on the matter. [10260/07]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that a person claiming for relief of taxes under The Disabled Drivers and the Disabled Passengers [Tax Concessions] Regulations 1994 on behalf of a person in possession of a Primary Medical Certificate must be a family member of the said person. While the direct relationship between the driver and the disabled person is not defined by law the Commissioners consider each case on its merits and take a sensitive approach in coming to a decision regarding eligibility. Explanatory Leaflet VRT 7 contains details of the Tax Relief Scheme for People with Disabilities. It is available on the Revenue website at www.revenue.ie

Flood Relief.

278. **Mr. Durkan** asked the Minister for Finance if he will directly or through Kildare County Council address the issue of the retaining wall at Captain's Hill, Leixlip, County Kildare built in compliance with conditions set out through the Planning and Development Act 2000 and now the cause of flooding and a potential danger to nearby residents in Dun Carraig; if he will take appropriate action to address the issue; and if he will make a statement on the matter. [10548/07]

Minister of State at the Department of Finance (Mr. Parlon): The Office of Public Works and Kildare County Council have agreed a programme of works to alleviate flooding on the Silleachain River at Mill Lane and on the Rye River including the Dun Carraig estate. The outline

[Mr. Parlon.]

design for these proposals is currently being considered for planning approval in accordance with Part 8 of the planning and development regulations and it is envisaged that subject to approval, agreement by all affected parties and adherence to a tight framework, construction will commence on flood alleviation measures for the Leixlip area in early summer of this year.

I am advised that the retaining wall at Captain's Hill, while it may be contributing to surface water drainage problems in the area is not a factor in flooding from the Rye River, which the proposed works are intended to address.

Public Service Charges.

279. **Caoimhghín Ó Caoláin** asked the Minister for Finance if he will initiate a review of user fees and service charges for essential public services to examine their impact on low income families with a view to bringing forward proposals to reduce the proportion of funding of public services which comes from charges to members of the public who utilise such services. [10455/07]

Minister for Finance (Mr. Cowen): The level at which user fees and service charges, and where appropriate waiver schemes, are applied is primarily a matter for each relevant Department and public body to determine, in accordance with the statutory, administrative and regulatory frameworks that may apply in each case having regard to the nature of the service. The Deputy should raise the matter with the relevant Minister.

Decentralisation Programme.

280. **Mr. P. McGrath** asked the Minister for Finance if a site has been identified for the decentralisation of the Department of Education and Science to Mullingar; if the contract has been awarded; if so, when the contract was awarded; the site chosen; the time frame for works on this site; when the Department is due to take up residency in Mullingar; and if he will make a statement on the matter. [9403/07]

Minister of State at the Department of Finance (Mr. Parlon): Terms have been agreed on a suitable site in Mullingar. Contracts for sale are being processed by the Chief State Solicitor.

An advertisement was placed by the Office of Public Works (OPW) in the national newspapers and in the Official Journal of the European Union seeking Expressions of Interest from experienced developers/contractors who wished to be considered in connection with the provision of office accommodation for the Department of Education and Science in Mullingar. This is part of a major PPP project which also involves the provision of office accommodation for the Department of Enterprise, Trade and Employ-

ment in Carlow and the Department of Agriculture and Food in Portlaoise. The project will be procured on a Design/Build/Finance/Maintain basis and a single contract will be placed covering the three buildings. Financial advice is being provided to the OPW by the National Development Finance Agency.

Evaluation of the Expressions of Interest received has now been completed and a short-list of developers/contractors has been identified from whom tenders will be invited in the very near future. When selected, it will be a matter for the preferred tenderer to secure a satisfactory planning permission in respect of each of the locations. On receipt of satisfactory planning permissions, the preferred tenderer will be instructed to prepare working drawings, specifications and Bills of Quantities with a view to a contract being placed and construction work commencing on the three sites. All going well, construction is expected to be completed in early 2009.

Garda Stations.

281. **Mr. McEllistrim** asked the Minister for Finance when the proposed long overdue building for Castleisland Garda station will be finally expedited; and if he will make a statement on the matter. [9430/07]

Minister of State at the Department of Finance (Mr. Parlon): A revised sketch scheme incorporating the many changes requested by the gardaí in respect of the proposed new Area Headquarters at Castleisland will be forwarded to the Garda Authorities next week. On receipt of approval of the revised sketch scheme a Part 9 planning process will be initiated.

Question No. 282 answered with Question No. 156.

Services for People with Disabilities.

283. **Mr. Deenihan** asked the Minister for Finance if a recent audit has been carried out on all public buildings, to ensure that they are fitted with appropriate equipment for deaf people, including counter loops, flashing light fire alarms and so on; and if he will make a statement on the matter. [9480/07]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works have advised that, in respect of public buildings in their care, access audits are carried out on an ongoing basis. Audio Frequency Induction Loop Systems are being installed at all reception and meeting room facilities as part of the OPW's Universal Access Programme. Visual alarm systems are being installed where required when alarm systems are replaced or upgraded.

Tax Code.

284. **Mr. Penrose** asked the Minister for Finance the steps he will take to have an application for the tax credits by a person (details supplied) dealt with as quickly as possible; and if he will make a statement on the matter. [9494/07]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the certificate of tax credits and standard rate cut-off point has already issued to the named individual and his employer. The named individual contacted Revenue on 19 February regarding his tax credit certificate. His request was dealt with and a certificate issued on 5 March. It emerged that one allowance was not included on this and a further certificate issued on 7 March.

Garda Stations.

285. **Mr. Allen** asked the Minister for Finance the number of sites identified in the Glanmire area of County Cork for the development of a new Garda station; when a decision will be made to identify a specific site for the development of the new station; and when planning will commence for that station. [9505/07]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works recently received 8 proposals following an advertisement placed both locally and nationally for a site for a new Garda Station in Glanmire. It is expected that an architectural assessment will take place soon. Should one of the sites be found to be suitable, the acquisition process will commence immediately. Design work on the new station will commence soon thereafter.

Tax Code.

286. **Mr. Carey** asked the Minister for Finance if he will address an apparent tax anomaly whereby a person (details supplied) in Dublin 11 who is outside the tax net is unable to claim a refund on medical and other expenses; and if he will make a statement on the matter. [9509/07]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that as the person's tax credits are sufficient to cover the tax due on her total income, she has no liability to tax. Under the provisions of sections 469 of the Taxes Consolidation Act 1997 (relief for health expenses), refunds can only be made in respect of health expenses where there is tax available to repay. As the person in question did not pay any tax, there is no tax available to refund to her.

Social Welfare Benefits.

287. **Ms Burton** asked the Minister for Finance if there are proposals to take account of inflation and conduct a review of the payment for children aged under six announced in budget 2006; and if

he will make a statement on the matter. [9527/07]

Minister for Finance (Mr. Cowen): In the normal course of events, the practice is to review various payment support arrangements, such as the Early Childcare Supplement, in the run up to the annual Estimates and Budget, taking account of all relevant factors such as inflation and other changing circumstances.

Tax Code.

288. **Ms Burton** asked the Minister for Finance the percentage of a matured SSIA that is deducted in exit tax; if there are special arrangements for pensioners who are on low incomes that fall well below the tax bracket; if such persons have to pay the exit tax; and if he will make a statement on the matter. [9528/07]

Minister for Finance (Mr. Cowen): The SSIA scheme was introduced in the 2001 Finance Act and gives a credit to all SSIA investors of 25%, or €1 for every €4 saved. The aim of the SSIA scheme was to encourage savings. This aim has been successfully achieved with over 1.1 million persons availing of the special scheme.

The exit tax on matured SSIA accounts is calculated at 23% of the gain or interest earned on the account over the 5 year period. For illustrative purposes, where a person has received interest on an SSIA account that amounts to 10% of their overall savings, the exit tax liable on the account at maturity would amount to around 2% of total funds in the account. In contrast, the Government top-up on SSIA accounts amounts to 25% of savings. In this respect, although all SSIA accounts are subject to an exit tax, it should be noted that the SSIA scheme represented a very good deal for all of those taking it up.

It is widely acknowledged that one of the reasons for the success of the SSIA scheme was its simplicity. It was clearly stated from the very outset that the SSIA investment returns would be subject to a 23% exit tax at maturity with no exemptions for anyone. I have no plans to change this.

Tax Clearance Certificates.

289. **Mr. Carey** asked the Minister for Finance if he will make arrangements for the application of a person (details supplied) in Dublin 11 for a tax clearance certificate to be expedited; and if he will make a statement on the matter. [9558/07]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that the person's application for a tax clearance certificate was received on 2 February 2007. Unfortunately, there was a delay in processing the application and this is very much regretted. The certificate issued on 7 March 2007.

Departmental Projects.

290. **Cecilia Keaveney** asked the Minister for Finance when works will commence on a project (details supplied) in County Donegal; and if he will make a statement on the matter. [9562/07]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works are scheduled to invite tenders in April 2007. Subject to satisfactory outcome from the tender process, it is expected that a contract will be placed in June 2007 with work commencing on site in early July 2007.

Departmental Properties.

291. **Mr. Hogan** asked the Minister for Finance if he will clarify the tendering arrangements for the recent erection of signage for the Government offices at Carrick-on-Shannon, County Leitrim; if companies in Northern Ireland and the Republic of Ireland were asked to tender; the outcome of the tender; and if he will make a statement on the matter. [9572/07]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works have informed me that they have leased a fully fitted out building for the Department of Social & Family Affairs in Carrick-on-Shannon. Accordingly, the issue of signage, including the erection thereof, is a matter for the landlord.

Flood Relief.

292. **Mr. Ring** asked the Minister for Finance if a canal (details supplied) in County Mayo can be repaired and cleaned as it is causing flooding problems. [9630/07]

Minister of State at the Department of Finance (Mr. Parlon): The canal in question does not form part of any Drainage Scheme for which the Commissioners of Public Works have a maintenance responsibility under the Arterial Drainage Act, 1945. The Office of Public Works will not, therefore, be carrying out any works on the waterway.

Site Acquisitions.

293. **Mr. Howlin** asked the Minister for Finance if the site for the new Garda headquarters in Wexford town is in public ownership; the price paid for the site; when the transfer to the State was effected; when a contract for construction will be signed; when construction will be completed; and if he will make a statement on the matter. [9631/07]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works expect to finalise the acquisition of a site at Roxborough for Wexford Garda Station in the coming weeks. It would be inappropriate to dis-

close the purchase price before the legal formalities have been completed.

A sketch scheme is in preparation for the new Divisional Headquarters. On approval of the sketch scheme by the Garda Authorities, a Part 9 planning consultation will be initiated. Allowing for the completion of the planning process, the tender documents and the procurement process, it is expected that construction would commence within twelve months.

Tax Code.

294. **Ms Shortall** asked the Minister for Finance the tax implications, including stamp duty and capital acquisitions tax, for a first-time buyer and their parent if their parent purchases a home or a substantial portion of the home for the first-time buyer; and if he will make a statement on the matter. [9676/07]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the tax implications, where a parent of a first-time buyer is involved in the purchase of a home for the first-time buyer, will depend on the nature of the parent's involvement in the purchase. I will deal with the different taxes in turn.

Stamp Duty

Where the parent makes a cash gift to a child of all or part of the purchase monies to enable the child to purchase a house, there is no stamp duty liability on this gift. The stamp duty relief for first-time buyers would apply where the monies gifted are used by the child in purchasing a house in his own name provided the child had not previously purchased or received a gift of another house.

Where a house is purchased by a parent and subsequently gifted to a child who is a first-time buyer, a liability to stamp duty would arise in the first place on the purchase of the house by the parent. The subsequent gift of the house by the parent to the child would qualify for first-time buyer relief where the child had not previously purchased or received a gift of another house.

Where a house is purchased in the joint names of a parent and a child, the first-time buyer relief is only available where each of the purchasers is a first-time buyer. Therefore, the relief would not be available where the parent had previously purchased another house.

Capital Acquisitions Tax (Gift and Inheritance Tax)

Whether gift tax arises when a parent purchases a home or a substantial portion of the home for a child depends on the circumstances. The Finance Act 2000 introduced a package of measures specifically designed to reduce the impact of gift/inheritance tax for certain dwelling houses. The purpose of this exemption was to benefit individuals who had been living in a house

for a period prior to taking the benefit, either by way of gift or inheritance. The main conditions attaching to the exemption are that the beneficiary of the dwelling house must have resided in the house for a minimum of 3 years prior to the gift/inheritance and must not have an interest in any other dwelling house. Also, the recipient or recipients must continue to occupy that dwelling house as his/her only or main residence for a period of 6 years commencing on the date of the gift/inheritance. Therefore, a parent can purchase a home or portion of a home in the parent's own name and subsequently transfer that home or their interest in that home to the child and, if the child, at the date of the transfer of the home to them, satisfies the above conditions, the transfer of the home to the child is exempt from Capital Acquisitions Tax.

If this exemption does not apply, depending on the circumstances of the case, then the normal Capital Acquisitions Tax computational rules set out below will apply to the gift of the dwelling house or alternatively to the gift of any purchase monies gifted to the child to enable the child to purchase the property directly in the child's own name in the first instance.

For the purpose of both Gift and Inheritance Tax, the relationship between the person who provides the gift or inheritance (i.e. the disponer) and the person who receives the gift or inheritance (i.e. the beneficiary), determines the maximum tax-free threshold—known as the “Group threshold”.

The indexed Group threshold applying to a gift or inheritance received by a child from their parents is the Group A threshold and for 2007 this Group A threshold is €496,824.

Any other gifts/inheritances that might have been received by the beneficiary from within the same Group A threshold (i.e. from parents) since 5 December 1991 will also be taken into account when applying the threshold for the purposes of calculating the gift/inheritance tax. If the total value of all gifts and inheritances received by the beneficiary since this date from within this Group is above the threshold figure of €496,824, then a 20% rate of gift/inheritance tax will apply on the difference.

Capital gains tax (CGT)

CGT is chargeable on a transfer of ownership in an asset whether by way of sale, gift or otherwise. Cash is not an asset for CGT purposes. The subsequent disposal by a parent of a house or an interest in a house, which was purchased for a child, whether by way of a transfer to that child or a sale to a third party, is a chargeable event for CGT purposes. To the extent that the gain is attributable to the parent, main residence relief wouldn't apply. Where the house is wholly or partially owned by the child, any gain attributable to the child on a sale would be exempt from CGT provided he/she occupied the house as an only or

main residence throughout the period of ownership or occupied it to within 12 months of sale.

295. **Mr. Carey** asked the Minister for Finance the course open to a person (details supplied) in Dublin 11 who has incurred significant medical and other expenses in respect of which, were they in the tax net, they could apply for a tax refund, but as their wages are too low this course of action is not open to them; and if he will make a statement on the matter. [9752/07]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that as the person's tax credits are sufficient to cover the tax due on her total income, she has no liability to tax. Under the provisions of sections 469 of the Taxes Consolidation Act 1997 (relief for health expenses), refunds can only be made in respect of health expenses where there is tax available to repay. As the person in question did not pay any tax, there is no tax available to refund to her.

Question No. 296 answered with Question No. 121.

297. **Mr. Gregory** asked the Minister for Finance if there is a second charge on persons who cancel credit cards; and if he will review this inequitable double taxation in the one year. [9755/07]

Minister for Finance (Mr. Cowen): A person who holds a credit card account with a credit card provider pays stamp duty on that credit card account once for each 12 month period ending on 1 April each year. Where a person cancels a credit card account within a 12 month period he/she pays the charge at the time of cancellation. This means that, in respect of any credit card account, an individual will only pay once for the year ending on the following 1 April. Where the individual closes a credit card after 1 April in any year, a stamp duty charge of €40 will arise, as the account has been maintained by the financial institution during the year ending on the following 1 April. This is consistent with applying a stamp duty charge for a year or part of a year for which the credit card account is held.

However, Section 128 of the Finance Act 2005 contained measures to eliminate a double stamp duty charge for the same year on the switching of financial cards. Where a credit card account is closed in the tax year the financial institution will issue a Letter of Closure to the holder of the account stating that the stamp duty has been paid for that year. Where the individual opens a new credit card account at any point in that tax year, the new financial institution, upon receipt of the Letter of Closure, will provide that the stamp duty on the new credit card, normally charged in the following April, will not be applied.

Departmental Expenditure.

298. **Mr. Eamon Ryan** asked the Minister for Finance the amount his Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if he will make a statement on the matter. [9775/07]

Minister for Finance (Mr. Cowen): The amount paid from my Department's Vote in 2006 in respect of car mileage expenses was €185,327.48; the amount paid to cover rail and bus ticket expenses in the same period was €16,462.78.

Tax Code.

299. **Mr. Kehoe** asked the Minister for Finance his views on allowing tax relief for individuals or businesses who donate money towards the care of children with special needs; and if he will make a statement on the matter. [9815/07]

Minister for Finance (Mr. Cowen): As the Deputy may be aware, under Section 848A of the Taxes Consolidation Act 1997, tax relief is available on donations to eligible charities and other approved bodies, including bodies which come under the category "Advancement of Education". Any school teaching children with special needs, for example, would be entitled to apply to the Revenue Commissioners for charitable tax exemption.

The minimum qualifying donation for relief purposes to an eligible charity or approved body is €250 per annum and there is no upper limit on the amount which can be donated. Donations for any one year can be on a cumulative basis. Thus, a weekly donation of €5 per week can qualify for the relief. The relief on the donation is at an individual's marginal rate of tax. The arrangements for allowing tax relief on donations depends on whether the donor is a PAYE taxpayer or an individual on self-assessment or a company. For a PAYE taxpayer, the relief is given at the donor's marginal rate of income tax and is given on a grossed-up basis to the charity. This means the tax refund goes to the charity. In the case of a donation made by an individual who is self-assessed, the individual claims the relief and there is no grossing-up arrangement. Similarly, in the case of companies, they can claim deductions for donations as if they were a trading expense. In Budget 2006 I extended the scheme to cover the donation of publicly quoted securities.

Given the existing donations schemes, I have no plans to introduce any special tax reliefs for donations towards the care of children with special needs. I would point out, however, that in recent years the Government has increased significantly the supports available through the direct expenditure system for children with disabilities.

Departmental Expenditure.

300. **Mr. G. Mitchell** asked the Minister for Finance the cost of energy used running his Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and his plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9824/07]

Minister for Finance (Mr. Cowen): The cost of energy paid by my Department in 2002 was €297,609.00 and the cost for 2006 was €384,243.62. The quantities of energy used are not readily identifiable, as a large element of the Department's energy costs are billed on a shared basis with other departments/offices.

The Office of Public Works has invested in an energy monitoring and targeting system which is being rolled out to all of its larger buildings, and will in due course be installed in offices occupied by my Department. This will allow for the identification of energy savings and enable these savings to be continued on an ongoing basis.

The Office of Public Works is also currently undertaking a pilot scheme, to put an energy conservation programme in place in a number of selected State buildings. It is expected that this programme will be implemented for the principal offices of my Department in the current year.

A new building, to be occupied by staff of my Department, currently under construction, has been designed with energy conservation in mind, and will allow for significant savings in energy consumption by the Department.

Tax Code.

301. **Mr. Eamon Ryan** asked the Minister for Finance if there is a system of monitoring within his Department to assess the performance of companies participating in the business expansion scheme. [8563/07]

303. **Mr. Eamon Ryan** asked the Minister for Finance the methodology used for the 2006 survey of the business expansion scheme and seed capital scheme; the response rate for the survey; the factors assessed in the survey; and his views on whether the survey provides a sufficiently representative and informed assessment on which to determine the expansion of BES. [8567/07]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 301 and 303 together.

My decision to extend the Business Expansion Scheme (BES) and the Seed Capital Scheme (SCS) was based on a thorough review of the scheme that was carried out by my Department during Summer 2006 in conjunction with the Department of Enterprise, Trade & Employment and the Revenue Commissioners. It included a survey of firms which had benefited from the BES. The 2006 Review has been published on my

Department’s website at <http://www.finance.gov.ie/documents/publications/Reports/BESSCSReport.pdf>. The 2006 Review took account of the findings of the Report of the Small Business Forum, Small Business is Big Business, the Survey of SME Finance/Equity carried out by Forfás, and the PWC Report Strategic Advisory Services — Enterprise Ireland Seed and Venture Capital Funds Programme 2006, as well as a range of submissions from interested parties. In addition, the extension of the scheme was considered by the Tax Strategy Group in the context of Budget 2007.

On the basis of all of this I concluded that there was a strong case for extending the schemes given the clear market failure in providing equity capital for small firms in their start up and early development phase, the evidence of how vital the schemes have been in the past for such firms and the continuing needs in this regard, the potential return to the economy from indigenous Irish companies, and the clear support for continuation from a large number of representative and other bodies in the public and private sector.

Both the BES and SCS have been the subject of regular review and monitoring by my Department as well as the Department of Enterprise, Trade and Employment and the relevant development agencies since the schemes were first introduced, as is detailed in the 2006 Review. Each time, the main conclusion has been the same — a significant market failure exists due to the high risk associated with start-up business and this results in persistent difficulties in securing early stage capital; this market failure justifies continuing fiscal support.

The information the Deputy requests on the methodology used, the response rate and the factors assessed in the survey, together with the performance of companies participating in the scheme, is all contained in the above-mentioned review.

302. **Mr. Eamon Ryan** asked the Minister for Finance if, in view of recent research findings that companies may be laundering profits through Ireland to avoid American tax, there are difficulties in the way multinational companies declare their profits here; and the role the agencies under his aegis have in preventing same. [8564/07]

Minister for Finance (Mr. Cowen): I am not aware of any difficulties with the way that companies declare their profits for Irish tax purposes. The structure of the Irish tax regime corresponds to the international norm. A company that is resident in the State is taxed on its worldwide income. A company that is not resident in the State but which carries on a trade through a branch or agency in the State is taxed on its trading income arising through or from that branch or agency and any income from property or rights used by, or held by, the branch or agency. Returns of profits made in an accounting period by a company that is within the charge to tax here are required to be made to the Revenue Commissioners within 9 months after the end of the accounting period.

The Irish tax regime applies a 12.5% corporation tax rate to trading income generally. A wide base is used in calculating the trading income concerned. This rate applies both to companies that are resident in the State and to those that carry on a trade here through a branch or agency. This is an up-front transparent regime.

Locating in Ireland does not protect a multinational group from taxation in its “home” country. Where a subsidiary located in Ireland pays a dividend to its foreign parent company, the parent company will be taxed on the dividend but will be entitled to a credit against the tax on the dividend for any Irish tax paid on the profits out of which the dividend is paid. The US and other parent company jurisdictions have sophisticated rules to prevent their companies from availing of tax deferral in low tax jurisdictions where this is not considered appropriate, such as in the case of passive income. Such deferral is only possible for genuine business activities.

Question No. 303 answered with Question No. 301.

Departmental Staff.

304. **Mr. Sargent** asked the Minister for Finance if he will report on gender balance at each grade in his Department and in agencies that come under the aegis of his Department. [9852/07]

Minister for Finance (Mr. Cowen): The following is the information requested by the Deputy in relation to my Department, and to the Bodies under the aegis of my Department:

Department of Finance

Grade	Female	Male
Secretary General/Second Secretary General		5
Assistant Secretary	1	9
Director	1	2
Principal	10	42
Assistant Principal	52	99

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Grade	Female	Male
Higher Executive Officer	39	54
Administrative Officer	25	27
Executive Officer	30	25
Staff Officer	27	6
Clerical Officer	89	26
Services Officer	2	22
Services Attendant	0	2
Other	19	13
Total	295	332

Valuation Office

Grade	Female	Male
Assistant Principal	0	3
Assistant Principal Higher	1	0
Cleaner	1	1
Clerical Officer	7	2
Clerical Officer Higher	0	1
Commissioner	0	1
District Valuer	7	12
Executive Officer Higher	6	2
Executive Officer	8	6
Examiner in Charge	1	0
Higher Executive Officer Higher	3	1
Higher Executive Officer	4	1
Managing Valuer	0	8
Principal	2	0
Services Officer	0	4
Staff Officer	12	2
Staff Valuer	0	26
Superintendent Higher	0	4
Superintendent Mapping	0	7
Superintendent of Cleaners	1	0
Valuer	9	10
Totals	91	62

Office of the Commission for Public Service Appointments

Grade	Female	Male
Principal	0	1
Assistant Principal	1	2
Higher Executive Officer	1	0
Executive Officer	0	1
Clerical Officer	2	0
Total	4	4

Office of the Revenue Commissioners

Grade	Female	Male
Chairman	0	1
Commissioner	1	1
Deputy Secretary	0	1
Assistant Secretary	2	13
Principal	27	125
Assistant Principal	122	379
Third Assistant Solicitor	4	3
Economist	0	2
Financial Accountant	3	2
Administrative Officer	26	12
Higher Executive Officer	479	628
Librarian	1	0
Executive Officer	1,258	780
Staff Officer	205	104
Senior Legal Clerk	1	3
Law Clerk	0	1
Clerical Officer	2,063	742
Services Officer	7	135
Services Attendant	0	8
Cleaner	19	0
Total	4,220	2,942

State Laboratory

Grade	Female	Male
State Chemist	0	1
Principal Chemist	0	1
Senior Chemist	6	5
Chemist	11	11
Senior Laboratory Analyst	7	8
Laboratory Analyst	14	9
Librarian	0	1
Head Laboratory Attendant	0	1
Laboratory Attendant	1	6
Storekeeper	0	2
Assistant Principal	1	0
Higher Executive Officer	2	0
Staff Officer	2	1
Clerical Officer	8	0
Total	52	46

Public Appointments Service

Grade	Female	Male
Assistant Secretary	0	1
Principal level	1	3
Assistant Principal	6	2
Higher Executive Officer	14	7

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Grade	Female	Male
Executive Officer	31	1
Staff Officer	6	4
Clerical Officer	53	21
Services Officer	1	3
Cleaner	1	1
Senior Psychologist	1	0
Psychologist Gr 2	5	0
Translator 3	0	1
Professional Accountant	0	1
Total	119	45

Office of the Comptroller and Auditor General

Grade	Female	Male
Secretary and Director of Audit	0	1
Director of Audit	0	2
Deputy Director of Audit	1	10
Senior Auditor	8	29
Auditor	17	19
Trainee Auditor	21	32
Executive Officer	2	1
Staff Officer	1	0
Clerical Officer	4	1
Services Officer	0	1
Total	54	96

Special EU Programmes Body

Grade	Female	Male
Chief Executive	0	1
Director	1	1
Manager	4	3
Officers	8	2
Clerical Supervisor	4	6
Clerical Officer	5	3
Clerical Assistant	4	3
Total	26	19

I have asked the Office of Public Works and Ordnance Survey Ireland to reply directly to the Deputy in relation to this matter.

Tax Code.

305. **Mr. Bruton** asked the Minister for Finance the reason he has introduced the 21% VAT rate on drinks made from fruit and vegetable products, as these are made from fresh and wholesome ingredients and will be subject to a higher rate of VAT than most fast foods.
[9905/07]

Minister for Finance (Mr. Cowen): The Finance Bill 2007 amendment referred to by the Deputy ensured that the supply of fruit juices and vegetable juices continues to be taxable at the standard VAT rate of 21%. Indeed, all fruit juices, soft drinks and bottled water have been subject to the standard rate since 1992.

This amendment was necessary following a recent ruling by the Appeal Commissioner that a certain fruit/vegetable juice product qualified for zero-rating. The outcome of the appeal has led to uncertainty in relation to the VAT treatment of

other drinkable products made from fruit and vegetables. In this regard, it should be noted that fruit and vegetables are also the main ingredients of most soft drinks which are also subject to the standard VAT rate.

Not ensuring that the supply of fruit and vegetable juices continued to be taxable at the standard VAT rate would have resulted in a possible distortion of competition between producers of what could be considered similar products. It should also be borne in mind that the scope of the zero rate on food and drink is challenged regularly by producers and suppliers, which meant it was necessary to re-establish a level playing field in this market to ensure that a more favourable tax treatment does not apply to one product.

Departmental Correspondence.

306. **Mr. Naughten** asked the Minister for Finance further to Parliamentary Question No. 148 of 22 February 2007, if the Office of Public Works has received contracts or any contact from the vendors; and if he will make a statement on the matter. [9925/07]

Minister of State at the Department of Finance (Mr. Parlon): I refer to my reply to Parliamentary Question No. 148 of 22nd February, 2007. The Commissioners are currently awaiting Contracts for Sale from the vendors. The solicitor acting for the vendors has recently been in contact to advise that draft Contracts for Sale are currently in the process of being prepared.

Tax Code.

307. **Mr. Wall** asked the Minister for Finance the background of the removal of charitable status of a group (details supplied) in County Kildare; and if he will make a statement on the matter. [9927/07]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the group as specifically named by the Deputy never held charitable tax exemption. However, a body with an almost identical name, which it is assumed is the intended subject of the Deputy's question, applied for charitable tax exemption in 1993 and 2001. On the first occasion, the application was refused on the basis that the body concerned had not been established for exclusively charitable purposes, as required by the legislation. On the second occasion the necessary documentation to enable the Revenue Commissioners finalise consideration of the application was not provided despite their request for such documentation.

308. **Mr. Curran** asked the Minister for Finance if he proposes to introduce a grant on a VAT reduction to people having their cars modi-

fied to enable them to use low CO₂ emission bio-fuels; if a VAT reduction on these biofuels is planned to encourage greater use of these fuels. [9969/07]

Minister for Finance (Mr. Cowen): I wish to advise the Deputy that there are no grants or financial incentives available for adapting diesel cars in order that they can use biofuels. In relation to VAT, the position is that the VAT regime and indeed the rating of all goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. While we can retain the zero rating provisions which were in existence on 1 January 1991, we cannot introduce any new ones. Therefore, it is not possible to apply a zero rate to the supply of goods used to modify cars to use low carbon dioxide emission biofuels.

In addition, while a reduced rate can be applied to certain goods and services, there is no mechanism which would allow for the reduced rating of alternative fuel consumption systems for cars. The VAT Directive does not make any distinction between different types of fuels or methods of production of energy. The supply of all fuel consumption systems, including environmentally friendly ones, is therefore chargeable at the standard VAT rate of 21%. Any change in the standard rate would apply to the sale of all fuel consumption systems and indeed products at the standard VAT rate. A reduction in the standard VAT of 1% would cost the Exchequers in excess of €440 million and have little or no effect on price.

However, under the VAT system, VAT registered businesses can claim a deduction for all other types of fuel e.g. diesel, LPG or bio-fuels except petrol. In addition, the conversion of a vehicle is allowable as a deduction provided the conversion is an expense suffered in the course or furtherance of business and used for a taxable activity.

The Deputy will also be aware, I introduced a provision in the Finance Act of 2006 which enables the Revenue Commissioners to grant a 50% vehicle registration tax (VRT) relief on the registration of flexible fuel vehicles (FFVs) in the State. The purpose of this scheme is to encourage the development of new technology that is used in the manufacture of vehicles that use engines and fuel systems that are capable of running on E85-bioethanol (a combination of ethanol and petrol) which benefits the environment by producing lower pollutant emissions than conventional vehicles fuelled exclusively by petrol or diesel.

309. **Mr. Wall** asked the Minister for Finance the reasons a person (details supplied) in County Kildare has not received their P21 tax certificate as they need it for an application for a shared

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ownership application; and if he will make a statement on the matter. [10007/07]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that a PAYE Balancing Statement Form P21 issued to the taxpayer on 5 March 2007.

Decentralisation Programme.

310. **Mr. Naughten** asked the Minister for Finance the status of the decentralisation of the Office of Public Works to Claremorris; when the construction of new offices will commence; when they will be occupied; if temporary offices will be sourced in the interim; and if he will make a statement on the matter. [10008/07]

Minister of State at the Department of Finance (Mr. Parlon): The decentralisation of the Office of Public Works (OPW) to Claremorris will take place in two phases. The first phase deals with the setting up of an advance office in Claremorris and in this regard, OPW has secured leased accommodation and tenders are now being evaluated for the building fit out works. It is expected that the accommodation for the advance office will be ready for occupation in the second quarter of 2007.

OPW has acquired the site for the main decentralised office in Claremorris. OPW has requested experienced developers/contractors to submit Expressions of Interest on this building project. The indicative timeframe for the completion of the construction of the main decentralised office in Claremorris is in early 2009.

311. **Mr. Naughten** asked the Minister for Finance the status of the decentralisation of the Department of Social and Family Affairs to Carrick-on-Shannon; when the construction of new offices will commence; when they will be occupied; if temporary offices will be sourced in the interim; and if he will make a statement on the matter. [10009/07]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works have informed me that they have leased a building in Carrick-on-Shannon to facilitate the decentralisation of the Department of Social & Family Affairs. It is expected that the building will be occupied in early April 2007.

312. **Mr. Naughten** asked the Minister for Finance the status of the decentralisation of the Department of Education and Science to Athlone; when the construction of new offices will commence; when they will be occupied; if temporary offices will be sourced in the interim; and if he will make a statement on the matter. [10010/07]

Minister of State at the Department of Finance (Mr. Parlon): Following a competitive tendering process, the contract for the construction of the new decentralised offices in Athlone has been awarded to John Sisk & Son Ltd. and construction of the new offices commenced on Monday 12th March, 2007. It is anticipated that the building will be ready for occupation mid 2008. To date, no request has been received by OPW from the Department of Education and Science in respect of temporary interim accommodation.

313. **Mr. Naughten** asked the Minister for Finance the status of the decentralisation of the Railway Safety Commission to Ballinasloe; when the construction of new offices will commence; when they will be occupied; if temporary offices will be sourced in the interim; and if he will make a statement on the matter. [10011/07]

314. **Mr. Naughten** asked the Minister for Finance the status of the decentralisation of the National Roads Authority to Ballinasloe; when the construction of new offices will commence; when they will be occupied; if temporary offices will be sourced in the interim; and if he will make a statement on the matter. [10012/07]

Minister of State at the Department of Finance (Mr. Parlon): I propose to take Questions Nos. 313 and 314 together.

The Commissioners of Public Works have informed me that they are currently assessing a number of options in Ballinasloe for the decentralisation of the Railway Safety Commission and the National Roads Authority. When this assessment is completed, a short-list of properties will be determined and negotiations will then commence. The Commissioners are not aware of a requirement for temporary accommodation in Ballinasloe.

315. **Mr. Connaughton** asked the Minister for Finance the position regarding an application by a person (details supplied) in County Galway who is seeking a transfer to the Office of Public Works in Claremorris under the decentralisation programme; and if he will make a statement on the matter. [10040/07]

Minister of State at the Department of Finance (Mr. Parlon): The person referred to by the Deputy has applied on the Central Applications Facility (CAF) for a post in the OPW decentralised office in Claremorris. Current information in this regard indicates that this person will be offered a position with OPW in Claremorris.

Flood Relief.

316. **Mr. Ring** asked the Minister for Finance if the Office of Public Works has any responsibility when there is a development built without

planning permission from the local authority affecting a river (details supplied); the action it can take to ensure such a development is legalised in view of the impact this development could pose to the river, the flood plain, the water course and so on; and if he will make a statement on the matter. [10041/07]

317. **Mr. Ring** asked the Minister for Finance the action, following recent flooding in an area (details supplied), the Office of Public Works will take to help reduce the flood risk, particularly as it is alleged that an unauthorised development could have contributed to the flooding of the area; and if he will make a statement on the matter. [10042/07]

328. **Mr. Ring** asked the Minister for Finance if the Office of Public Works has received correspondence from a local authority (details supplied) regarding a warning letter; if a response has issued to the council in this regard; if the OPW has made observations or recommendations; and if so, the details of same. [10347/07]

Minister of State at the Department of Finance (Mr. Parlon): I propose to take Questions Nos. 316, 317 and 328 together.

Planning control in relation to the development referred to is wholly a matter for Mayo County Council. A copy of a warning letter that had been issued by Mayo County Council was received by the Commissioners of Public Works. On 12th March, 2007 the Council requested information from the Commissioners of Public Works in relation to the condition of the channel prior to the development. The information available will be sent to the Council shortly.

As indicated in reply to the Deputy's questions Nos. 227 and 228 on 6th March, 2007 a number of measures to alleviate flood risk at Crossmolina have been identified and these will be carried out by Mayo County Council over the coming months. A joint study to determine the need for and feasibility of a more extensive flood relief scheme for the town is being considered.

EU Directives.

318. **Mr. Allen** asked the Minister for Finance the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if he will make a statement on the matter. [10053/07]

Minister for Finance (Mr. Cowen): There are eight EU Directives awaiting either transposition into Irish law, or formal notification of com-

pletion of transposition to the European Commission, by my Department at the current time.

- Directive 2005/60/EC is intended to strengthen legal measures to prevent the use of the financial system for money laundering and terrorist financing. Deadline for transposition is December 2007. The Department of Finance together with the Department of Justice Equality and Law Reform has conducted an extensive consultation with interested parties. It is intended that transposition will be effected by means of a Criminal Justice Bill to amend or replace relevant provision of the Criminal Justice Act 1994.
- The Reinsurance Directive (2005/68) has been partially transposed and notified to the Commission on the 30th August 2006. The deadline for full transposition is December 2007. The remaining articles will be transposed shortly.
- Directive 2006/79/EC was agreed in October 2006. Following consultation with the Office of the Revenue Commissioners, it has been decided that it is appropriate to legislate in respect of this Directive and this will be done by way of a Statutory Instrument before end 2007. There is no deadline by which this Directive must be transposed.
- Council Directive 2006/112/EC: Deadline for transposition is 1 January 2007. SI No. 663 of 2006 was enacted to cater for the recast of the Sixth VAT Directive. On the advice of Parliamentary Counsel, this instrument is now being revoked in favour of its inclusion in Finance Bill 2007.
- Council Directive 2006/138/EC (19 Dec 06). Transposition is not required as the Directive is already provided for under Irish VAT Law. Arrangements are being made to notify the Commission formally in this regard.
- Council Directive 2006/98/EC (20 Nov 06) and Commission Directive 2006/84/EC (23 Oct 06) adapt a number of taxation directives to allow for the accession of Bulgaria and Romania and as such have a deadline of 1 January 2007. The Directives, which were published in the Official Journal in late December, are being actively examined by my officials. SIs are currently being prepared to cater for those aspects that require transposition. I expect that the draft SIs will be sent to the Parliamentary Counsel's Office in the coming days.
- Council Directive 2006/97/EC (20 Nov 2006): Deadline for transposition is 1 Jan 2007. This Directive adapts certain Public Procurement Directives in the field of free movement of goods, by reason of the

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accession of Bulgaria and Romania. An investigation is ongoing to ascertain whether this directive needs to be transposed.

Directive 2006/138/EC does not need to be transposed as it is already provided for under Irish VAT law, but the European Commission must be formally notified of this. Four directives (2006/112, 2006/98, 2006/84, 2006/97) are overdue for transposition since 1st January 2007. I can assure the Deputy that strong efforts are being made to complete the transposition and formal notification to the European Commission of these overdue directives at the earliest possible date.

I am informed regularly by senior management about the up-to-date position with regard to European Directives under the responsibility of my Department awaiting transposition. In addition, my Department reports monthly to the Interdepartmental Committee on European Affairs, chaired by Minister of State Noel Treacy, on the status of outstanding directives. Every effort is being made in my Department, in conjunction with the Office of the Attorney General, to ensure that Directives are transposed on time.

Question No. 319 answered with Question No. 276.

Tax Code.

320. **Mr. Stagg** asked the Minister for Finance when a refund of tax will issue to a person (details supplied) in County Kildare. [10102/07]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that an application for refund of Relevant Contracts Tax was received from the accountant acting on behalf of the taxpayer on 22 January 2007. The accountant instructed Revenue to retain the said amount pending further instructions. Revenue awaits further instructions from the accountant regarding the treatment of the refund.

321. **Mr. Wall** asked the Minister for Finance if there is provision within the Finance Acts for a parents council of a primary school (details supplied) in County Kildare to recoup the VAT payments on sports equipment that it purchased for the school children; and if he will make a statement on the matter. [10103/07]

Minister for Finance (Mr. Cowen): The position is that bodies supplying educational services and non-profit organisations are exempt from VAT under the EU VAT Directive, with which Irish VAT law must comply. This means they do not charge VAT on the services they provide and cannot recover VAT incurred on goods and services that they purchase. Essentially only VAT

registered businesses which charge VAT are able to recover VAT.

322. **Mr. Bruton** asked the Minister for Finance if it is possible for relatives managing the affairs of a person in institutional care to place stocks and shares belonging to that person in some form of trust in order that they could be used to pay for their care without being subject to capital gains tax on disposals against which nursing home expenses are not allowable; and if he will make a statement on the matter. [10114/07]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the Capital Gains Tax (CGT) Acts do not contain provisions which allow for stocks and shares held in a trust, in the circumstances outlined, to be sold free of CGT.

The transfer of the stocks and shares into a trust is treated, for CGT purposes, as a disposal by the owner at market value. The resultant gain or loss is computed by reference to their original cost and market value at the time of transfer. After deducting the first €1,270 of annual gains the owner is chargeable to CGT at 20%. Gains arising on subsequent disposals are chargeable on the trustees. These are computed on the excess of the sale price over the market value when the stocks were transferred to the trust. The annual exemption does not apply to trustees.

Gains arising on the disposal of assets held by a person as nominee or bare trustee for the beneficial owner are treated as if they were made by the beneficial owner.

323. **Mr. Bruton** asked the Minister for Finance the basis for calculation of flat rate expenses in the tax code; and if he will ensure that more recent occupations are treated equitably with those that already have these reliefs. [10139/07]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that, under Section 114 Taxes Consolidation Act 1997, employees have a statutory entitlement to claim a tax deduction in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of their employment. This, therefore, is the statutory basis for granting tax relief in respect of expenses to employees.

I am further informed by the Revenue Commissioners that, instead of each employee submitting his/her claims for tax relief in respect of allowable expenses, there is a long standing practice going back over 40 years under which Revenue and staff representatives bodies, including trade unions, agree the amount of expenses that are tax deductible for a category or group of employees. Such agreed rates have become known as “flat rate expenses”. Such arrangement has a number of advantages for employees. For example, they can be assured that they are rep-

resented as regards their claim and they do not have to submit individual claims.

As regards ensuring the more recent occupations are treated equitably, this is a matter for the Revenue Commissioners. However, I am informed by the Revenue Commissioners that they are not aware of claims of inequitable treatment as regards the flat rate expenses arrangement. If, however, the Deputy has a case in mind, the Revenue Commissioner assure me that they are more than willing to examine the matter. If the Deputy will give details to my office, the matter will be passed to the Revenue Commissioners for examination.

324. **Mr. Morgan** asked the Minister for Finance his views on removing VAT from life saving defibrillators, which are recommended to be made available in public places and at all sporting venues; if he has the power to do so; and when he will announce such a tax removal. [10165/07]

Minister for Finance (Mr. Cowen): The position is that the VAT rating of goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. Under the VAT Directive, Member States may retain the zero rates on goods and services which were in place on 1 January 1991, but cannot extend the zero rate to new goods and services. As the majority of defibrillators were not subject to the zero rate on 1 January 1991 it is not possible to apply the zero rate to the supply of such products. Implantable defibrillators are subject to the zero rate.

In addition, Member States may only apply the reduced VAT rate to those goods and services which are listed under Annex III of the VAT Directive. While Annex III does include the supply of medical equipment for the exclusive personal use of a disabled person, it does not include defibrillators for general use. The reduced rate cannot be applied to the supply of defibrillators. Therefore the only rate of VAT that can apply to the supply of defibrillators is the Standard VAT rate of 21%.

325. **Mr. Cuffe** asked the Minister for Finance if the Government plans to exempt older persons trading down their property from stamp duty; and if he will make a statement on the matter. [7479/07]

Minister for Finance (Mr. Cowen): If tax concessions were introduced for persons wishing to trade down, it would have the effect of increasing the supply of larger (and generally more expensive) houses. This would be of benefit to people at the top end of the market. However, the demand for property at the lower end of the market would increase as the older person trading down sought a smaller house and this would adversely affect first-time buyers in particular,

who would have to compete for such houses with a larger number of purchasers.

Anyone that sells their principal private residence is exempt from capital gains tax. If the house has been occupied for the full period of ownership, full exemption applies. Otherwise, the relief granted is in proportion to the period of occupation over the entire period of ownership. This relief is of very significant benefit to the taxpayer and would facilitate people with large homes trading down.

Capital Expenditure.

326. **Mr. Sargent** asked the Minister for Finance if the cross-departmental team on housing, infrastructure and public private partnership has discussed ways of ensuring that cost-benefit analyses are conducted on all major infrastructural projects; and if he will make a statement on the matter. [6324/07]

Minister for Finance (Mr. Cowen): The role of the Cross-Departmental Team, which assists the Cabinet Committee on Housing, Infrastructure and PPPs, and which is chaired by the Department of the Taoiseach, is to identify and assist in advancing and resolving issues related to infrastructural planning and delivery, ensuring they are adequately prepared for consideration by the Cabinet Committee and, where necessary, the Government. This work by the team has helped to improve significantly the capacity for the delivery of national infrastructure, especially in terms of time and cost. However, notwithstanding the important contribution of the CDT, lead responsibility remains clearly with the relevant Minister and Department in respect of each policy area or individual infrastructural project.

Government Departments are fully aware that under my Department's February 2005 Guidelines for the Appraisal and Management of Capital Expenditure a full Cost Benefit Analysis (CBA) is required to be carried out by Public Sector Agencies as part of the detailed appraisal for all major projects over €30m in value. It is the responsibility of the project sponsoring agency to carry out the Cost Benefit Analysis. The CBA is an important input into the appraisal of major capital projects and it must take place prior to entering into any commitments to proceed with the project.

Tax Code.

327. **Mr. Naughten** asked the Minister for Finance his views on reducing the VAT rate on road safety products; and if he will make a statement on the matter. [9550/07]

Minister for Finance (Mr. Cowen): The Deputy will be aware from previous replies to the similar questions that the position is that the VAT rating of goods and services is subject to the require-

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ments of EU VAT law with which Irish VAT law must comply. Under the VAT Directive Member States may retain the zero rates on goods and services, which have been in place since 1 January 1991, but cannot extend the zero rate to other goods and services. It is therefore not possible under EU law to apply a zero VAT rate to the provision of road safety products.

In addition, Member States may only apply the reduced VAT rate to those goods and services which are listed under Annex III of the VAT Directive. While Annex III does specifically list the supply of children's car seats, it does not include other road safety products. The reduced rate cannot therefore be applied to such goods. Therefore the only VAT rate that can apply to the supply of road safety equipment, under EU law, is the standard VAT rate which in Ireland is 21%.

However, as I announced in the Budget, the VAT rate applicable to children's car seats will be changed from the standard VAT rate to the reduced VAT rate of 13.5% with effect from the 1st July 2007.

Question No. 328 answered with Question No. 316.

Financial Services Regulation.

329. **Mr. Connolly** asked the Minister for Finance his plans to regulate the lifetime mortgage sector and equity release schemes under which vulnerable elderly persons are required to draft wills, and executors of elderly persons' estates are required to sign prior contracts of cooperation with banks in the event of the borrowers' deaths; and if he will make a statement on the matter. [10378/07]

Minister for Finance (Mr. Cowen): Lifetime Mortgages are regulated under the Consumer Credit Act 1995. In addition, the Financial Regulator has included specific provisions in the Consumer Protection Code relating to Lifetime Mortgages. The Code provides that consumers are fully advised of the consequences of releasing equity from their home and that the financial service provider obtains sufficient information from the client to ensure that a suitable product is provided.

Equity release schemes are not currently a regulated financial service. They involve a part sale of the consumer's property and such transactions are of course subject to the general law in relation to contract and sale of property.

The Consumer Protection Bill 2007 currently before this House will further enhance consumer protection. The Bill provides for the establishment of the National Consumer Agency with an extensive remit including enforcement powers in relation to unfair commercial practices and unfair terms in consumer contracts. The Bill also pro-

vides that the functions of the Agency in relation to these matters may be exercised by the Financial Regulator in the case of regulated financial service providers.

In addition to the above my Department together with the Financial Regulator and the Departments of Justice, Equality and Law Reform and the Environment, Heritage and Local Government is undertaking a review to establish whether or not home reversion products and/or their providers should be further regulated.

Participation in equity release products is at the discretion of the consumer. However such participation involves the granting of certain rights in relation to the property which will crystallise on the death of the homeowner. I understand therefore that some providers may insist on the making of a will or on other related formalities. The availability of a will clearly expressing the homeowner's intentions will facilitate the administration of the estate in a speedy and efficient manner to the benefit of all parties involved. Indeed this is generally true whether or not the home owner has availed of equity release or home reversion services.

At the launch on 6 February 2007 of the Financial Regulator's publication entitled "Equity release-using your home to get a cash sum" the Consumer Director issued the following advice to the potential purchasers of equity release products: ask plenty of questions before you enter into any agreement; discuss the issue with your immediate family before you enter into an agreement; consider alternatives that may be available to you; take independent legal advice. I would recommend that anyone considering one of these products should heed that advice.

Garda Stations.

330. **Mr. Hayes** asked the Minister for Finance the situation regarding the future of Dundrum Garda station; and if a decision has been made in the matter. [10427/07]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works are involved in ongoing discussions with the Department of Justice, Equality and Law Reform and the Garda Authorities in relation to a proposed Rural Garda Station Programme. Dundrum Garda Station, County Tipperary will be included in this programme.

Departmental Properties.

331. **Mr. J. O'Keeffe** asked the Minister for Finance the reason the Office of Public Works purchased a property (details supplied); when the purchase was completed; the price that was paid; the plans for the property; and if he will make a statement on the matter. [10448/07]

Minister of State at the Department of Finance (Mr. Parlon): The property was purchased to maximise the development potential of the Mountjoy Prison site. Its inclusion was considered fundamental to the most efficient access arrangement of the overall development. It also, of course, creates a marriage value by combining the property with the larger Mountjoy site and increases the proposed development area.

The purchase of the property was completed on 21 December 2006; the purchase price was €23,500,000 plus VAT. It is planned to reinvent the existing Mountjoy site as a new and vibrant place to live and work through the creation of a new “village” for Dublin, which will allow families to live in the centre of the city in a sustainable way. This ties in with and will complement Dublin City Council’s Framework Plan for this area of the city.

Tax Code.

332. **Dr. Cowley** asked the Minister for Finance if he will review and consider establishing a tax free status in the vicinity of Ireland West Airport Knock in view of the constant increase in passenger numbers at this airport, the importance of attracting investment to the west of Ireland and the benefits and much needed boost it would provide to the region; and if he will make a statement on the matter. [10479/07]

Minister for Finance (Mr. Cowen): The 1997 Finance Act made provisions for a scheme of tax relief for areas adjacent to regional airports along the same lines as the relief then available under the Enterprise Areas Scheme. The scheme provided for accelerated capital allowances and double rent relief for lessees of qualified buildings. The position is that the scheme as originally announced was submitted to the European Commission for approval in 1997. However, the ensuing approval in 1998 imposed certain specific conditions i.e. that the qualifying period should end on 31 December 1999 in order to conform with the end of the then existing general regional aid framework throughout the European Union. In addition, the European Commission ruled out double rent relief in respect of any of the proposed enterprise areas adjacent to the regional airports.

The Commission also requested the Irish authorities to submit details of such airport projects to the Commission for approval by them. A total of two such projects were submitted to this Department for referral to the Commission. The first, a business park at Cork Airport was approved on 7 July 1999 and the second, a cargo handling operation at Knock Airport was approved on 26 October 1999.

Informal approval for a one year extension to 31 December 2000 in respect of capital allowances for both projects was subsequently obtained. This was on the strict understanding

that no further extensions to the scheme would be sought by the Irish authorities. This understanding and recent experience of a much more rigorous examination of fiscal State aids by the Commission emphasises that it is not feasible to pursue any further extension in duration or scope of the scheme for Knock Airport with the Commission.

333. **Dr. Cowley** asked the Minister for Finance his views on introducing a tax designated area in the vicinity of the River Moy in County Mayo similar to that recently introduced around the River Shannon; and if he will make a statement on the matter. [10480/07]

Minister for Finance (Mr. Cowen): The areas to be included in the proposed Mid-Shannon Tourism Infrastructure Investment Scheme are outlined in Schedule 8B of Section 29 of the 2007 Finance Bill and include all of the District Electoral Divisions that are wholly or partly within a 12 kilometre band on either side of the mid section of the Shannon. This is a pilot scheme, the operation of which will be carefully monitored and assessed and will be for a limited period only.

The reason for selecting the mid-Shannon region is that from a tourism perspective, the inner core of the country remains relatively underdeveloped. Its tourism intensity is low and it has lagged behind recent growth in tourism in Ireland which has been predominately in Dublin and certain coastal counties. This scheme aims to help redress this regional imbalance and for this reason it is important that the geographical scope of the scheme should be confined to this limited area. On this basis I regret that it is not intended to extend the proposed scheme.

334. **Mr. Perry** asked the Minister for Finance the measures he will introduce following the Irish charities campaign to have the Government introduce a VAT compensation scheme which will save the sector close to €20 million per annum; and if he will make a statement on the matter. [10483/07]

Minister for Finance (Mr. Cowen): The position is that charities and non-profit groups engaged in non-commercial activity are exempt from VAT under the EU VAT Directive, with which Irish VAT law must comply. This means they do not charge VAT on the services they provide and cannot recover VAT incurred on goods and services that they purchase. Essentially only VAT registered businesses which charge VAT are able to recover VAT.

The Irish Charities Tax Reform Group (ICTRG) appears to accept that charities can not be granted VAT refunds through the tax system. However, they are still seeking the introduction of a grant or subsidy in lieu of the VAT charities pay on their business inputs and estimate that this

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would cost €18 million per annum in respect of the bodies they represent. However, given that Exchequer funding is made available to very many charitable organisations this is in effect already happening.

The 140 bodies represented by the Irish Charities Tax Reform Group already acknowledge that they receive some €9 million in funding either directly or indirectly from the Exchequer. However, there are approximately 7,000 charities registered with the Revenue Commissioners. It is therefore likely that the introduction of a scheme along the lines proposed by the Irish Charities Tax Reform Group would cost the Exchequer significantly more than the €18 million estimate put forward by the group in respect of the bodies they represent.

I understand that the only EU Member State to introduce a scheme providing partial compensation for a limited number of charities for VAT incurred on input costs is Denmark. To be eligible under the Danish scheme charities must already be approved bodies under the Danish equivalent of our tax relief on donations scheme. My Department understands that some 750 charities in Denmark could benefit as a result. In comparison, over 1,900 organisations have to date been approved under the Irish donations relief scheme. It also understands that under the Danish scheme educational institutions are not eligible for compensation.

It is likely, therefore, the introduction of any grant system in lieu of VAT paid by registered charities in Ireland would undoubtedly lead to other exempt bodies such as schools, hospitals and sporting organisations, many of which are already registered as charities, seeking to benefit from such a system of refunds. These exempt bodies are already receiving considerable Exchequer funding.

The tax code already treats charities in a favourable manner. The tax code currently provides exemption for charities from Income Tax, Corporation Tax, Capital Gains Tax, Deposit Interest Retention Tax, Capital Acquisitions Tax, Stamp Duty, Probate Tax, Dividend Withholding Tax and the uniform scheme of tax relief for donations.

While no overall definitive figures are available on the cost to the Exchequer of charitable tax exemption status, Revenue estimated in 2005 that the cost of the various tax exemptions and tax reliefs, including the tax relief on donations scheme, in place for bodies conferred with charitable status could be as high as €190m annually. In addition to tax exemptions and reliefs, charities, voluntary and community groups, sporting bodies benefit significantly from grants schemes administered by a number of Government Departments.

Finally, even if funds were available for grant-aiding charities and other voluntary groups, I am

not sure that the most appropriate use of the funds would be to relieve them of the VAT paid on inputs as opposed to grant-aiding their activities using other criteria.

Flood Relief.

335. **Mr. Durkan** asked the Minister for Finance if directly or through the aegis of Kildare County Council it is intended to provide an ongoing cleaning programme for the Slate River, Allenwood, County Kildare; and if he will make a statement on the matter. [10553/07]

Minister of State at the Department of Finance (Mr. Parlon): The Slate River forms part of the Rathangan Drainage District and maintenance of this river is therefore a matter for the local authority. The Office of Public Works carried out drainage works on the River Slate in 2003, as agents for Kildare County Council and there are no proposals to carry out further cleaning or drainage works.

336. **Mr. Durkan** asked the Minister for Finance the position in relation to his proposals directly or in conjunction with Kildare County Council for the alleviation of flooding at Mill Lane, Leixlip, County Kildare; and if he will make a statement on the matter. [10554/07]

Minister of State at the Department of Finance (Mr. Parlon): The Office of Public Works and Kildare County Council have agreed a programme of works to alleviate flooding on the Silleachain River at Mill Lane and on the Rye River including the Dun Carraig estate. The outline design for these proposals is currently being considered for planning approval in accordance with Part 8 of the planning and development regulations and it is envisaged that subject to approval, agreement by all affected parties and adherence to a tight framework, construction will commence on flood alleviation measures for the Leixlip area in early summer of this year.

I am advised that the retaining wall at Captain's Hill, while it may be contributing to surface water drainage problems in the area is not a factor in flooding from the Rye River, which the proposed works are intended to address.

Disabled Drivers.

337. **Mr. Durkan** asked the Minister for Finance when it is expected to implement the recommendations of the interdepartmental group dealing with the disabled drivers disabled passengers tax concession 1994 regulations; and if he will make a statement on the matter. [10555/07]

Minister for Finance (Mr. Cowen): A special Interdepartmental Review Group reviewed the operation of the Disabled Drivers Scheme. The terms of reference of the Group were to examine the operation of the existing scheme, including

the difficulties experienced by the various groups and individuals involved with it, and to consider the feasibility of alternative schemes, with a view to assisting the Minister for Finance in determining the future direction of the scheme.

The Group's Report, published on my Department's website in July 2004, sets out in detail the genesis and development of the scheme. It examines the current benefits, the qualifying medical criteria, the Exchequer costs, relationship with other schemes and similar schemes in other countries. The Report also makes a number of recommendations, both immediate and long-term, referring respectively to the operation of the appeals process and options for the future development of the scheme.

In respect of the long-term recommendations, including the qualifying disability criteria, given the scale and scope of the scheme, further changes can only be made after careful consideration. For this reason, the Government decided that the Minister for Finance would consider the recommendations contained in the Report of the Interdepartmental Review Group in the context of the annual budgetary process having regard to the existing and prospective cost of the scheme. This consideration is undertaken on a regular basis.

EU Directives.

338. **Mr. Durkan** asked the Minister for Finance the extent to which he has had discussions with his EU colleagues with a view to early warning or identification of money laundering activities within the banking system throughout the EU; if he is satisfied that adequate safeguards already exist or if changes are proposed; and if he will make a statement on the matter. [10556/07]

Minister for Finance (Mr. Cowen): There is strong co-ordination of measures to deter money laundering in the financial system at EU level. A Third Money Laundering Directive was adopted in 2005 and is due to come into affect shortly and requires to be transposed into domestic legislation in each Member State by December 2007.

The Third Money Laundering Directive will replace and update the 1991 and 2001 Money Laundering Directives which imposed obligations on financial institutions and, more recently, on lawyers, accountants and auctioneers to identify their clients and report suspicious transactions to the police authorities. The new Directive reflects the 2003 revision of the recommendations of the Financial Action Task Force on Money Laundering (FATF) — the main international anti-money laundering organisation. One of its central features is to strengthen the obligation on financial institutions, and others, to identify the beneficial ownership of legal entities. It will also impose an obligation on financial institutions and others to pay particular attention to “politically

exposed persons”, from other Member States and from third countries.

The directive also brings Terrorist Funding into the money laundering framework and introduces the concept of a risk-based approach to the implementation of its requirements. The Directive requires amendment of our domestic legislation in relation to money laundering and the relevant legislative proposals will be brought forward by the Minister for Justice Equality and Law Reform later this year.

Ireland also participates in work to ensure that the EU legal frameworks are adapted to the FATF's special recommendations on terrorist financing. For example, a proposal to tighten controls of money transfers in order to cut off funding sources for terrorists and other criminals were adopted in 2006 in line with FATF recommendations. The relevant Regulation requires that money transfers be accompanied by the identity of the sender, ensuring that this information will be immediately available to the appropriate law enforcement authorities.

The issues of money laundering and criminality generally are, of course, also regularly discussed at the Justice and Home Affairs (JHA) Council of the EU. As regards operational matters, there is ongoing cooperation and exchange of information between the relevant supervisory and police authorities within the EU.

Tax Code.

339. **Mr. Durkan** asked the Minister for Finance if he has received submissions requesting an increase in the amount of pure plant oil qualifying for excise free status; and if he will make a statement on the matter. [10557/07]

340. **Mr. Durkan** asked the Minister for Finance if he has received requests from the Department of Communications, Marine and Natural Resources to increase the amount of bio-ethanol or bio-diesel qualifying for excise free status; and if he will make a statement on the matter. [10559/07]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 339 and 340 together.

The Government is firmly committed to the development of biofuels generally in Ireland. The promotion of biofuel is primarily a matter for my colleague, the Minister for Communications, Marine and Natural Resources, however, I am pleased to inform the Deputy that in Finance Act 2006 I provided for significant tax measures to promote biofuels in Ireland.

This scheme, which received the necessary EU State Aid approval, commenced in November 2006 and will provide for excise relief on up to 163 million litres of biofuels per annum; cost over €200m over 5 years; when fully operational, result in CO2 savings of over 250,000 tonnes per annum; contribute towards meeting a target of 5.75%

[Mr. Cowen.]

transport fuel market penetration by biofuels by 2009; help reduce our dependency on conventional fossil fuels; and stimulate activity in the agricultural sector.

I have received representations requesting an increase in the amount of biofuels qualifying for excise duty relief, including pure plant oil. However, I should point out that the overall level of excise relief available for biofuels, which is subject to EU State Aid approval, — and the breakdown of the relief between each of the alternative fuels — is that which had been proposed by the Minister for Communications, Marine and Natural Resources in advance of Budget 2006. It is regarded as a level which is sufficient to match Ireland's output potential in relation to renewable energy crops for motor fuels over the coming years. Any extension in the amount of relief which formed part of that Budget announcement is not envisaged at this stage. These fiscal incentives were designed to kick-start the domestic biofuels industry and the evidence suggests that this is happening.

To provide further market certainty and encourage projects of scale, the Government recently announced its intention to move to a Biofuels Obligation by 2009, with targets for market penetration for biofuels of 5.75% in 2009 and 10% by 2020.

Economic Competitiveness.

341. **Mr. Durkan** asked the Minister for Finance his proposals to combat the issue of rising costs in the manufacturing sector; and if he will make a statement on the matter. [10560/07]

Minister for Finance (Mr. Cowen): Maintaining a moderate rate of inflation remains a key priority of economic policy because of its importance in restoring competitiveness to all sectors, including the manufacturing sector. The Government is focusing on areas it can control and taking positive actions to contain inflation by implementing responsible fiscal policies. For example, we have not increased excise duties for the last three years, apart from tobacco excise, which was done for sound health policy reasons.

We are promoting greater price competition through various measures. We are also investing in public infrastructure, as evidenced by the recently announced National Development Plan, which will enhance our ability to produce more goods and services and, by improving the economy's efficiency, keep inflation down. In addition, we recognise that services sector inflation is a cause for concern and this highlights the need for more competition in the economy as well as for pay and profit restraint in all sectors in order to keep our cost base down. We must ensure that the wage increases granted under the Social Partnership agreement, Towards 2016, are reflected in productivity gains.

342. **Mr. Durkan** asked the Minister for Finance the extent to which he has identified the inflation that has caused relocation of manufacturing jobs to other economies; his plans to address this issue in the short, medium and long term; and if he will make a statement on the matter. [10561/07]

Minister for Finance (Mr. Cowen): Some of the high profile job losses recently seem to be due to the fortunes of individual companies rather than national competitiveness. However, we will of course remain vigilant and are committed to maintaining our competitiveness.

Employment growth has been extremely strong in recent years, and over 2 million people are now employed in Ireland. Unemployment has remained consistently low at below 4.5 per cent — essentially full employment. While the numbers employed in industries fell during the first half of 2006, employment in this sector increased significantly during the second half of the year. In this context, it is expected that jobs in this sector will be created to replace those that have been lost.

Price Inflation.

343. **Mr. Durkan** asked the Minister for Finance his plans to address the cause or causes of hidden inflation; the extent to which inflation is causing the relocation of manufacturing jobs; and if he will make a statement on the matter. [10562/07]

Minister for Finance (Mr. Cowen): The Director General of the Central Statistics Office has sole responsibility for, and is independent in, deciding the statistical methodology and professional standards to be used in compiling the Consumer Price Index (CPI). The CPI is designed to measure the change in the average level of the prices paid by consumers for goods and services. It measures in index form the monthly changes in the cost of purchasing a representative basket of consumer goods and services.

Some of the high profile job losses recently seem to be due to the fortunes of individual companies rather than national competitiveness. However, we will of course remain vigilant and are committed to maintaining our competitiveness.

Employment growth has been extremely strong in recent years, and over 2 million people are now employed in Ireland. Unemployment has remained consistently low at below 4.5 per cent — essentially full employment. While the numbers employed in industries fell during the first half of 2006, employment in this sector increased significantly during the second half of the year. In this context, it is expected that jobs in this sector will be created to replace those that have been lost. Maintaining a moderate rate of inflation remains a key priority of economic

policy because of its importance in restoring competitiveness.

344. **Mr. Durkan** asked the Minister for Finance the extent to which he has identified the cause or causes of recent inflation; and if he will make a statement on the matter. [10563/07]

Minister for Finance (Mr. Cowen): Inflation, as measured by the CPI fell to 4.8 per cent in February from 5.2 per cent in January 2007. On a HICP basis inflation fell to 2.6 per cent in February from 2.9 per cent in January. The rate of CPI inflation has increased in the past year; this is mainly due to ECB interest rate increases which are outside of Government control. If mortgage interest was removed, CPI inflation would have measured 2.5 per cent in February. Annual goods inflation was unchanged in February but annual services sector inflation is currently running at 9.1 per cent and this is a cause for concern. It highlights the need for more competition in the economy as well as for pay and profit restraint in all sectors in order to keep our cost base down.

Decentralisation Programme.

345. **Mr. Durkan** asked the Minister for Finance the incentives currently on offer to civil servants through the Government's decentralisation programme; and if he will make a statement on the matter. [10564/07]

Minister for Finance (Mr. Cowen): The programme of Decentralisation is being implemented through the transfer of staff on a voluntary basis. The potential benefits of decentralisation are significant. Existing Civil and Public Servants seeking to leave Dublin, for example, to return to family and friends back home, or to acquire an affordable and comfortable family home within easy reach of their workplace, have a broad range of options. There will also be a wider range of work and career opportunities for Public and Civil Servants already working outside Dublin. Present and future Civil and Public Servants who aspire to senior management positions will no longer have to necessarily migrate to the capital, although many will continue to do so.

On a broader note, the dispersal of jobs from Dublin has obvious advantages for securing a better regional balance. It will help the economic and social development of the chosen centres and their catchment areas. Decentralisation can provide high-quality jobs for regions that have not benefited as much as Dublin from recent economic success. It can provide a further boost to the provision of infrastructure in the regions. It can also attract other investment and services and act as an incentive to entrepreneurs to develop businesses in the regions thus creating a positive domino effect.

The Deputy may also wish to note that as a contribution towards the expenses of staff during training, a Decentralisation Training Allowance is payable for officers from locations outside Dublin who are required to come to Dublin (or another suitable provincial location) for an initial training period prior to taking up duty at new decentralised locations. My Department will be issuing a circular to departments on this matter shortly.

346. **Mr. Durkan** asked the Minister for Finance the number of civil servants other than those normally seeking relocation who have to date been relocated under the Government's decentralisation programme; and if he will make a statement on the matter. [10565/07]

Minister for Finance (Mr. Cowen): When the Decentralisation Programme was announced, all staff were given the opportunity to apply through a Central Applications Facility (CAF), which is operated by the Public Appointments Service, to relocate under the Decentralisation Programme. Apart from the CAF arrangements, my Department does not maintain data centrally on the number of staff who may wish to relocate for other reasons.

Over ten thousand six hundred civil and public servants have made applications under the CAF system at this stage. At the end of December 2006, over 2,400 staff had been assigned to decentralising posts. Approximately 800 of these are currently in place, in 17 new locations, while the remainder are being trained in advance of decentralisation to a new location, as soon as accommodation becomes available.

It is envisaged that by the end of 2007 public services will be delivered from 36 of the decentralisation towns with approximately 2,000 staff transferred. The precise numbers moving within that time frame will depend on the availability of property as well as timeframes for completion of fit out and installation of necessary ICT (information communications technology) and telecommunication cabling and equipment.

347. **Mr. Durkan** asked the Minister for Finance the expenditure to date in respect of purchase or lease of premises in each county arising from the Government's decentralisation programme; and if he will make a statement on the matter. [10566/07]

Minister of State at the Department of Finance (Mr. Parlon): Overall, the programme of site identification and acquisition is progressing satisfactorily. To date, property acquisition negotiations have been completed or significantly advanced in 37 locations.

In the case of 5 locations, Athlone, the Curragh, Navan, Furbo and Sligo, OPW owned sites have been identified and will be used to accommodate decentralised offices.

[Mr. Parlon.]

In the case of another 6 locations, Carlow, Longford, Newcastle West, Killarney, Trim and Thurles, sites have been acquired from the relevant Local Authorities. Privately owned sites have been purchased in Buncrana, Clonakilty, Dungarvan, Knock, Cavan, Claremorris, Tipperary, Loughrea (leased building), Edenderry, Roscommon and Carrick on Shannon (leased building). In the case of Tullamore, the OPW has completed the purchase of an office block, which was handed over in the first week of July 2006. Contracts have been signed by OPW in respect of 2 locations, Limerick (leased building) and Thomastown (site).

Contracts for sale have been received in a further 9 locations including Donegal, Portlaoise, Listowel (leased building), Carrickmacross (building purchase), Kilrush (leased building), Waterford, Wexford, Mullingar and Enniscorthy. Terms have been agreed and contracts are awaited in a further 3 locations including Clifden, Youghal and Newbridge.

The expenditure to date per county is detailed in the tabular statements.

Site/Building Purchases

County	Site Cost
	€
Carlow	1,440,000
Cavan	2,900,000
Cork	2,875,000
Donegal	1,105,860
Kerry	4,500,000
Kilkenny	2,100,000
Limerick	325,000
Longford	576,250
Mayo	2,890,000
Meath	3,600,000
Offaly	8,900,000
Roscommon	3,000,000
Tipperary	2,592,500
Waterford	2,100,000

Schedule of Counties where long term lease terms have been agreed (permanent solutions)

County	Rental Cost (p.a.)
	€
Clare	85,050
Galway	139,235.50
Kerry	183,000
Laois	73,500
Leitrim	800,000
Limerick	833,000

Schedule of locations where temporary interim accommodation has been acquired

County	Rental Cost (p.a.)
	€
Cavan	49,498
Cork	157,480
Galway	92,242
Kerry	140,000
Laois	529,140
Limerick	68,771
Mayo	151,641
Sligo	114,681
Tipperary	134,265

Garda Stations.

348. **Mr. Durkan** asked the Minister for Finance his future intentions in respect of the old Garda station at Carbury, County Kildare; and if he will make a statement on the matter. [10567/07]

Minister of State at the Department of Finance (Mr. Parlon): It is proposed to place the former Garda station in Carbury, County Kildare for sale on the open market.

Services for People with Disabilities.

349. **Mr. Kehoe** asked the Minister for Finance the services and facilities available to persons with a hearing disability who wish to phone his Department; and if he will make a statement on the matter. [10953/07]

Minister for Finance (Mr. Cowen): While there are no specific facilities in my Department for people with a hearing disability to phone the Department there are a number of methods by which members of the public, who have a hearing disability, can contact the Department such as e-mail or fax. In addition my Department has, in compliance with the Disability Act 2005, appointed Access Officers to provide, or arrange for and co-ordinate the provision of, assistance and guidance to persons with disabilities in accessing the Department or its services.

Health Service Staff.

350. **Mr. M. Higgins** asked the Minister for Health and Children the efforts her Department is prepared to make in order to help a person (details supplied) in County Galway; if she will provide advice to this person; and if she will make a statement on the matter. [9725/07]

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 the Actual 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 to the Deputy.

Food Labelling.

351. **Mr. Noonan** asked the Minister for Health and Children if her attention has been drawn to the fact that partially sighted persons find it difficult to read labels on food products due to font size and colour contrast; if her attention has further been drawn to the fact that the relevant regulations only require labels to be legible; if she will assess the situation with a view to initiating a review of the relevant EU regulations to cater for the needs of the partially sighted; and if she will make a statement on the matter. [9958/07]

Minister of State at the Department of Health and Children (Mr. S. Power): Most of our food legislation — including food labelling legislation — derives from our obligations as a Member State of the European Union.

The EU food labelling regime is being reviewed at present and my Department, in its input into this process, has suggested that the possibility of introducing bar codes for the visually impaired might be explored. This was in the context of the general principle that food labelling should be easy to understand, clearly legible and not obscured in any way.

A legislative proposal from the Commission is awaited; however, Ireland cannot pre-empt the outcome of the Commission's ongoing review.

Health Services.

352. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be called for occupational therapy in view of the fact that this person has been waiting for over two years. [10098/07]

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.

Special Educational Needs.

353. **Mr. Stagg** asked the Minister for Health and Children the reason speech and language therapists are not available to assist a person (details supplied) who has autism and is in mainstream education; and if she will ensure that the resources are made available. [10152/07]

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.

Departmental Properties.

354. **Mr. Kehoe** asked the Minister for Health and Children if her attention has been drawn to the fact that Ionad Folláin, Myshall, County Carlow, which was bought by the Office of Public Works a few years ago and handed over to the Health Service Executive, is due to be sold; the amount that was spent purchasing the property and insuring, securing and maintaining the property; if her attention has been further drawn to the fact that the property will now be sold for a fraction of the total spent on it; and if she will make a statement on the matter. [10258/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): As the Deputy is aware the property at Myshall, Co. Carlow was purchased by the OPW on behalf of the Department of Justice, Equality and Law Reform to accommodate asylum seekers. However, the Department of Justice, Equality and Law Reform decided against using the property for that purpose. Subsequently, the property was gifted by the OPW to the Department of Health and Children who in turn transferred ownership of the property to the former South Eastern Health Board in whose area the property is located.

The responsibility for the provision of security at Myshall rested with my Department from September 2002 to December, 2002. During that period the total cost of the security to my Department was €18,606.36. Since January, 2003, it has been the responsibility of the Health Service

[Mr. T. O'Malley.]

Executive South Eastern Area (formally the South Eastern Health Board).

Under the Health Act, 2004, it is the Health Service Executive which is responsible for the acquisition and disposal of property under its remit.

Community Care.

355. **Mr. Durkan** asked the Minister for Health and Children if a carer or home help can be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [10370/07]

495. **Mr. Durkan** asked the Minister for Health and Children if a carer or home help can be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [10369/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 355 and 495 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 has been provided as part of its overall vote. The Executive, therefore, 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 this case investigated and to have a reply issued directly to the Deputy.

Hospital Services.

356. **Ms Shortall** asked the Minister for Health and Children if her attention has been drawn to the conditions in Dublin's Rotunda Hospital where women in labour awaiting treatment are left in the waiting room with visitors and have no privacy; if she will make funding available in order that a separate room could be set up for pregnant women; her plans for the improvement of waiting facilities at the hospital; and if she will make a statement on the matter. [9404/07]

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 issues raised by the Deputy. My Department has asked the Parliamentary Affairs Division of the Executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

357. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated with a MRI scan; and if she will make a statement on the matter. [9410/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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 question raised by the Deputy. 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.

358. **Mr. McGuinness** asked the Minister for Health and Children the reason for the delay in arranging a second operation for a person (details supplied) in County Kilkenny; and if she will expedite the matter. [9411/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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.

359. **Mr. Ring** asked the Minister for Health and Children the reason it is taking so long for a person (details supplied) in County Mayo to be called for a urology appointment; and if this person will be called for an earlier appointment. [9415/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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 question raised by the Deputy. 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.

Voluntary Sector Funding.

360. **Ms Enright** asked the Minister for Health and Children if her attention has been drawn to an organisation (details supplied); the funding being provided to this organisation that deals

with acquired brain injury; her views on same; if her Department has plans to provide further funding to the organisation; and if she will make a statement on the matter. [9431/07]

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.

Pharmaceutical Sector.

361. **Mr. Neville** asked the Minister for Health and Children the outcome of a meeting between her Department and the Irish Pharmaceutical Union which took place on 24 February 2007 with a view to establishing a mechanism whereby collective negotiation on behalf of pharmacists can resume. [9436/07]

Minister for Health and Children (Ms Harney): A meeting was held on 21 February between the HSE/Department of Health and Children negotiating team and the Irish Pharmaceutical Union. The purpose of the meeting was to establish a procedure to examine available options for advancing contractual negotiations in compliance with Irish and EU competition law. A process and the relevant terms of reference have been agreed and this process is expected to commence shortly.

Mental Health Services.

362. **Mr. Neville** asked the Minister for Health and Children, further to Parliamentary Question No. 144 of 1 February 2007, the percentage of the budget 2007 allocation for psychiatric services in relation to the total health budget. [9441/07]

Minister for Health and Children (Ms Harney): The Revised Estimate Volume published in February, 2007 provides 11, 474 million euros for Vote 40 for the Health service Executive (HSE). A sum of 1,037million euros is provided for Mental Health Services which represents 9% of the total estimate for 2007. In addition, a sum of €20.5 million euros is provided in Vote 39 for the Department of Health and Children in respect of the Mental Health Commission.

It should also be noted that the expenditure by programme does not reflect the full extent of spending on each care group. In this way funding for mental health services reflects only the direct expenditure in this area. It does not take account of the expenditure for individuals receiving mental health services who are also receiving services from the primary care service, acute hospitals

programme or disability services. In particular, there is often a cross-over between disability and mental health services in the provision of overall health services to people whose primary presentation is with a mental health need.

Cancer Screening Programme.

363. **Mr. Bruton** asked the Minister for Health and Children if she has received a report from the Health Service Executive on the progress made in relation to the cervical screening programme; and the reason it has not been possible to meet the targets set for this programme. [9456/07]

Minister for Health and Children (Ms Harney): I understand the Deputy is referring to the McGoogan Report on the Irish Cervical Screening Programme. This Report was commissioned by the former Health Boards Executive and submitted to my Department in 2004. It recommended that cervical screening be managed as a national call/recall programme via effective governance structures that provide overall leadership and direction in terms of policy, quality assurance, accountability and value for money. It is my objective to have such a programme rolled out, beginning late this year, based on an affordable model. For that purpose, on 1 January 2007, I established a National Cancer Screening Service which amalgamates BreastCheck and the Irish Cervical Screening Programme.

The total allocation to the new Service is €33m; this is a 71% increase on the 2006 allocation to the Programmes. This includes additional funding of €5m for 2007 to the Service to commence roll out of the Cervical Screening Programme at the end of this year. Significant preparatory work is well underway involving the introduction of new and improved cervical tests, improved quality assurance training and the preparation of a national population register. All elements of the programme — call/recall, smear taking, laboratories, colposcopy and treatment services — will be quality assured, organised and managed to deliver a single integrated service. An effective national cervical screening programme will result in a substantial reduction in the incidence of cervical cancer.

Hospital Services.

364. **Mr. Wall** asked the Minister for Health and Children the reason a person (details supplied) in County Kildare has not received an appointment for urgent surgery in view of the fact that the original appointment was in October 2006 which was cancelled and four appointments have been cancelled since that date; when the person will receive this appointment; and if she will make a statement on the matter. [9466/07]

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.

Health Services.

365. **Mr. Carey** asked the Minister for Health and Children the entitlements of school going children to dental treatment; and if she will make a statement on the matter. [9471/07]

Minister for Health and Children (Ms Harney): The statutory position governing the eligibility of children to dental treatment under the Health Service Executive (HSE) service is Section 66 of the Health Act, 1970, the Health (Amendment) Act 1994 and the Health (Dental Services for Children) Regulations, 2000 (S.I. No. 248 of 2000). Responsibility for delivery of health services is a matter for the HSE.

Children in specific classes in national school, usually second, fourth and sixth class, are targeted for preventive measures under the school based approach; the children in these classes are screened and referred for treatment as necessary; the programme has been specifically designed to ensure that children are dentally fit before they leave national school. The screening provided in second, fourth and sixth classes ensures that follow up appointments for examination, treatment or orthodontic review are made, as necessary, with the Dental Surgeon in the clinic designated for the particular school(s). Children who have attended national school retain eligibility to dental treatment up to their 16th birthday.

The Irish Medicines Board (Miscellaneous Provisions) Act, 2006, contains provision for the amendment of Section 66 of the Health Act, 1970 to provide for a health examination and treatment service for pupils attending any primary school. The Irish Medicines Board (Miscellaneous Provisions) Act, 2006, also contains provision for the amendment of the Health (Amendment) Act, 1994 to provide dental health services to children attending any primary school. My officials are currently in discussion with the Health Service Executive with a view to ensuring an early commencement to the relevant sections of the Act.

Health Repayment Scheme.

366. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in

County Mayo will receive a refund under the health repayment scheme. [9473/07]

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.

Hospital Services.

367. **Mr. McEllistrim** asked the Minister for Health and Children the reason the trauma and orthopaedic services at Kerry General Hospital have not been developed; when facilities will be improved, (details supplied); and if she will make a statement on the matter. [9481/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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.

Medical Cards.

368. **Mr. McGuinness** asked the Minister for Health and Children if a medical card will be approved for a person (details supplied) in County Kilkenny; and if she will expedite a response to their application. [9482/07]

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 a further adjustment to the income guidelines for GP visit cards. 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 therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Nursing Home Subventions.

369. **Dr. Cowley** asked the Minister for Health and Children when a short term subvention payment will be granted to a nursing home on behalf of a person (details supplied) in County Mayo; and if she will make a statement on the matter. [9491/07]

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. 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.

Adoption Services.

370. **Ms O. Mitchell** asked the Minister for Health and Children if her attention has been drawn to the fact that, despite all the commitments given to prospective adopters, the waiting list even for the first assessment is 22 months; if she will direct that the Health Service Executive provide increased resources in order that the typical five year waiting time for adoption can be shortened; and if she will make a statement on the matter. [9492/07]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive (HSE) under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

The Government did allocate €1 million to the HSE in additional ongoing funding commencing in 2005 to assist in tackling intercountry adoption waiting times. I understand that this additional funding is being used to pilot measures which will, for example, allow for more flexible working arrangements within the HSE with a view to addressing waiting times. The registered Adoption Society, PACT, has also received significant

additional funding to allow them to expand their intercountry adoption services.

Child Care Services.

371. **Mr. Penrose** asked the Minister for Health and Children further to her reply to a previous parliamentary question of 14 February 2007, the steps this child care group (details supplied) should take to secure grant aid in the context where a new group has been established and where there is an urgent need for the said child care facilities; and if she will make a statement on the matter. [9495/07]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): As the Deputy will be aware, I have responsibility for the Equal Opportunities Childcare Programme 2000-2006 (EOCP) and the National Childcare Investment Programme 2006-2010 (NCIP), which are being implemented by the Office of the Minister for Children. The EOCP is now closed for new applications, and all applications for capital funding should be made under the NCIP.

A new programme of staffing grants under the NCIP is expected to be announced in 2007 and will be informed by the outcome of a Value for Money Review of the EOCP which is currently in progress. The Review is expected to be completed in the first half of 2007 following which the procedures and criteria governing the new grant scheme will be made available both generally and to existing staffing grant recipients.

With regard to the Group in question I understand, as stated previously, that they were approved €19,046 under the EOCP in December 2001 towards staffing costs for one year. However, they were not recommended staffing grant assistance towards their second and third year as the service had not met the original conditions of funding, the targets set or reporting requirements. Furthermore it was not demonstrated that the service was facilitating parents to access employment, education or training. The original decision was upheld by the Secretary General of the Department of Health and Children following a review of application earlier this year. I understand that the Childcare Directorate of my Office informed the Group of this decision in February 2007.

If a Group wishes to apply for capital and/or staffing funding under the NCIP, they should contact their local County Childcare Committee for support and advice in developing a suitable application.

372. **Mr. Penrose** asked the Minister for Health and Children, further to her answer to a previous parliamentary question of February 2007, if the said capital grant has now been approved for persons (details supplied) in County Meath who wish to expand child care facilities; and if she will make a statement on the matter. [9496/07]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): As the Deputy will be aware, I have responsibility for the Equal Opportunities Childcare Programme 2000-2006 (EOCP) and the National Childcare Investment Programme 2006-2010 (NCIP), which are being implemented by the Office of the Minister for Children.

The Group in question has recently been approved €100,000 in capital grant assistance under the NCIP. I understand the Childcare Directorate of my Office has informed the Group of this decision.

Hospital Staff.

373. **Mr. Penrose** asked the Minister for Health and Children if she will take immediate steps to appoint a consultant rheumatologist to the Midland Regional Hospital, Mullingar, as such an appointment is warranted in the context of the number of people who are suffering from arthritis and other such medical problems in this large geographical area. [9497/07]

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.

Health Services.

374. **Mr. F. McGrath** asked the Minister for Health and Children if a long-term care package will be put in place for a person (details supplied) in Dublin 5 as a matter of priority. [9499/07]

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. 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.

375. **Mr. F. McGrath** asked the Minister for Health and Children the reason spina bifida parents are forced to raise funds for new equipment; and if these services will be properly funded in 2007. [9500/07]

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.

Organ Retention.

376. **Mr. F. McGrath** asked the Minister for Health and Children if assistance will be given to persons (details supplied) in Dublin 17 regarding the organ retention issue; and if she will work with the family on this matter. [9501/07]

Minister for Health and Children (Ms Harney): The information sought by the Deputy relates to matters within the area of responsibility of the Health Service 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.

Nursing Home Subventions.

377. **Mr. P. Breen** asked the Minister for Health and Children the reason an application for a subvention has not been processed for a person (details supplied) in County Limerick; and if she will make a statement on the matter. [9513/07]

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. 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.

378. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated with orthodontic treatment; and if she will make a statement on the matter. [9519/07]

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 Execu-

tive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

379. **Mr. McCormack** asked the Minister for Health and Children her plans for the provision of additional speech therapists for the Galway city area; and if she will make a statement on the matter. [9524/07]

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 numbers of doctors, nurses and other health care 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 health care 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.

Child Care Services.

380. **Mr. Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 79 of 15 February 2007, if the appeal assessment process has been concluded by Pobal; if a recommendation has been made to the PAC; when a final decision will be made by the Secretary General; and if she will make a statement on the matter. [9526/07]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): As the Deputy will be aware, I have responsibility for the Equal Opportunities Childcare Programme 2000-2006 (EOCP) and the National Childcare Investment Programme 2006-2010 (NCIP), which are being implemented by the Office of the Minister for Children.

A recent application from the Group in question for staffing grant assistance under the EOCP was not recommended for approval by the Programme Appraisal Committee (PAC) as the Group had not met the reporting requirements in respect of previous grant assistance allocated. The Secretary General of the Department of Health and Children concurred with the recommendation of the PAC not to approve additional

funding in this instance and the Childcare Directorate of my Office informed the Group of this decision.

An appeal by the Group in regard to this decision was received by the Childcare Directorate and forwarded to Pobal, which manages the day-to-day operation of the programme on behalf of my Office, to carry out a detailed assessment. This assessment is still ongoing and when completed will be forwarded for consideration by the PAC, prior to a final decision being made by the Secretary General. The Group will be informed of the outcome in due course.

Health Services.

381. **Mr. O'Connor** asked the Minister for Health and Children the progress being made to provide much needed health centre facilities in Fettercairn, Tallaght; and if she will make a statement on the matter. [9529/07]

Minister for Health and Children (Ms Harney): The Primary Care Strategy aims to develop services in the community to give people direct access to integrated multidisciplinary teams of general practitioners, nurses, home helps, physiotherapists, occupational therapists and others. It has been estimated that up to 95% of people's health and social services needs can be properly met within a primary care setting and the establishment of new Primary Care Teams can contribute greatly to enhancing community based health services.

The provision of the appropriate infrastructure for the effective functioning of the teams is being considered by the HSE, having regard to a number of factors. These include the type and configuration of the services involved, the mixed public/private nature of our health system, the suitability of existing infrastructure and the capital requirements of the health services generally over the coming years.

As the Health Service Executive has the operational and funding responsibility for Primary Care services, it 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 this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

382. **Mr. Kehoe** asked the Minister for Health and Children her plans for the future of a building (details supplied) in County Wexford; and if she will make a statement on the matter. [9544/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and

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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.

Health Services.

383. **Dr. Cowley** asked the Minister for Health and Children the reason it takes many weeks for a medical card holder to have an eye test form stamped taking into account that one person was told that they would have to wait four to six weeks in County Mayo as they were too busy in the Health Service Executive office; and if she will make a statement on the matter. [9545/07]

Minister for Health and Children (Ms Harney):

The ophthalmic scheme operated by the Health Service Executive, under Section 67 of the Health Act 1970, provides for a sight test and spectacles, free of charge, once every two years for adult medical card holders and dependants not covered by the relevant child health service.

As the Health Service Executive has the operational and funding responsibility for the provision of these services, 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 Repayment Scheme.

384. **Mr. Naughten** asked the Minister for Health and Children when relatives of deceased persons who had been cared for in public nursing homes will be notified as to when the deceased's nursing home refund will be issued; and if she will make a statement on the matter. [9546/07]

Minister for Health and Children (Ms Harney):

The Health (Repayment Scheme) Act 2006 provides a clear legal framework to repay recoverable health charges for publicly funded long-term residential care. All those fully eligible persons who were wrongly charged and are alive will have their charges repaid in full. The estates of all those fully eligible persons who were wrongly charged for publicly funded long-term residential care and died since 9 December 1998 will have the charges repaid in full. The scheme does not allow for repayments to the estates of those who died prior to that date.

Recoverable health charges are charges which were imposed on persons with full eligibility under the Health (Charges for In-patient Services) Regulations 1976 as amended in 1987 or charges for in-patient services only, raised

under the Institutional Assistance Regulations 1954 as amended in 1965. The repayment scheme was launched publicly by the Health Service Executive (HSE) and the scheme administrator KPMG/McCann Fitzgerald in August 2006.

In relation to dates of repayments to applicants, the HSE has informed the Department that over 26,000 forms have been submitted to the scheme administrator applying for repayments and these applications are being processed at present. The timeframe for repayment is predicated primarily on whether the applicant is alive or whether the application is being made by the estate of a deceased person. Living people who were wrongly charged will be the first to receive payments under the scheme. It is estimated that there are now in the region of 14,000 people within this category. Queries in relation to individual applications should be referred to the scheme administrator.

Offers of repayment commenced in late 2006 and over 1,000 payments have already issued with further payments continuing on an ongoing basis. The HSE has indicated that over €22 million has been repaid to date. It is expected that the bulk of payments to estates will commence later in the year. Provision has been made for applications to be received up to 1 January 2008. It is anticipated that the majority of repayments will be made by mid 2008.

A dedicated website *www.repay.ie*, an information phone line 1890 886 886 and an e-mail facility *queries@repay.ie* have been established by the scheme administrator to assist the public in accessing claim forms and general information on the scheme. The information line operates between the hours of 9.00 am and 6.00 pm from Monday to Friday.

385. **Mr. Blaney** asked the Minister for Health and Children if an application under the health repayment scheme will be expedited for a person (details supplied) in County Donegal; and if she will make a statement on the matter. [9556/07]

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.

Health Services.

386. **Mr. O'Shea** asked the Minister for Health and Children if an estimated costing for the full implementation of the cancer strategy has been calculated; and if she will make a statement on the matter. [9559/07]

Minister for Health and Children (Ms Harney):

The aim of the National Cancer Control Strategy, which was published in June 2006, is to reduce our cancer incidence, morbidity and mortality rates relative to other Member States of the European Union. This Government is committed to investing significantly in the implementation of the Strategy. The Health Service Executive (HSE), at my Department's request, is conducting a national needs assessment for cancer control which will set out priorities in the medium term.

I have made available an additional €20.5m this year for cancer control. This is an increase of 74% on the comparable 2006 investment and includes €3.5m to support the initial implementation of the HSE National Cancer Control Programme. The Programme will manage, organise and deliver cancer control on a whole population basis. It will have a strong emphasis on prevention and early detection, integrated across primary, hospital, supportive and palliative care. The Service Plan of the HSE for this year sets out the detailed deliverables of the Programme. This includes the establishment of the leadership team to implement the Programme, including the Director of the Programme and key medical leaders at network level.

I have allocated an additional €3.25m this year to support the implementation of the National Plan for Radiation Oncology. This will support the appointment of additional Consultant Radiation Oncologists, Specialist Registrars and support staff. The National Cancer Registry has been allocated an additional €0.4m this year and €0.35m has been allocated to the Health Research Board for All-Ireland-NCI Cancer Consortium activities, including a cancer biobanking initiative and further support for the clinical trials initiative.

Evidence based population based screening programmes are an essential element of the Strategy. I established a National Cancer Screening Service Board on 1 January this year. The total allocation to the new Service is €33m, a 71% increase on the funding available in 2006. This includes €8m which has been allocated this year for the roll out of the national breast-screening programme and €5m to commence the roll out of a national cervical screening programme later this year. The Service will also advise on the implementation of a national colorectal screening programme.

387. **Mr. Ferris** asked the Minister for Health and Children the reason a person (details supplied) in County Kerry who has been four years on a waiting list for orthodontic treatment has been informed that they have been put on the five-year waiting list; and if she will make a statement on the matter. [9565/07]

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 Repayment Scheme.

388. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will receive a payment under the health repayment scheme in relation to the estate of their deceased father. [9569/07]

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.

Nursing Home Subventions.

389. **Dr. Cowley** asked the Minister for Health and Children the reason a person (details supplied) in County Mayo has only been awarded subvention of €192 per week; and if she will make a statement on the matter. [9580/07]

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. 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.

Hospital Services.

390. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be called to the ophthalmic outpatient clinic in a hospital in Galway in view of the fact that this person has been waiting two years for same. [9581/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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 part-

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icular question raised by the Deputy. 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.

Care of the Elderly.

391. **Mr. O'Dowd** asked the Minister for Health and Children if she will carry out an inquiry into matters relating to Bedford House Nursing Home including transfers from St. Ita's Portrane to the home; and if she will make a statement on the matter. [9592/07]

Minister of State at the Department of Health and Children (Mr. S. Power): I am currently considering the scope of a possible inquiry relating to the transfer of patients from St. Ita's Portrane in the type of circumstances outlined by the Deputy and I hope to be in a position to finalise the terms of reference in the near future.

Hospital Services.

392. **Mr. O'Dowd** asked the Minister for Health and Children if she will arrange for a hip replacement operation in any possible hospital location for a person (details supplied) in County Louth; and if she will make a statement on the matter. [9593/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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.

393. **Mr. P. Breen** asked the Minister for Health and Children the reason a medical card was only renewed for two months for a person (details supplied) in County Clare; and if she will make a statement on the matter. [9602/07]

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, child care and travel to work costs. In June 2006 I agreed a further adjustment to the income guidelines for GP visit cards. 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 therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Voluntary Sector Funding.

394. **Mr. O'Connor** asked the Minister for Health and Children if her attention has been drawn to the great work being achieved by a group (details supplied); her views on the importance of this service particularly to worried and upset teenagers; the way this important service could be assisted and funded; and if she will make a statement on the matter. [9603/07]

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. The Executive, therefore, 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 case investigated and to have a reply issued directly to the Deputy.

Health Services.

395. **Mr. Neville** asked the Minister for Health and Children when physiotherapy will be made available to a person (details supplied) in County Limerick. [9610/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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 question raised by the Deputy. 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.

Cancer Screening Programme.

396. **Ms Lynch** asked the Minister for Health and Children if the BreastCheck clinic adjacent to the Victoria Hospital, Cork will open on schedule in September 2007; and if she will make a statement on the matter. [9611/07]

Minister for Health and Children (Ms Harney): The National Cancer Screening Service has informed my Department that the static unit in the South Infirmary/Victoria Hospital in Cork is on schedule for hand-over in September followed by a three-week commissioning period. I have made available an additional €26.7m capital funding for the construction of this unit and one at University College Hospital Galway and the provision of five additional mobile units and state of the art digital equipment. I am committed to ensuring that the BreastCheck service is rolled out to the remaining regions in the country as quickly as possible.

I have allocated additional revenue funding of €8 million for this year to meet the additional costs involved and I have approved an additional 69 posts for roll-out. BreastCheck appointed the Clinical Directors for the South and West last November and has recently appointed three Consultant Radiologists, two Consultant Surgeons and two Consultant Histopathologists, all with a special interest in breast disease. The recruitment of Radiographers and other staff is underway.

Health Service Staff.

397. **Mr. Ring** asked the Minister for Health and Children the salary of an administrator (details supplied) for the year 2006; and the travel and subsistence or other expenses claimed by that person for the same period. [9632/07]

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 health care 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 health care 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 the Actual 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 to the Deputy.

Hospital Services.

398. **Mr. Kehoe** asked the Minister for Health and Children if a person who has had a kidney transplant abroad, in a non-EU country can be considered for a refund of any of the costs incurred for this essential operation; and if she will make a statement on the matter. [9633/07]

Minister for Health and Children (Ms Harney): Where arrangements are made by a person for treatment abroad outside the terms of the EU Regulations, the HSE has no obligation to meet any part of the cost involved.

The HSE may refer persons in certain cases for lawfully permitted emergency treatment or examination outside an EU Member State where the treatment or examination is not available in those States. Depending on individual circumstances, e.g. urgent emergency treatment, the HSE may arrange for treatment outside the EU and to pay for such treatment at their discretion. In such cases, the patient must meet the assessment criteria set down by HSE and prior authorisation must be obtained, the exception being when there was insufficient time to do so prior to the patient being sent abroad, but the application must be progressed as a matter of urgency. Where these procedures are not adhered to, the HSE does not consider refunding any costs.

Health Services.

399. **Mr. Bruton** asked the Minister for Health and Children if she has sanctioned the nationwide entitlement to chiropody services for persons on the medical card; and if she will make a statement on the matter. [9634/07]

Minister for Health and Children (Ms Harney): There is no statutory obligation on the Health Service Executive (HSE) to provide chiropody services to GMS patients; however in practice arrangements are made to provide these services. Before the establishment of the HSE the nature of the arrangements for chiropody and the level of service provided was a matter for individual health boards and so a degree of variation in practice developed over time. Priority is usually given to certain groups of people, including people who are medical card holders aged 65 years and over. In several regions the service is provided by private chiropodists by arrangement with the HSE.

My Department is currently preparing legislation to clarify and update existing legislation on eligibility for health and personal social services.

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The Bill will define specific health and personal services more clearly; define who should be eligible for what services; set out clear criteria for eligibility; establish when and in what circumstances charges may be made and provide for an appeals framework.

Cancer Screening Programme.

400. **Mr. Noonan** asked the Minister for Health and Children when the cervical screening programme which has been piloted at the Mid-Western Regional Hospital in Limerick will be rolled out on a national basis; the time line she envisages and the sequence of the regions where the programme will be initiated; the moneys allocated to the programme in 2007, 2008 and 2009; and if she will make a statement on the matter. [9680/07]

Minister for Health and Children (Ms Harney):

An effective national cervical screening programme will result in a substantial reduction in the incidence of cervical cancer. It is my objective to have such a programme rolled out, beginning late this year, based on an affordable model. For that purpose, on 1 January 2007, I established a National Cancer Screening Service which amalgamates BreastCheck and the Irish Cervical Screening Programme at the end of this year.

The total allocation to the new Service is €33m; this is a 71% increase on the 2006 allocation to the Programmes. This includes additional funding of €5m for 2007 to the Service to commence roll out of the Cervical Screening Programme. I will make available adequate resources for the programme in future years which will be included in the annual Estimates process.

Significant preparatory work is well underway involving the introduction of new and improved cervical tests, improved quality assurance training and the preparation of a national population register. The plan is to have cervical screening managed as a national call/recall programme via effective governance structures that provide overall leadership and direction, in terms of quality assurance, accountability and value for money. All elements of the programme, call/recall, smear taking, laboratories, colposcopy and treatment services will be quality assured, organised and managed to deliver a single integrated national programme. Accordingly, the Service is not planning to roll out the programme incrementally on a regional basis.

Hospital Services.

401. **Mr. Naughten** asked the Minister for Health and Children when the hospice bed in Boyle, County Roscommon will be opened; the steps she is taking to resolve the outstanding issues; the cost of staffing the facility to date; the running cost of the facility; the capital investment

provided to date; and if she will make a statement on the matter. [9724/07]

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. 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.

402. **Mr. McGuinness** asked the Minister for Health and Children the reason a gastric bypass is not being provided in the case of a person (details supplied) in County Kilkenny; if their case will be dealt with by another surgeon under the National Treatment Purchase Fund; if she will expedite a response from the Health Service Executive; and if she will make a statement on the matter. [9733/07]

Minister for Health and Children (Ms Harney):

Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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.

Patients waiting more than three months on a surgical waiting list may qualify for treatment under the National Treatment Purchase Fund. It is open to the person in question or anyone acting on her behalf to contact the Fund directly in relation to this case.

403. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be called to the Galway Regional Hospital for a scan in view of the fact that they are currently a patient in Mayo General Hospital. [9756/07]

Minister for Health and Children (Ms Harney):

Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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 question raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

Health Repayment Scheme.

404. **Mr. Hogan** asked the Minister for Health and Children when a nursing home rebate will be granted to a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [9757/07]

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.

Health Services.

405. **Mr. Sargent** asked the Minister for Health and Children the measures she is taking to deal with the backlog of school children waiting for treatment at the Health Service Executive dental clinic, Roselawn Road, Blanchardstown, Dublin 15 due to lack of staff; and if she will make a statement on the matter. [9764/07]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Departmental Expenditure.

406. **Mr. Eamon Ryan** asked the Minister for Health and Children the amount her Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if she will make a statement on the matter. [9777/07]

Minister for Health and Children (Ms Harney): The amount paid by my Department in 2006 for car mileage expenses was €270,220. The amount paid for rail and bus expenses for the same period was €10,572.

Medical Aids and Appliances.

407. **Mr. McGuinness** asked the Minister for Health and Children if a new motorised wheelchair will be provided for a person (details supplied) in County Kilkenny; and if she will expedite a response in the matter. [9798/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive

under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Files.

408. **Mr. McGuinness** asked the Minister for Health and Children if the six years of medical files relative to the case of a person (details supplied) in County Kilkenny have been located; and if she will make a statement on the matter. [9799/07]

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. 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.

409. **Mr. McGuinness** asked the Minister for Health and Children if multi-channel television service will be provided for the long stay patients in a ward (details supplied) in St. Canice's Psychiatric Hospital, Kilkenny; and if she will make a statement on the matter. [9800/07]

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 of all health services has been provided as part of its overall vote. The Executive is, therefore, 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 to the Deputy.

Medical Cards.

410. **Mr. N. O'Keefe** asked the Minister for Health and Children if she will investigate an application for a medical card by a person (details supplied) in County Cork. [9807/07]

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

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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 a further adjustment to the income guidelines for GP visit cards. 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 therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Health Services.

411. **Mr. N. O'Keefe** asked the Minister for Health and Children if she will investigate the provision of long-term care in respect of a person (details supplied) in County Cork. [9808/07]

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. 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.

Energy Consumption

	Electricity	Gas	Oil	Total Cost
2002	995,354 Kwh	1,073,987 Kwh	6,900 Ltrs	€134,016
2006	2,313,485 Kwh	1,199,087 Kwh	36,644 Ltrs	€337,200

The Office of Public Works (OPW) has responsibility for the fitting out and provision of services to Government Departments. At Present the OPW has a plan for energy conservation in a number of buildings in the Government Department portfolio. This will involve a concerted energy awareness programme in these buildings in co-operation with local management. The programme is already being piloted in a few Departments and is due to be rolled out in all Departments by September 2007.

Voluntary Sector Funding.

412. **Mr. Kehoe** asked the Minister for Health and Children the funding available for a group who want to start up an Internet cafe and make the facilities available to people with disabilities; the locations where they can receive computer training and training in art; and if she will make a statement on the matter. [9814/07]

Minister of State at the Department of Health and Children (Mr. S. Power): As the Deputy may be aware the provision of funding to set up a business such as an internet cafe, would be a matter for the Department of Enterprise, Trade and Employment. The provision or establishment of centres for the training of people in computer science or art would initially be a matter for the Department of Education and Science.

With regard to the availability of computer science or art facilities for a person with a disability, this is a matter for the Health Service Executive who under the Health Act 2004 is responsible for the management and delivery of health and personal social services. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and have a reply issued directly to the Deputy.

Departmental Expenditure.

413. **Mr. G. Mitchell** asked the Minister for Health and Children the cost of energy used running her Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and her plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9826/07]

Minister for Health and Children (Ms Harney): The information requested by the Deputy is as follows:

My Department is fully committed to the effective management of our consumption of energy resources. It is now policy to use a number of energy saving devices such as energy efficient lights, powersave function on electrical office equipment and photocopiers with duplex facilities. Following a tendering process by the OPW a contract is now in place with Energia for the supply of electricity from renewable resources to my Department.

Health Service Staff.

414. **Mr. O'Shea** asked the Minister for Health

and Children the estimate of the number of speech and language therapists required to provide for need of persons in the south east region and throughout the country; and if she will make a statement on the matter. [9832/07]

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 numbers of doctors, nurses and other health care 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 health care 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.

Hospital Services.

415. **Dr. Twomey** asked the Minister for Health and Children the situation regarding the development of neurology services in the south east; the stage the development process is currently at; when people with neurological conditions in the south east will be able to access neurology services as recommended by the Government's report; and if she will make a statement on the matter. [9840/07]

Minister for Health and Children (Ms Harney): Development funding of €3m was provided to the Health Service Executive in 2006 to develop neuroscience services, which includes neurology. A further €4m was provided to continue these developments during 2007. My Department has requested the Parliamentary Affairs Division of the Executive to have a more detailed reply issued directly to the Deputy in relation to the application of this funding.

Health Services.

416. **Mr. Gormley** asked the Minister for Health and Children if her attention has been drawn to the fact that children who do not attend public national schools are not entitled to free dental or free optical care, despite the fact that they are covered under the school doctor scheme

for immunisations; the action she will take to rectify this inequality in regard to these children; and if she will make a statement on the matter. [9843/07]

Minister for Health and Children (Ms Harney):

The statutory position governing the eligibility of children to dental treatment under the Health Service Executive (HSE) service is Section 66 of the Health Act, 1970. Furthermore, in relation to dental services for children, the Health (Amendment) Act 1994 and the Health (Dental Services for Children) Regulations, 2000 (S.I. No. 248 of 2000) also apply. Responsibility for delivery of health services is a matter for the HSE.

The Irish Medicines Board (Miscellaneous Provisions) Act, 2006, contains provision for the amendment of Section 66 of the Health Act, 1970 to provide for a health examination and treatment service for pupils attending any primary school. The Irish Medicines Board (Miscellaneous Provisions) Act, 2006, also contains provision for the amendment of the Health (Amendment) Act, 1994 to provide dental health services to children attending any primary school. My officials are currently in discussion with the Health Service Executive with a view to ensuring an early commencement to the relevant sections of the Act.

Departmental Staff.

417. **Mr. Sargent** asked the Minister for Health and Children if she will report on gender balance at each grade in her Department and in agencies that come under the aegis of her Department. [9854/07]

Minister for Health and Children (Ms Harney):

The table gives details of the gender balance of staff in the general civil service grades working in this Department.

Grade	% Female	% Male
Services Officer	9	91
Clerical Officer	80	20
Staff Officer	86	14
Executive Officer	67	33
Higher Executive Officer	54	46
Administrative Officer	71	29
Assistant Principal Officer	49	51
Principal Officer	33	67
Director	50	50
Assistant Secretary	25	75
Secretary General	0	100

The overall gender balance across general civil service grades working in the Department is 62% female and 38% male.

The table above does not include staff working in specialist grades within the Department, staff currently on career break from the Department,

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staff seconded in or out of the Department or staff working on a contract basis. In the time allowed it was not possible to collate all of the information in respect of specialist grades within the Department. When the information has been collated it will be forwarded to the Deputy.

In respect of the agencies under the aegis of the Department, these agencies have been requested to provide the information. As soon as all of the information has been received a written response will issue to the Deputy on the matter.

Hospital Waiting Lists.

418. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated with knee surgery; and if she will make a statement on the matter. [9865/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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 question raised by the Deputy. 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.

419. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated with a mammography test; and if she will make a statement on the matter. [9866/07]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in relation to the matter raised.

Health Services.

420. **Mr. English** asked the Minister for Health and Children the additional assistance available from her Department for a person (details supplied) in County Meath to further the speech and language therapy services that they are receiving as their speech is highly unintelligible to listeners; if a place can be secured at the Health Service Executive language class for this person for the next school year; and if she will make a statement on the matter. [9869/07]

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.

421. **Mr. Perry** asked the Minister for Health and Children if she will intervene with Cappagh Hospital on behalf of a person (details supplied) in County Sligo; and if she will make a statement on the matter. [9875/07]

425. **Mr. Perry** asked the Minister for Health and Children if she will intervene with Cappagh Hospital on behalf of a person (details supplied) as their referral from the Mater is urgent and have them called for their appointment as their condition has deteriorated dramatically; and if she will make a statement on the matter. [9898/07]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 421 and 425 together.

Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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 question raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

Health Services.

422. **Mr. Quinn** asked the Minister for Health and Children if her attention has been drawn to a report produced by the Harbour Group entitled the Harbour Map; if she will instruct the Health Service Executive to undertake an epidemiological study of brain injury here; and if she will make a statement on the matter. [9885/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): My attention has been drawn to this report as I have recently received correspondence from several Deputies in relation to this matter. The Deputy's question relates to the 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 Repayment Scheme.

423. **Mr. G. Murphy** asked the Minister for Health and Children the reason a claim in relation to the health repayment scheme was submitted on behalf of a person (details supplied); if this is a widespread practice; the location where the funding will be lodged; if the health board has access to the funding; and the authority by which the health board took over this function.

[9887/07]

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.

Hospital Waiting Lists.

424. **Mr. McGuinness** asked the Minister for Health and Children the reasons for the delay in admitting a person (details supplied) in County Kilkenny to Beaumont Hospital where they are to have brain surgery; if she will expedite the matter in view of the fact that the patient's health has deteriorated and they are now greatly incapacitated and the case has been deemed extremely urgent by their general practitioner.

[9897/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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. 425 answered with Question No. 421.

Child Abuse.

426. **Mr. Bruton** asked the Minister for Health and Children her views on whether it would be timely to review the operation of the systems for dealing with persons who have been victims of child sexual abuse in view of concerns expressed that the strict observance of procedure can become very bureaucratic and delay the immediate care and support response for the client; and if she will make a statement on the matter.

[9906/07]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy's question relates to the delivery of health services, which is the responsibility of the Health Service Executive (HSE) under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to issue a direct reply to the Deputy.

Disabled Drivers.

427. **Mr. Durkan** asked the Minister for Health and Children if she will review the decision not to issue a primary medical certificate in the case of a person (details supplied) in County Kildare whose condition has deteriorated and who requires the certificate to qualify under the disabled drivers disabled passengers 1994 tax concession regulations in order to acquire or adapt a vehicle for work purposes; and if she will make a statement on the matter. [9913/07]

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.

428. **Mr. Lowry** asked the Minister for Health and Children if a medical operation will be arranged without delay for a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [9922/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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.

429. **Mr. Wall** asked the Minister for Health and Children when a person (details supplied) in County Kildare will receive an appointment for surgery in view of their condition; and if she will make a statement on the matter. [9938/07]

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

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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.

Hospitals Building Programme.

430. **Mr. Connolly** asked the Minister for Health and Children the way she will select the members of the public, with regard to her recent statement that a key element of the consultancy process on the location of the new North East Area Regional Hospital will involve the Health Service Executive inviting the public to make a submission on the hospital location; and if she will make a statement on the matter. [9939/07]

431. **Mr. Connolly** asked the Minister for Health and Children the way the Health Service Executive proposes to invite other interested parties to make a submission on the proposed new North East Regional Hospital location; the interested parties that will be invited; and if she will make a statement on the matter. [9940/07]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 430 and 431 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 has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular issues raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matters investigated and to have a reply issued directly to the Deputy.

432. **Mr. Connolly** asked the Minister for Health and Children if, having regard to her recent statement regarding the Health Service Executive's assurance to her that in progressing the reorganisation of services in the north east, there will be no discontinuation of existing services until suitable alternative arrangements have been put in place, this refers to the establishment of the new north-east regional hospital; and if she will make a statement on the matter. [9941/07]

Minister for Health and Children (Ms Harney): The HSE has established a Steering Group and a Project Group to oversee a programme designed to improve safety and standards across the acute

hospital network in the North East Region. The decision was taken having regard to the issues raised in the report prepared for the HSE by Teamwork Management Services — “Improving Safety and Achieving Better Standards — An Action Plan for Health Services in the North East”.

The Teamwork Report included a number of recommendations to improve patient care in the region. It particularly highlighted the need to develop a high quality, responsive emergency and planned service, in line with international standards. It recommended that there be one major regional hospital in the North East, supported by five local hospitals. The new hospital is to provide emergency and trauma services on a 24 hour basis and also provide planned specialist procedures that are complex and require the facilities of a large regional hospital.

The hospital reconfiguration process is being overseen by the HSE Steering Group which is leading the project. No decision has been made to date on the location of the new hospital. A sub-committee of the Steering Group has been established to progress the issue of site selection. A tender for consultancy is to be awarded shortly for an independent site location study. The study will take account of various criteria including demographics, access, planning and development considerations and interdependencies.

The HSE has given me an assurance that, in progressing the implementation of this report, there will be no discontinuation of existing services until suitable alternative arrangements have been put in place.

Health Repayment Scheme.

433. **Mr. Allen** asked the Minister for Health and Children when a decision will be made on the application made under the national nursing home repayment scheme by a person (details supplied) in County Cork. [9942/07]

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.

Health Service Staff.

434. **Mr. Wall** asked the Minister for Health and Children the number of speech and language therapists in the Kildare area of the Health Service Executive that deal with children; if there is a shortfall in regard to positions; if so, the number of same; the number of therapists dealing with speech and language with children that have been employed in the Kildare area for each of

the past five years; the number of times over this period that the Health Service Executive or her Department advertised for therapists; her views in regard to the waiting time, in view of the importance particularly for children starting mainstream education, of the lack of such therapy; her plans to address the problem; and if she will make a statement on the matter. [9943/07]

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 numbers of doctors, nurses and other health care 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 health care needs of the population into the future.

A particular priority for my Department and the Department of Education and Science in recent years has been the expansion of the supply of therapy graduates, including speech and language therapists. In response to concerns regarding labour shortages, my Department commissioned a report from Dr. Peter Bacon and Associates on current and future supply and demand conditions to 2015 in the labour market for speech and language therapists, occupational therapists and physiotherapists (Bacon Report).

The report was published in 2001 and arising from its recommendations additional courses in speech and language therapy providing 75 places were established in three universities. UCC, NUIG and UL each established courses in speech and language therapy with 25 places on each of the 3 courses. The first cohort of graduates from the UL masters level course in speech and language therapy graduated in 2005 and the first cohort from the bachelor degree programmes in UCC and NUIG will graduate this year. This investment represents an increase in training capacity of 300% in speech and language therapy. The total number of speech and language therapy training places now stands at 100, the level at which the Bacon Report recommended as being sufficient to meet current and future demand to 2015 for speech and language therapists.

An issue has recently come to my attention whereby physiotherapy graduates have had some difficulties in finding employment. I want to ensure that the combination of factors which have led to this situation are addressed urgently and do not impact on the other therapy professions. My Department is addressing this situation in a proactive manner and is working closely with the HSE to tackle the various factors which are contributing to this situation. A working group made up of the Department, the HSE and the profession themselves, including nominees from the

unions, is continuing to work to tackle this situation in preparation for the 2007 graduates.

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.

Hospital Services.

435. **Mr. Stanton** asked the Minister for Health and Children the number on the waiting list for assessment at the development co-ordination disorder unit in St. Finbarr's Hospital in Cork; the number attending the unit; the amount of funding made available to operate the unit each year since the unit was established; her plans in 2007 to expand and further develop the unit; and if she will make a statement on the matter. [9946/07]

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 to have a reply issued directly to the Deputy.

Health Services.

436. **Mr. Wall** asked the Minister for Health and Children further to Parliamentary Question No. 275 of 6 March 2007, if in view of the serious shortfall in speech and language therapists in counties Kildare and west Wicklow, she will engage speech and language therapists in the private sector to deal with the very serious backlog in regard to such therapy in view of the fact that children are waiting for at least two years for such therapy; and if she will make a statement on the matter. [9948/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Arising from the recommendations of the Bacon Report, which was published in 2001, additional courses in speech and language therapy and occupational therapy were established in UCC, NUIG and UL. These courses provided a further 75 places in each discipline.

Subject to overall parameters set by Government, the Health Service Executive has the

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responsibility for determining the composition of its staffing complement. In this 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. 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.

437. **Mr. F. McGrath** asked the Minister for Health and Children the reason a person (details supplied) in Dublin 9 who lives near Beaumont Hospital is outside the catchment area for Beaumont Hospital physiotherapy services; and if this situation will be changed and these services adequately funded. [9949/07]

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 asked 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.

438. **Mr. G. Mitchell** asked the Minister for Health and Children if the Health Service Executive will consider and address the concerns of a group (details supplied) regarding services for brain injured people; and if the HSE will make a detailed response. [9950/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Allowances.

439. **Mr. Durkan** asked the Minister for Health and Children if a mobility allowance will be offered to a person (details supplied) in County Kildare to assist with work-related driving; and if she will make a statement on the matter. [9951/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

440. **Mr. Durkan** asked the Minister for Health and Children if she has received correspondence from a person (details supplied) in Dublin 12 on the lack of services for brain injured people here; her plans to provide for and improve funding in this area; and if she will make a statement on the matter. [9952/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I have not received correspondence from the person in question but I am aware of the report as I have recently received correspondence in relation to this matter from several Deputies. The Deputy's question relates to the 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.

441. **Mr. O'Shea** asked the Minister for Health and Children her proposals to address the concerns and proposals of a group (details supplied) in County Dublin; and if she will make a statement on the matter. [9957/07]

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.

442. **Mr. Naughten** asked the Minister for Health and Children the situation regarding live kidney donor transplants; the reason only two of 15 planned live donor surgeries have been carried out in 2007; the reason it is not planned to carry out further live donor surgery in 2007; and if she will make a statement on the matter. [9970/07]

443. **Mr. Naughten** asked the Minister for Health and Children if there are plans to test family members of patients awaiting live kidney donations to ascertain whether they are a match for the patient; and if she will make a statement on the matter. [9971/07]

466. **Mr. Naughten** asked the Minister for Health and Children if she will put in place a formal programme for both adult and paediatric living donor kidney transplants; the status of the programme in Beaumont Hospital; when the next procedure will be performed; and if she will make a statement on the matter. [10147/07]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 442, 443 and 466 together.

I have sought an urgent report from Beaumont Hospital on recent reports that the living donor related transplant programme has been suspended. I identified the development of a living-related renal donor programme as a service priority in 2006. As part of the overall development of renal services my Department provided revenue funding of €8m to the HSE to support the provision of dialysis facilities and the development of a living related donor programme. Additional funding of €4m has also been provided in 2007 to continue to support the national development of renal services.

The HSE has advised that it has approved three additional consultant posts for the programme and is also working with the hospital to increase available theatre capacity for the programme. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the specific issues raised investigated and to have a reply issued directly to the Deputy.

Health Services.

444. **Mr. Ring** asked the Minister for Health and Children if a person (details supplied) in County Mayo can be reassessed for orthodontic treatment in view of the fact that they have been told that they need it, that the Health Service Executive is refusing to treat them, and their family cannot afford to pay for private orthodontic treatment as they are already paying private orthodontic costs for another of their children; and if a reassessment will be scheduled as a matter of urgency. [9972/07]

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.

Foreign Adoptions.

445. **Ms Shortall** asked the Minister for Health and Children the average length of time between application and the successful conclusion for foreign adoptions; the number of applications outstanding; the reason for such delays; if her Department will introduce practical measures to reduce this timescale; and if she will make a statement on the matter. [9973/07]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive (HSE) under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

The Government did allocate €1 million to the HSE in additional ongoing funding commencing in 2005 to assist in tackling inter-country adoption waiting times. I understand that this additional funding is being used to pilot measures which will, for example, allow for more flexible working arrangements within the HSE with a view to addressing waiting times. The registered Adoption Society, PACT, has also received significant additional funding to allow them to expand their inter-country adoption services.

Health Services.

446. **Mr. Allen** asked the Minister for Health and Children the reason the Health Service Executive southern area terminated assistance towards transport costs for persons (details supplied) in County Cork, who have to travel regularly to Dublin with their seven year old son for treatment due to the fact they cannot get the treatment in the Cork area and that they were receiving the assistance towards the travel costs until Christmas 2006 but it has since been terminated on the grounds of income despite the fact that the person is unemployed and their spouse is in receipt of a carer's allowance. [9974/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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.

447. **Mr. English** asked the Minister for Health

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and Children the reason a person (details supplied) in Dublin 3 who had eye surgery in August 2006 has had a number of post-operation appointments with a consultant postponed; when this person can expect to have this consultation; and if she will make a statement on the matter. [10005/07]

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 Aids and Appliances.

448. **Ms Enright** asked the Minister for Health and Children her views on a person (details supplied) in County Offaly who has waited from 2005 to date to be provided with a hearing aid; when they will be provided with the hearing aid; the number of people that remain on the waiting list for the provision of a hearing aid in the Dublin and mid-Leinster area; and if she will make a statement on the matter. [10014/07]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Allowances.

449. **Ms Enright** asked the Minister for Health and Children when a domiciliary allowance appeal will be processed for a person (details supplied) in County Laois; and if she will make a statement on the matter. [10015/07]

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.

450. **Mr. Neville** asked the Minister for Health and Children when an appointment at a clinic in the Mid-West Regional Hospital will be arranged for a person (details supplied) in County Limerick. [10016/07]

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 this case investigated and to have a reply issued directly to the Deputy.

Departmental Reports.

451. **Mr. Neville** asked the Minister for Health and Children if she will publish and place in the Library of the Houses of the Oireachtas, the minority report of the orthodontic review group of December 2006; and if she decides not to do so if she will make a statement of explanation with regard to this. [10017/07]

Minister for Health and Children (Ms Harney): The Health Service Executive (HSE) established an Orthodontic Review Group in 2006. The Group was broadly representative of the orthodontic profession and also included representation from the HSE, my Department and the dental schools. The terms of reference for the group were:

- 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 Review Group has finalised its report and it has been approved by the HSE Management Team. I have received a copy of the report and am considering its recommendations. A minority report was not included in the copy of the Review Group Report which I received. I understand the Review Group Report has recently been published.

Services for People with Disabilities.

452. **Mr. F. McGrath** asked the Minister for Health and Children if she will increase the funding in 2007 for St. Michael's House services; and if she will work with the Department of Education and Science in expanding services for adults with a disability at the Santry Hall unit. [10039/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): As the Deputy may be aware, a sum of €75m for revenue purposes was provided to the Health Service Executive for Disability Services in the 2007 Budget. This sum incorporates the 2007 element of the Government's multi-annual investment programme for the National Disability Strategy. This Strategy is committed to enhancing, among other services, the level and range of multi-disciplinary support services to adults and children with an intellectual, physical and sensory disability and those with autism.

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

EU Directives.

453. **Mr. Allen** asked the Minister for Health and Children the number of EU directives awaiting transposition in her Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if she will make a statement on the matter. [10055/07]

Minister for Health and Children (Ms Harney): There are currently 7 EU Directives awaiting transposition in my Department. Details of the dates by which transposition is due are as follows:

- (1) 2006/78/EC — amending Council Directive 76/768/EEC, concerning cosmetic products, for the purposes of adapting Annex II thereto to technical progress — due 30/03/07
- (2) 2006/33/EC — amending Directive 95/45/EC as regards sunset yellow FCF (E110) and titanium dioxide (E171) — due 10/04/07.
- (3) 2006/37/EC — amending Annex II to Directive 2002/46/EC of the European Parliament and of the Council as regards the inclusion of certain substances — due 30/04/07.
- (4) 2006/52/EC, amending Directive 95/2/EC on food additives other than colours and sweeteners and Directive 94/35/EC on sweeteners for use in foodstuffs — due 15/02/08.

In addition 3 Directives are currently overdue for transposition as follows:

- Directives 2004/24/EC and 2004/27/EC, relating to traditional herbal medicinal products, both of which were due to be transposed on 30 October, 2005. These Directives are being transposed by way of four draft Regulations to be made under the Irish Medicines Board (Miscellaneous Provisions) Act 2006, rather than under the European Communities Act 1973 as is normally the case.

As these draft Regulations update and replace national legislation it was necessary to notify them to Member States under the provisions of Directive 98/34/EC concerning the prevention of technical barriers to trade. The three month notification period required expires on June 6th 2007. No objections to the draft Regulations are anticipated from Member States and it is expected that the Regulations will be finalised thereafter.

- 2006/81/EC — adapting Directive 95/17/EC as regards the non-inclusion of one or more ingredients on the list used for the labelling of cosmetic products and Directive 2005/78/EC as regards the measures to be taken against the emission of gaseous and particulate pollutants from engines for use in vehicles, by reason of the accession of Bulgaria and Romania — due 01/01/2007.

It should be noted that only the first part of this Directive is for the Department of Health and Children and as it would appear to relate solely to Bulgaria and Romania, my Department will be in touch with the European Commission with regard to the need to transpose this Directive.

Child Care Services.

454. **Mr. Ring** asked the Minister for Health and Children if she met with a delegation (details supplied) from County Mayo recently; if so, the location at which the meeting took place; the persons she met with; and if funding will be provided to this group. [10069/07]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I have responsibility for the Equal Opportunities Childcare Programme 2000-2006 (EOCP) and the National Childcare Investment Programme 2006-2010 (NCIP), which are being implemented by the Office of the Minister for Children.

Where certain circumstances apply, including where an application is linked to a previous EOCP capital grant, applications for staffing grant assistance are continuing to be considered under the EOCP and, subject to the outcome of the review in each case, the applicants will be advised of the position as soon as possible. In the case of other Groups such as that referred to by the Deputy, which have been declined staffing

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grant funding under the EOCP as a result of being unable to meet the contractual deadlines of that Programme, and whose applications were not linked to a previous EOCP capital grant, the review of their applications for staffing grant funding will be undertaken as soon as the details of the new NCIP staffing grant scheme are announced. In each case, the review will be undertaken as quickly as possible to facilitate the Group concerned. Officials in my office will be in contact with the Group in due course to inform them of the outcome of that review.

In the course of my official engagements I would have contact with various individuals and groups. I was introduced to two representatives of the Group in question by Cllr Frank Chambers in Dublin. Representations on behalf of this Group have been received and are being given attention by officials in my Office.

Hospital Services.

455. **Mr. Perry** asked the Minister for Health and Children when a person (details supplied) in County Sligo will be called for a scan; and if she will make a statement on the matter. [10070/07]

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 this case investigated and to have a reply issued directly to the Deputy.

Health Services.

456. **Mr. Kehoe** asked the Minister for Health and Children her views on the position with regards to a child who was seen by an orthodontist in sixth class in school and did not need treatment; who was then seen by another orthodontist a year later and needed treatment at a cost of €4000; and if she will make a statement on the matter. [10104/07]

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.

457. **Mr. O'Dowd** asked the Minister for Health and Children the number of bariatric procedures that have been carried out in the State; the hospitals that carry out the procedure; and if she will make a statement on the matter. [10105/07]

Minister for Health and Children (Ms Harney): In 2005 there were 12 bariatric procedures carried out in publicly funded acute hospitals in the State. They were carried out in St Columcille's Hospital in Loughlinstown and in Cork University Hospital. Specifically these procedures are gastric bypass and gastric reductions for morbid obesity. Data are derived from the Hospital Inpatient Enquiry (HIPE) system which records information on hospitalisation in publicly funded acute hospitals.

458. **Mr. N. O'Keeffe** asked the Minister for Health and Children when will an item of equipment (details supplied) be installed in a hospital in County Cork. [10106/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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.

Medical Cards.

459. **Mr. N. O'Keeffe** asked the Minister for Health and Children if she will examine an application for a full medical card in respect of a person (details supplied) in County Cork where their application has been found to be over the income guidelines and who are seeking a medical card on medical grounds. [10121/07]

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 a further adjustment to the income guidelines for GP visit cards. 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 therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Housing Aid for the Elderly.

460. **Mr. Ring** asked the Minister for Health and Children the position regarding persons (details supplied) in County Mayo who have applied for the special housing aid for the elderly scheme; and the criteria that applies to that scheme. [10122/07]

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.

Hospital Services.

461. **Mr. Ring** asked the Minister for Health and Children the reason transport for a person (details supplied) in County Mayo has been stopped in view of the fact that they have been provided with this transport from home to the Sacred Heart Hospital for the past six years; and when that transport will be restored. [10123/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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.

Proposed Legislation.

462. **Ms F. O'Malley** asked the Minister for Health and Children if she expects to have enacted legislation to regulate the use of sunbeds by the end of the 29th Dáil; and if she will make a statement on the matter. [10124/07]

Minister for Health and Children (Ms Harney): When launching the Strategy for Cancer Control in Ireland on 12 June last I announced that the Government had accepted my proposal to restrict the use of sunbeds to adults only. Heads of a Bill are being prepared for consideration by Government to regulate the use of sunbeds, including prohibiting their use by those under 16. The proposals will also provide for the compulsory placing of warning notices in sunbed salons and other places where sunbeds are available for use by the public. Preparation of this legislation is proceeding but I am not yet in a position if to say if it will be enacted by the end of the current Dáil.

Ambulance Service.

463. **Mr. English** asked the Minister for Health and Children if she will provide a list of ambulance stations in the midlands and north east regions of the Health Service Executive, with a list of catchment areas for each of these stations; and if she will make a statement on the matter. [10140/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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 request made 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.

464. **Dr. Cowley** asked the Minister for Health and Children the reason the medical files and transferal letter of a person (details supplied) in County Mayo have been lost on two occasions, in November 2006 and in January 2007; when the person will be called; and if she will make a statement on the matter. [10141/07]

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

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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.

Parliamentary Questions.

465. **Mr. Kehoe** asked the Minister for Health and Children the delay in replying to Parliamentary Question No. 264 of 5 December 2006; if an urgent response can be made; and if she will make a statement on the matter. [10142/07]

Minister of State at the Department of Health and Children (Mr. S. Power): I understand that the Health and Safety Authority has now responded to the Deputy on this matter to the effect that there have been no prosecutions to date in respect of smoking in company cars.

Question No. 466 answered with Question No. 442.

Proposed Legislation.

467. **Dr. Cowley** asked the Minister for Health and Children if the Medical Practitioners Bill will radically change and alter local health services or if they can be downgraded or abolished; and if she will make a statement on the matter. [10166/07]

Minister for Health and Children (Ms Harney): The Medical Practitioners Bill 2007 is not concerned with changing, altering, downgrading or abolishing local health services. The Bill provides for a modern, efficient, transparent and accountable system for regulation of the medical profession, which will satisfy the public and the profession that all medical practitioners are appropriately qualified and competent to practise in a safe manner on an ongoing basis.

Contrary to some misreadings of the Bill, no sweeping new powers are given to the Minister for Health and Children of the day over a reformed and modernised Medical Council. The power given to the Minister to issue policy directions to the Council explicitly excludes the areas of professional conduct and ethics, complaints, inquiries and sanctions. In addition, the Bill provides that nothing in policy directions to be given by the Minister is to be construed to prevent the Council from, or to limit the Council in, performing its functions.

Care of the Elderly.

468. **Mr. Ring** asked the Minister for Health and Children when home help will be provided to a person (details supplied) in County Mayo. [10167/07]

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. 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.

469. **Mr. Ring** asked the Minister for Health and Children if transport will be provided to a person (details supplied) in County Mayo to a hospital appointment in Dublin. [10168/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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 Waiting Lists.

470. **Mr. Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be called for a procedure. [10169/07]

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 this case investigated and to have a reply issued directly to the Deputy.

Medical Cards.

471. **Mr. F. McGrath** asked the Minister for Health and Children if a person (details supplied) in Dublin 5 qualifies for a medical card; and if she will give the family the maximum support. [10264/07]

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 a further adjustment to the income guidelines for GP visit cards. 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 therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Health Services.

472. **Mr. F. McGrath** asked the Minister for Health and Children her views on the concerns of families of people with a disability who are being charged by the Health Service Executive for their long-term care, particularly pensioners who are left with little to buy clothes, food and so on; and her plans to assist those families. [10265/07]

Minister for Health and Children (Ms Harney): The Health (Charges for In-Patient Services) Regulations 2005 have provided for two different classes of persons on whom charges may be levied. These regulations were signed by the Minister for Finance and the Minister for Health and Children on 14 January 2005.

Class 1 refers to people in receipt of in-patient services on premises where nursing care is provided on a 24 hour basis on those premises. In this case, a weekly charge can be levied of €120 or the weekly income of that person less €35, whichever is the lesser.

Class 2 refers to people in receipt of in-patient services on premises where nursing care is not provided on a 24 hour basis on those premises. In this situation, a weekly charge can be levied of €90, or the weekly income of that person less €55 or 60% of the weekly income of that person, whichever is the lesser.

These regulations provide for the maximum charge to be levied on either class of person. The HSE issued revised guidelines for the implementation of the charges in July 2006. The HSE has the power to reduce or waive a charge on the grounds of "undue hardship". Under Section 1 (b) of the Health (Amendment) Act, 2005, the HSE can examine a person's overall financial situation in view of the person's reasonable

expenditure in relation to themselves or their dependants, if any. The HSE when assessing charges takes into account only that income attributable solely to the person in care.

Under Section 4 (b) of the Health (Amendment) Act, 2005, charges are not payable where the in-patient services concerned are provided to a person under 18 years of age.

473. **Mr. F. McGrath** asked the Minister for Health and Children if she will assist persons (details supplied) with their costs; and if she will make it a priority issue. [10266/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

474. **Mr. Kehoe** asked the Minister for Health and Children the efforts being made to replace the speech therapist in an area (details supplied) in County Wexford in order for the waiting list in the area to be reduced; and if she will make a statement on the matter. [10277/07]

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 numbers of doctors, nurses and other health care 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 health care 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.

Care of the Elderly.

475. **Dr. Cowley** asked the Minister for Health

[Dr. Cowley.]

and Children when a person (details supplied) in County Mayo will receive an increase in their home help hours, taking into account that this recently widowed person has numerous health complaints, lives alone the majority of the time and is maintained on numerous medications; and if she will make a statement on the matter. [10278/07]

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. 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.

476. **Mr. Crowe** asked the Minister for Health and Children if she will look favourably on the medical card application of a person (details supplied) in Dublin 24 who suffered a massive heart attack and mild stroke, who is in need of constant medical treatment, has no income of their own at present and is unable to work. [10307/07]

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 a further adjustment to the income guidelines for GP visit cards. 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 therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Health Services.

477. **Mr. P. Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will receive orthodontic treatment; and if she will make a statement on the matter. [10308/07]

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.

478. **Mr. P. Breen** asked the Minister for Health and Children if the revised guidelines for orthodontic services have been prepared; and if she will make a statement on the matter. [10309/07]

Minister for Health and Children (Ms Harney): The Health Service Executive (HSE) established an Orthodontic Review Group in 2006. The Group was broadly representative of the orthodontic profession and also included representation from the HSE, my Department and the dental schools. The terms of reference for the group were:

- 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 Review Group has finalised its report and it has been approved by the HSE Management Team. The Report has recently been published. I understand that the Group has made recommendations with regard to the guidelines to be used for assessing patients for orthodontic treatment. It is a matter for the HSE to implement these guidelines.

Cancer Screening Programme.

479. **Dr. Cowley** asked the Minister for Health and Children when the women of the west of Ireland can realistically expect to see the roll out of BreastCheck in Counties Mayo and Galway; if she will provide a full update on the matter; and if she will make a statement on the matter. [10332/07]

Minister for Health and Children (Ms Harney):

I am committed to ensuring that the BreastCheck service is rolled out to the remaining regions in the country as quickly as possible. I have allocated additional revenue funding of €8 million for this year to meet the additional costs involved and I have approved an additional 69 posts for roll-out. BreastCheck appointed the Clinical Directors for the South and West last November and has recently appointed three Consultant Radiologists, two Consultant Surgeons and two Consultant Histopathologists, all with a special interest in breast disease. The recruitment of Radiographers and other staff is under way. I have also made available an additional €26.7m capital funding for the construction of two new clinical units and the provision of five additional mobile units and state of the art digital equipment. The static unit in the West is on schedule for hand-over in September followed by a three week commissioning period.

In response to my request, and in advance of the commissioning of the static unit at University College Hospital Galway, BreastCheck is putting in place all of the elements to commence screening in the West this Spring. For this purpose, BreastCheck will deploy a mobile unit in the West. Screening in individual counties will be dictated by BreastCheck's management and operational considerations.

Hospital Services.

480. **Dr. Cowley** asked the Minister for Health and Children when the people of Mayo can expect a permanent ENT department at Mayo General Hospital; and if she will make a statement on the matter. [10333/07]

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 matter raised by the Deputy. 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.

481. **Dr. Cowley** asked the Minister for Health and Children when the people of Mayo can expect a permanent rheumatology department at Mayo General Hospital; and if she will make a statement on the matter. [10334/07]

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 matter raised by the Deputy. 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.

482. **Dr. Cowley** asked the Minister for Health and Children when the people of Mayo can expect a permanent urology department at Mayo General Hospital; and if she will make a statement on the matter. [10335/07]

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 matter raised by the Deputy. 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.

483. **Dr. Cowley** asked the Minister for Health and Children the number of people on the waiting list for a home care grant in County Mayo; and if she will make a statement on the matter. [10337/07]

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. 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.

Cancer Screening Programme.

484. **Dr. Cowley** asked the Minister for Health and Children when full cervical screening will be available to the women of County Mayo; and if she will make a statement on the matter. [10338/07]

Minister for Health and Children (Ms Harney):

An effective national cervical screening programme will result in a substantial reduction in the incidence of cervical cancer. It is my objective to have such a programme rolled out nationally, beginning late this year, based on an affordable model. For that purpose, on 1 January 2007, I

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established a National Cancer Screening Service which amalgamates BreastCheck and the Irish Cervical Screening Programme. The total allocation to the new Service is €33m; this is a 71% increase on the 2006 allocation to the Programmes. This includes additional funding of €5m for 2007 to the Service to commence roll out of the Cervical Screening Programme at the end of this year.

Significant preparatory work is well under way involving the introduction of new and improved cervical tests, improved quality assurance training and the preparation of a national population register. The plan is to have cervical screening managed as a national call/recall programme via effective governance structures that provide overall leadership and direction, in terms of quality assurance, accountability and value for money. All elements of the programme, call/recall, smear taking, laboratories, colposcopy and treatment services will be quality assured, organised and managed to deliver a single integrated national programme. Accordingly, the Service is not planning to roll out the programme incrementally on a regional basis.

Hospital Accommodation.

485. **Dr. Cowley** asked the Minister for Health and Children when the finance will be allocated by her Department for the necessary 40 additional beds at Mayo General Hospital; and if she will make a statement on the matter. [10339/07]

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 matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

486. **Dr. Twomey** asked the Minister for Health and Children if she will carry out an evaluation on the impact of levying long stay charges on those suffering from physical or intellectual disabilities whose care is now funded through their social welfare payments; and if she will make a statement on the matter. [10341/07]

487. **Dr. Twomey** asked the Minister for Health and Children her views in respect of long stay charges levied on those suffering from physical or intellectual disabilities on whether it is fair that

this charge is levied on individuals who may never have had the capacity to earn income; and if she will make a statement on the matter. [10342/07]

488. **Dr. Twomey** asked the Minister for Health and Children the way she will collect retrospective charges in respect of long stay charges levied on those suffering from physical or intellectual disabilities; and if she will make a statement on the matter. [10343/07]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 486 to 488, inclusive, together.

The Health (Charges for In-Patient Services) Regulations 2005 have provided for two different classes of persons on whom charges may be levied. These regulations were signed by the Minister for Finance and the Minister for Health and Children on 14 January 2005.

Class 1 refers to people in receipt of in-patient services on premises where nursing care is provided on a 24 hour basis on those premises. In this case, a weekly charge can be levied of €120 or the weekly income of that person less €35, whichever is the lesser.

Class 2 refers to people in receipt of in-patient services on premises where nursing care is not provided on a 24 hour basis on those premises. In this situation, a weekly charge can be levied of €90, or the weekly income of that person less €55 or 60% of the weekly income of that person, whichever is the lesser.

These regulations provide for the maximum charge to be levied on either class of person. The HSE issued revised guidelines for the implementation of the charges in July 2006. No further distinctions are made in terms of the classes of persons to which charges apply, and I do not have plans to introduce any.

The HSE has the power to reduce or waive a charge on the grounds of “undue hardship”. Under Section 1 (b) of the Health (Amendment) Act, 2005, the HSE can examine a person’s overall financial situation in view of the person’s reasonable expenditure in relation to themselves or their dependants, if any.

I welcome the decision by my colleague, the Minister for Social and Family Affairs, to grant the full disability allowance to all persons in institutional residential care who prior to that were not eligible for this allowance. The net impact of granting the full disability allowance, in the context of long stay charges, is that the individuals will continue to receive the same level of service as before but will have increased income which they will be able to retain for their personal use.

Health Service Staff.

489. **Dr. Cowley** asked the Minister for Health and Children if the post for a speech therapist at Mayo General Hospital has been advertised; if so the stage the interviews are at; when this therapist

will commence at the hospital; and if she will make a statement on the matter. [10348/07]

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 numbers of doctors, nurses and other health care 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 health care 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.

Medical Cards.

490. **Dr. Cowley** asked the Minister for Health and Children her views on whether the medical card issued to persons with a disability should be in conjunction with the Department of Social and Family Affairs where this person would have a smart card or a blue card system as available in the UK; her further views on whether this process would cut down on administration and hardship; and if she will make a statement on the matter. [10352/07]

Minister for Health and Children (Ms Harney): I am in favour of the use of smart cards and other information systems and technologies to make it easier for people to avail of health and personal social services and to reduce the administrative workload involved. Such developments must of course, as far as possible, be examined and progressed in a co-ordinated manner across the public service. I understand that the Departments of Finance and Social and Family Affairs are managing a programme of work to develop a Public Service Card framework. One of the objectives of the programme is to facilitate convergence over time of existing cards and other tokens under a single branded scheme.

491. **Mr. Durkan** asked the Minister for Health and Children when a medical card will issue in the case of a person (details supplied) in County Kildare who applied for same in July 2006; and if

she will make a statement on the matter. [10365/07]

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, child care and travel to work costs. In June 2006 I agreed a further adjustment to the income guidelines for GP visit cards. 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 therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Foreign Adoptions.

492. **Mr. Gregory** asked the Minister for Health and Children if she has acted on her commitment to make additional resources available to the Health Service Executive to speed up the process for applicants for international adoption; if it now takes four and a half years to process an international adoption application; and if she will make a statement on the matter. [10366/07]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive (HSE) under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

The Government did allocate €1 million to the HSE in additional ongoing funding commencing in 2005 to assist in tackling inter-country adoption waiting times. I understand that this additional funding is being used to pilot measures which will, for example, allow for more flexible working arrangements within the HSE with a view to addressing waiting times. The registered Adoption Society, PACT, has also received significant

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additional funding to allow them to expand their inter-country adoption services.

Infectious Diseases.

493. **Mr. Connolly** asked the Minister for Health and Children her views on a leaked Health Service Executive report indicating that as many as 250 people annually die from MRSA contracted in Irish hospitals, despite virtually no such fatalities being properly attributable to the hospital acquired infection; and if she will make a statement on the matter. [10367/07]

494. **Mr. Connolly** asked the Minister for Health and Children her views on a leaked Health Service Executive report which indicates that the numbers of people contracting MRSA in hospitals is five times higher than the levels shown by official records; her proposals to address this critical situation; and if she will make a statement on the matter. [10368/07]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 493 and 494 together.

It is understood that the figure quoted in the question of 250 annual deaths in Irish hospitals is an extrapolation of United Kingdom data. This figure relates to Health Care Associated Infection, HCAI, generally, of which MRSA would be one element only. I should add that this does not mean that patients died from a health care associated infection but simply that it was present at the time of death.

The Third Prevalence Survey of Healthcare-Associated Infections in Acute Hospitals was carried out by the UK and Ireland Hospital Infection Society between February and May 2006 and noted that Ireland has emerged with the lowest rate of health care associated infections of the countries studied.

Over 7,500 patients were surveyed in 44 acute Irish hospitals with the overall figure of MRSA infection emerging as under 0.5% — lower than their UK level of 1.5%. The overall rate of Health Care Associated Infection, HCAI, which included MRSA related infection, was significantly lower in Irish hospitals. While the UK hospitals recorded an overall figure of 7.6%, Irish hospitals recorded an overall figure of 4.9%. The 4.9% varied depending on the type of hospital surveyed: from 6% in regional/tertiary hospitals, to 4.2% in general hospitals and 2% in specialist hospitals. This variation can in part be explained by the type of activity or the profile of the patients treated by each type of hospital.

Comparing with other countries, Ireland's overall HCAI figure of 4.9% compares favourably: Australia 6%; France 6-10%; Norway 7%; Netherlands 7%; Spain 8%; USA 5-10%; and Denmark 8%. The Health Service Executive (HSE) has recently published an Infection Con-

trol Plan including governance and performance management, clear outcome targets for all hospitals, clear hygiene and infection control standards, an improved physical environment, initiatives on reducing antibiotics and education of the public and of health professionals.

The HSE has agreed as a matter of priority to implement this plan so that patients can be assured that their chances of contracting an infection will be at the lowest level possible. There must be a corporate commitment throughout the HSE, and health services generally, evidence-based guidelines, clear responsibility and accountability and a full recognition that patients and their families have a definite role to play in preventing HCAI. My Department will be closely monitoring and evaluating the progress made by the HSE in the management and control of HCAI and MRSA.

In regard to patient safety, I established the Commission on Patient Safety and Quality Assurance last January. A key objective of the Commission is to develop clear and practical recommendations to ensure that quality and safety of care for patients is paramount within the health care system. The Commission is chaired by Dr. Deirdre Madden BL and will report back to me within 18 months.

Question No. 495 answered with Question No. 355.

Health Services.

496. **Dr. Cowley** asked the Minister for Health and Children if her Department will arrange an orthodontic assessment for a person (details supplied) in County Mayo; and if she will make a statement on the matter. [10442/07]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

497. **Mr. Perry** asked the Minister for Health and Children when a person (details supplied) in County Sligo will be called for an appointment; and if she will make a statement on the matter. [10481/07]

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 this case investigated and to have a reply issued directly to the Deputy.

498. **Mr. Perry** asked the Minister for Health and Children when a person (details supplied) in County Sligo will be called for an appointment; and if she will make a statement on the matter. [10482/07]

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 this case investigated and to have a reply issued directly to the Deputy.

Repatriation of Remains.

499. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children when a reply will issue from the Health Service Executive to Parliamentary Question No. 390 of 13 February 2007. [10484/07]

Minister for Health and Children (Ms Harney): I understand from the Health Service Executive that it is not standard practice to provide financial assistance towards the costs of repatriating the bodies of Irish citizens who die overseas.

On rare occasions, where a patient was referred outside the State for urgent treatment or examination not available in Ireland and died in a public hospital or other public institution abroad or where a person holding or entitled to hold an EEA model form E111 (IRL) or European Health Insurance Card proving their eligibility to emergency health services in the country abroad, died in hospital in that country following emergency treatment in hospital for illness arising during the visit, the HSE provided discretionary means tested financial assistance towards the cost of the repatriation of their remains. The scheme is not limited to Irish citizens and includes persons ordinarily resident in this country.

The contribution made in the former ERHA region was in accordance with the Overseas Section National Hospitals Office Hospital Services Scheme means test scale. The National Hospitals Office is examining the means tests operated by the Overseas Section and by the other HSE offices in other parts of the country in connection with the referral of patients outside Ireland with a view to standardising those means

tests. The contact number for the Overseas Section is 01-6352371 should the Deputy require further information on this matter.

Decentralisation Programme.

500. **Ms Shortall** asked the Minister for Health and Children the number of civil servants in her Department who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if she will make a statement on the matter. [10532/07]

Minister for Health and Children (Ms Harney): Under the decentralisation programme twenty nine civil servants have transferred to other Government Departments from my Department to date. Of those six transferred directly to offices outside Dublin. As the Deputy will be aware my Department is not one of the Departments earmarked for decentralisation under the Civil Service Decentralisation Programme.

Ambulance Service.

501. **Dr. Cowley** asked the Minister for Health and Children her views on a situation (details supplied); her further views on whether this is urgently needed due to the vast distance to Mayo General Hospital over a terrible road; when the people of Mayo can expect a 24 hour full-time ambulance base; and if she will make a statement on the matter. [10570/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive 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.

Health Services.

502. **Mr. Stanton** asked the Minister for Health and Children the number of people awaiting public physiotherapy services in the Health Service Executive southern region; the number of public physiotherapists employed in the HSE southern region; and if she will make a statement on the matter. [10578/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's

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question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

503. **Mr. Kehoe** asked the Minister for Health and Children the services and facilities available to persons with a hearing disability who wish to phone her Department; and if she will make a statement on the matter. [10955/07]

Minister for Health and Children (Ms Harney): My Department is committed to making suitable provision to enable all customers to access the services of the Department. At present telephony systems to assist those with hearing disabilities to use phones are placed on the user's phone, and there is no action the receiving caller can take to improve access. A range of access options, including an Induction Loop system and staff trained in sign language, is available to persons with hearing disabilities who call in person to the Department. New developments are kept under review so that they can be implemented where they will improve services.

Alternative Energy Projects.

504. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the need to increase the quotas of bio-ethanol or bio-diesel in order to facilitate greater than anticipated participation by growers; and if he will make a statement on the matter. [10558/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government is firmly committed to the development of an Irish biofuels market and to the increased development of bio-energy generally in Ireland. A range of initiatives is in place to support the development of a biofuels sector in Ireland. The Minister for Finance has made it clear that any extension in the amount of relief which formed part of the Budget 2006 announcement is not envisaged at this stage citing non-fiscal measures that can be used to promote Biofuels. In this regard on 12th February I signalled my intention to introduce a Biofuels Obligation by 2009, which will require all fuel suppliers to ensure that biofuels represent a certain percentage of their annual fuel sales.

In announcing the obligation, I have also committed to achieving 5.75% market penetration of biofuels by 2009, in advance of the date proposed for such a target in the EU Biofuels Directive.

I have also committed to achieving 10% market penetration of biofuels in Ireland by 2020. The introduction of the Biofuels Obligation will build on the success of the two biofuels excise relief schemes which were rolled out in 2005 and 2006.

On 4 March I published the Bioenergy Action Plan which sets out a series of cross-Governmental and inter-agency actions to support the deployment of bio-energy in Ireland. In formulating the plan, it was agreed that while excise relief is an effective short-term measure to stimulate the biofuels market, other policy initiatives, such as a renewables obligation, would be beneficial in the longer-term. The obligation will also give all market players the necessary long-term certainty to make appropriate investment decisions.

The Bioenergy Action Plan also provides a series of measures aimed at encouraging farmers to grow energy crops.

The move to a biofuels obligation, together with the relevant agricultural incentives will provide new opportunities for the farming community to diversify into energy crops. I am confident that this will facilitate increased participation by growers in the emerging bio-energy market.

Fisheries Protection.

505. **Caoimhghín Ó Caoláin** asked the Minister for Communications, Marine and Natural Resources if the map referred to in clauses 3 and 4 of the Movice Fisheries District Order 1926 is available; if he will provide a copy of this map; if the boundaries shown therein are still regarded as the State's sea boundaries; and, if not, the current boundaries of the State within the Malin Head and Lough Foyle area. [9450/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The Fisheries District Order: Movice 1926 was made under Section 27 of the Fisheries Act 1925 (No. 32 of 1925). That section empowered the Minister to alter fishery districts and electoral divisions. The 1926 Order created the Movice fishery district and created two electoral divisions for the area. A map showing the relevant areas is appended to the Order.

The boundaries of the State are a matter for the Minister for Foreign Affairs.

Aquaculture Licences.

506. **Caoimhghín Ó Caoláin** asked the Minister for Communications, Marine and Natural Resources the implications of the Foyle and Carlingford Fisheries Bill for owners of vessels holding specific segment, aquaculture only licences. [9451/07]

Minister of State at the Department of Communications, Marine and Natural Resources

(Mr. Browne): I wish to advise the Deputy that the requirements regarding vessel licensing are unaffected by the provisions contained in the Foyle and Carlingford Fisheries Bill.

Fishing Vessel Licences.

507. **Caoimhghín Ó Caoláin** asked the Minister for Communications, Marine and Natural Resources the basis for his Department's claim that no licensed aquaculture operations exist in Lough Foyle, in view of the fact that a division of his Department was instrumental in issuing sea-fishing boat licences to vessels whose owners specified in the application process that their operations were taking place exclusively within Lough Foyle. [9452/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): I am assuming that the Deputy is referring to my response to Question No. 362 on 27 February 2007. My response to that question indicated that Section 2 of the Fisheries (Amendment) Act, 1997 specifies that "This Act shall not apply to or in relation to the Merville Area, within the meaning of the Foyle Fisheries Act 1952" and that the Merville Area referred to is in respect of Lough Foyle. Accordingly, no aquaculture licences under the Fisheries (Amendment) Act, 1997, have been issued by the Department in respect of Lough Foyle.

With regard to the issue of fishing boat licences, the function of the Licensing Authority for sea-fishing boats was transferred under the Fisheries (Amendment) Act 2003 to the Registrar General of Fishing Boats. The Act provides that the Licensing Authority is independent in the exercise of its functions under the Act, subject to the law for the time being in force and policy directives in relation to sea-fishing boat licensing.

You may wish to take up this matter directly with the Registrar General of Fishing Boats, Leeson Lane, Dublin 2.

Telecommunications Services.

508. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources when broadband will be provided by Eircom to an area (details supplied) in County Mayo. [9475/07]

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, including Eircom, operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg. Accordingly, I have no function in making Eircom provide broadband services to a specific area.

My Department does, however, operate a dedicated website, *www.broadband.gov.ie* where potential broadband customers can ascertain the availability of services in their area. This website gives full details of broadband availability in all areas, including ADSL, cable, fibre, satellite and fixed wireless. The website also lists prices of the various service levels on offer and contact details for each service provider.

Fisheries Protection.

509. **Mr. Deenihan** asked the Minister for Communications, Marine and Natural Resources when the compensation package will be announced for drift-net fishermen; and if he will make a statement on the matter. [9479/07]

520. **Ms B. Moynihan-Cronin** asked the Minister for Communications, Marine and Natural Resources when the compensation due to salmon fishermen resulting from the ban on drift net fishing will be awarded to them; and if he will make a statement on the matter. [9737/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): I propose to take Questions Nos. 509 and 520 together.

I recently published details of the Salmon Hardship Scheme. The scheme is intended to provide a measure of relief to each individual licence holder in line with the level of hardship likely to be experienced. Details of the scheme are available from BIM and the Regional Fisheries Boards who are jointly administering the scheme.

Telecommunications Masts.

510. **Ms Burton** asked the Minister for Communications, Marine and Natural Resources the reason mobile masts have been removed from beside two southside schools (details supplied) if there are no health risks to children; the reason, if these children have been protected from potential harm, masts have not been removed in the area of another school when it can be shown that microwave radiation from two masts is actually penetrating classrooms; and if he will make a statement on the matter. [9484/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Issues relating to the siting of masts are a matter for the relevant local authority in the first instance, under the aegis of my colleague, the Minister for Environment, Heritage and Local Government, Mr Dick Roche T.D.

Coastal Protection.

511. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources if he will sanction funding towards a project

[Mr. Ring.]

(details supplied) in County Mayo under the 2007 coastal protection programme; and when details of that programme will be announced. [9522/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Responsibility for coast protection rests with the property owner whether it be a local authority or a private individual. The Department is currently preparing the 2007 Harbours & Coastal Infrastructure Programme and has received an application for funding from Mayo County Council for sea wall repair at Roscahill, Westport, Co. Mayo. The project is estimated to cost €50,000.

Funding will be allocated to projects under the 2007 Harbours & Coastal Infrastructure Programme taking into account Exchequer funding and overall national priorities going forward. The Department hopes to be in a position to announce the 2007 Harbours & Coastal Development Programme in the near future.

Coastal Erosion.

512. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources the budget in 2006 towards coastal erosion works with a breakdown on a county basis; the amount

each county got for coastal erosion works; and if he will make a statement on the matter.

[9523/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Overall, €52.01 million was provided under the Coast Protection measure of the National Development Plan 2000-2006. This allocation was used to address priority coast protection works and for research into the area of coastal erosion. The total expenditure incurred by the Department for Coastal Protection works in 2006 was €3.77 million.

A Value for Money report in March 2002 highlighted the need for a more strategic focus in addressing the problem of coastal erosion in Ireland. In the light of this the Department initiated a coast protection strategy study in 2003. The study is addressing the nature and extent of erosion and flooding at various locations and different types of coastline in Ireland and is seeking to identify the most effective means, technically, financially and environmentally, in responding to particular instances and types of erosion and flooding. It is expected that when this study is completed a more targeted approach to programme delivery will result and will enable a greater level of efficiency to be achieved.

The projects approved under the 2006 Coast Protection Programme are set out in Table A.

Location	Project	DCMNR Provisional Outturn
		€
<i>Donegal</i>		
Bundoran Pier	Construction of retaining wall	1,815.00
Kincasslagh	Repairs to dunes system	15,271.09
<i>Louth</i>		
Port Beach	Study	29,071.50
Annagassan	Rock revetment Phase 3	97,698.00
<i>Meath</i>		
Bettystown-Laytown	Study	18,141.00
Laytown-Seafield Road	Study	2,723.00
<i>Mayo</i>		
Mulranny Beach	Repairs to causeway and bridge	37,500.00
<i>Galway</i>		
Inishbofin	Protection works	500,034.63
<i>Sligo</i>		
Dunmorán Strand	Work at Ardnaglass river	35,344.93
<i>Dublin City Council</i>		
Clontarf	Studies/advanced design/site investigations	151,339.90
<i>Dún Laoghaire-Rathdown County Council</i>		
Killiney	Gabians at Killiney Beach	294,342.46

Location	Project	DCMNR Provisional Outturn
		€
<i>Wicklow</i>		
The Murrough	Coastal studies	41,250
Bray	Flood prevention works to promenade	4,500.00
Clogga Beach	Protection works at access	52,500.00
<i>Wexford</i>		
Courtown	Planning & design for major scheme	35,984.65
Rosslare	Rock revetment	368,615.63
Ballinamona	Restore access to beach	18,387.00
Carne	Rock revetment	108,108.80
Rosslare	Study of coastal dynamics & protection requirements	797.14
Rosslare	Maintenance	5,492.92
St. Helen's Bay	Rock revetment	95,680.50
<i>Waterford</i>		
Bonmahon	Reconstruct sand dunes, protection works scheme design	321,689.91
Cunnigar	Protection works	1,608.90
Helvick	Cliff stabilisation	87,530.74
<i>Cork</i>		
Gyleen	Cliff protection works	245,082.80
<i>Kerry</i>		
Rossbeigh	Cliff & road protection, studies & design	5,839.50
Maharees	Revetment works	22,579.84
Baile an Rannaig	Protection to sand dunes in Smerwick Harbour	26,098.63
Gleesk	Repairs and strengthen sea wall	11,250.00
Dromatoor/Ballyheigue	Cliff road protection works	637,500.00
<i>General</i>		
Coast Protection	Strategy Study	205,834.85
Detailed survey	of selected coastal areas	266,747.18
	GIS system	19,178.50
GIS maintenance	and development	593.65
Wave buoy	and tide gauge deployment	2,501.92
Total		3,768,634.57

Foreshore Licences.

513. **Mr. F. McGrath** asked the Minister for Communications, Marine and Natural Resources the situation regarding the proposed 52 acre infill to Dublin Bay; and if he will support the campaign to save Dublin Bay. [9532/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): An application from Dublin Port Company for approval under the Foreshore Acts for the proposed reclamation of an area of some 21 hectares of foreshore was made to the Department in March 2002. Since then, Departmental officials have held periodic discussions with Dublin Port Company's management regarding

issues arising from the application. This is a regular occurrence in most major foreshore applications.

The application is being considered in accordance with the appropriate procedures. These include a process of public consultation in which it will be open to interested persons to make submissions on the proposal. The proposed development will also require planning permission before any determination can be made on the foreshore application. Issues associated with ownership of the foreshore as well as environmental matters will form an important part of the Department's consideration of the proposal.

Fishing Vessel Licences.

514. **Mr. Perry** asked the Minister for

[Mr. Perry.]

Communications, Marine and Natural Resources if, with regard to the recent sale of the tonnage of a boat (details supplied), the said tonnage will be distributed among those Irish people who have already applied for a licence but who were denied due to the fact that tonnage had to be first taken off the register; and if he will make a statement on the matter. [9568/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The function of the Licensing Authority for sea-fishing boats was transferred under the Fisheries (Amendment) Act 2003 to the Registrar General of Fishing Boats. The Act provides that the Licensing Authority is independent in the exercise of its functions under the Act, subject to the law for the time being in force and policy directives in relation to sea-fishing boat licensing.

The Registrar General has informed me that the purchase and sale of tonnage is governed by the supply and demand for tonnage in the marketplace at any particular time. I am precluded under the Fisheries (Amendment) Act 2003 to exercise any power or control in relation to any particular case with which the licensing authority is or may be concerned.

Electricity Generation.

515. **Mr. Gogarty** asked the Minister for Communications, Marine and Natural Resources the plans that are in place to ensure that excess domestic power generation can be placed back into the national grid; and if he will make a statement on the matter. [9597/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Department is working with all relevant agencies and the Commission for Energy Regulation (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. The White Paper on Energy Policy confirms the Government's intention to realise the potential for distributed generation. 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. 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 impli-

cations of the Single Electricity Market for small-scale electricity generation.

Foreshore Licences.

516. **Caoimhghín Ó Caoláin** asked the Minister for Communications, Marine and Natural Resources the consultations that have taken place (details supplied) in relation to the application by the company for a foreshore lease for the development of a marina; the outcome of such meetings; and if he will make a statement on the matter. [9659/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Department officials have held several meetings with Killybegs Marina Co. Ltd and Killybegs Boat Owners Committee concerning the proposed marina development at Killybegs Fishery Harbour Centre and, in particular, attended a meeting on 6 December 2006 at which all parties attended. The aim of the Department has been to arrive at a suitable accommodation that would be as beneficial as possible to all parties involved.

The Department has proposed a solution, in the interests of maintaining good relations, for the accommodation of small boats in the event of the proposed marina development proceeding. These boats are currently utilising swinging moorings in the harbour centre; these moorings are unauthorised and are in place without the permission of the Harbour Master. The proposal involves an offer from the marina developer to accommodate small boats/punts on the inside of the new marina and building a new floating berth to accommodate other fishing boats such as chartered angling boats. The proposal caters for all types of boats other than fixed keel yachts. The marina developer stated at the December meeting that marina berths would be available for fixed keel yachts at the normal berthing rates.

Department officials would be happy to meet with anybody who wishes to progress this solution.

Marine Accidents.

517. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources if his Department will assist in the raising of the *Pere Charles* and the *Honey Dew* recently lost off the south-east coast with the loss of seven lives; and if he will make a statement on the matter. [9672/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Responsibility for maritime safety issues, including search and rescue and salvage responses in the marine environment rests with my colleague the Minister for Transport. As such,

any questions relating to the raising of the fishing vessels Pére Charles or Honeydew II are a matter for the Minister for Transport.

Electricity Generation.

518. **Mr. J. Higgins** asked the Minister for Communications, Marine and Natural Resources if he has permitted the ESB to build a new power station at Aghada, County Cork, only on condition that it sells the output of the station to its competitors; and his views on whether this will lead to a rise in electricity prices to the consumer. [9689/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I can confirm to the Deputy that my approval to ESB, on 28 December 2006, to proceed with this project, had as a condition, that output from the station be sold to suppliers other than ESB Power Electricity Supply as a means of facilitating further the development of competition in electricity supply.

Electricity pricing is the statutory responsibility of the Commission for Energy Regulation under the Electricity Regulation Act, 1999 as amended by Section 3 of the European Communities (Internal Market in Electricity) Regulations, 2005. I have no function in this matter.

Departmental Agencies.

519. **Mr. Bruton** asked the Minister for Communications, Marine and Natural Resources if employees of An Post who prior to 1984 enjoyed Civil Service status, have the right to seek to return to work in the Civil Service; and if he will make a statement on the matter. [9735/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Staff who transferred to An Post on the vesting day of 1 January 1984 from the former Department of Posts & Telegraph ceased to be civil servants from that date. Such staff have no right to return to the civil service other than through open recruitment.

Question No. 520 answered with Question No. 509.

Alternative Energy Projects.

521. **Mr. Gogarty** asked the Minister for Communications, Marine and Natural Resources the reason grants are not currently being provided for PV types of solar panels, whereas it is possible to obtain grants for the thermal collector types; and if he will make a statement on the matter. [9741/07]

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

Government is committed to developing domestic scale renewable electricity and heat technologies. The Greener Homes Scheme was launched in March 2006 and it provides support to homeowners to invest in a range of renewable energy heating technologies including solar technology, wood biomass boilers and stoves, and heat pumps.

We are working with all relevant agencies and the Commission for Energy Regulation (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.

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, 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 issued a consultation paper on micro generation with a view to establishing appropriate administrative and technical mechanisms. This paper discusses issues such as the technical standards to apply to such generators, the installation process for micro generators, and the metering and commercial arrangements for such generators.

The Department of the Environment, Heritage and Local Government has recently introduced amendments to the exempted development provisions of the Planning and Development Regulations, 2001. These amendments will permit the installation of solar panels, wind turbines and other micro-renewables, without planning permission, in certain circumstances.

Telecommunications Services.

522. **Dr. Twomey** asked the Minister for Communications, Marine and Natural Resources the areas where broadband is unavailable in County Wexford; the action being taken to remedy this situation as soon as possible; and if he will make a statement on the matter. [9743/07]

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 continues to be a priority of the Government that there will be broadband coverage across the entire country.

The Government is addressing the infrastructure deficit in the regions by building high-speed, open access, carrier neutral Metropolitan Area Networks (MANs) in 120 towns and cities nationwide, on a phased basis in association with the local and regional authorities. Phase One of this Programme has so far delivered fibre optic networks to 27 towns and cities throughout the country. This Programme has been extended to more than 90 additional towns nationwide and these MANs are due for completion during 2007 and 2008. These Metropolitan Area Networks will allow the private sector to offer world-class broadband services at competitive costs.

Complementary to the MAN networks, the recently concluded Group Broadband Scheme (GBS) has funded over 120 projects specifically aimed at smaller communities.

However, despite Government and private investment in broadband I am aware that there are still some parts of the country, including areas in County Wexford where the private sector is unable to justify the commercial provision of broadband connectivity. A Steering Group comprising officials from my Department and ComReg is currently finalising a proposed scheme which will address the question of availability of broadband to unserved areas. The National Broadband Scheme, when it is fully rolled out, will ensure that all reasonable requests for broadband from houses and premises in these unserved areas are met. Work on the design of an appropriate tender is underway. Indicative maps are being prepared to help inform the tendering process.

My Department's website www.broadband.gov.ie gives full details of broadband availability in all areas, including ADSL, cable, fibre, satellite and fixed wireless. The website also lists prices of the various service levels on offer and contact details for each service provider.

Departmental Expenditure.

523. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the amount his Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if he will make a statement on the matter. [9769/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I wish to advise the Deputy that the amount paid in respect of car mileage expenses in 2006 by my Department was €506,359.52. Payment to cover rail and bus ticket expenses during 2006 was €28,321.30.

524. **Mr. G. Mitchell** asked the Minister for Communications, Marine and Natural Resources the cost of energy used running his Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and his plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9818/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The energy cost of running my Department in 2002 was €158,257, and in 2006 it was €574,160. 2002 was the year of a significant reorganisation of my Department's functions and divisions. For reference the energy cost for the Department in 2003 was €313,486. A considerable amount of responsibilities transferred into and out of the remit of the Department and this, allied to the fact the Department acquired additional accommodation in the interim, accounts for the significant variation in costs over the years in question.

In 2006 my Department launched the 'Power of One' campaign, which, while concentrating on domestic use in the initial stage, will target energy-using sectors including the Public Service. This campaign will build on the Office of Public Works' (OPW) initiatives in this field.

The OPW are rolling out a staff energy awareness pilot study in 15 large State buildings, which will act as a template for a major staff energy awareness campaign in all State buildings in early 2007. OPW are also installing Web based energy monitoring units in large State buildings, including those occupied by my Department.

Mobile Telephony.

525. **Mr. Gormley** asked the Minister for Communications, Marine and Natural Resources when the report of the interdepartmental committee on the health effects of mobile phones will be published; if it has been discussed at Cabinet; the reason for the delay in publishing this report, which was promised before the end of 2006; and if he will make a statement on the matter. [9833/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government recently considered the report of the Expert Group on the Health Effects of Electromagnetic Fields and has agreed to its publication. My Department is currently making the

necessary arrangements and I expect the report will be published very shortly.

Departmental Staff.

526. **Mr. Sargent** asked the Minister for Communications, Marine and Natural Resources if he will report on gender balance at each grade

in his Department and in agencies that come under the aegis of his Department. [9846/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The table at Appendix I comprises the data sought by the Deputy in respect of the staff of my Department. I have no direct function in respect of the provision of such data for agencies under my Department's remit.

Grade	Number in Grade	Number of Male	Number of Female	% Male	% Female
Accountant	2	2	0	100	0
Administrative Officer	9	4	5	45	55
Assistant Harbour Master	2	2	0	100	0
Assistant Staff Engineer	1	1	0	100	0
Assistant Superintendent of Cartography	3	2	1	66.66	33.33
Assistant Director GSI	1	1	0	100	0
Assistant Principal	46	33	13	72	28
Assistant Secretary	4	4	0	100	0
Assistant Chief Engineer	2	2	0	100	0
Assistant Director of Communications	1	1	0	100	0
Cartographer	2	2	0	100	0
Chief Superintendent of Mapping	1	1	0	100	0
Chief Technical Adviser	1	1	0	100	0
Chief Technologist	1	1	0	100	0
Civilian Driver for Minister	1	1	0	100	0
Civilian Driver for Minister of State	1	1	0	100	0
Clerical Officer	97	29	68	30	70
Clerical Support to the Minister of State	1	0	1	0	100
Deputy Secretary General	1	0	1	0	100
Director of Communications	1	1	0	100	0
Director of GSI	1	1	0	100	0
Engineer Grade I	5	5	0	100	0
Engineer Grade II	7	7	0	100	0
Engineer Grade III	9	7	2	78	22
Engineer in Communications	1	1	0	100	0
Engineering Technician Grade IV	6	6	0	100	0
Executive Engineer	3	3	0	100	0
Executive Officer	89	26	63	29	71
Harbour Master	5	5	0	100	0
Head Services Officer	1	1	0	100	0
Higher Executive Officer	78	39	39	50	50
Information Officer	1	1	0	100	0
Inspector and Engineer	1	1	0	100	0
Laboratory Technician (Driller)	1	1	0	100	0
Legal Advisor	1	0	1	0	100
Personal Assistant to the Minister	1	0	1	0	100
Personal Assistant to the Minister of State	1	0	1	0	100
Personal Secretary to the Minister	1	0	1	0	100
Personal Secretary to the Minister of State	1	0	1	0	100
Petroleum Exploration Spec	2	2	0	100	0
Policy Advisor	1	0	1	0	100
Press Advisor to the Minister	1	0	1	0	100
Principal Engineering Draughtsman	1	1	0	100	0

[Mr. Sargent.]

Grade	Number in Grade	Number of Male	Number of Female	% Male	% Female
Principal Geologist	4	3	1	75	25
Principal Officer	20	16	4	80	20
Research Co-ordinator	1	1	0	100	0
Secretary General	1	1	0	100	0
Senior Laboratory Technician Class 2	2	2	0	100	0
Senior Geologist	11	8	3	73	27
Senior Principal Engineering Draughtsman	1	1	0	100	0
Services Attendant	3	2	1	66.66	33.33
Services Officer	12	10	2	83	17
Special Adviser to the Minister	1	1	0	100	0
Staff Engineer	2	1	1	50	50
Staff Officer	6	0	6	0	100
Superintendent of Cartography	2	1	1	50	50
Superintendent of Mapping	2	2	0	100	0
Technical Assistant	3	2	1	66.66	33.33
Temporary Graduate Geologist	5	2	3	40	60
Temporary Research Asst.	1	0	1	0	100
Temporary Field Assistant	3	1	2	33.33	66.66
Unestablished Geologist Assistant	8	4	4	50	50
Unestablished Project Geologist	5	3	2	60	40
Unestablished Geologist	3	1	2	33.33	66.66
Totals	492	258	234	52	48

Alternative Energy Projects.

527. **Mr. Curran** asked the Minister for Communications, Marine and Natural Resources his plans to introduce a grant to people having their cars modified to enable them to use low emission biofuels. [9961/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Grants for the conversion of diesel engine vehicles to use Pure Plant Oil (PPO) are made available by my Department, through Sustainable Energy Ireland (SEI). Grants of up to 45% of the cost (excl. VAT) of engine conversion are available. The support has been targeted at the four companies who were granted excise relief under the PPO category in the Pilot Biofuels Mineral Oil Tax Relief Scheme which was launched in 2005.

Harbours and Piers.

528. **Mr. Deenihan** asked the Minister for Communications, Marine and Natural Resources the position regarding the provision of a new pier at Scraggane, Castlegregory, Tralee, County Kerry; and if he will make a statement on the matter. [9991/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Scraggane Pier is owned by Kerry County Council and responsibility for its repair

and maintenance rests with the local authority in the first instance. The Department, in association with Kerry County Council, have prepared a report on a proposed development at Scraggane Pier. Local fishermen and other pier users were consulted on an ongoing basis and expressed satisfaction with the finalised development proposals.

Kerry County Council are about to submit the development proposals for planning permission and other statutory permits in the near future. The proposed development includes the provision of additional pier berthage of 64 metres, a working area of 2,300 square metres, an extension to the existing slipway (for fishery use) and a new slipway which would be dedicated for leisure use thereby alleviating pressure on the existing slipway.

Kerry County Council has recently submitted a proposal for funding the proposed development in Scraggane, Co. Kerry. A programme for the funding of small harbours within the overall 2007 Harbours & Coastal Infrastructure Programme is in preparation in the Department at the moment. Funding for Scraggane Pier will be considered under this programme taking into account the amount of Exchequer funding available and overall national priorities.

Grants for the conversion of diesel engine vehicles to use Pure Plant Oil (PPO) are made available by my Department, through Sustainable Energy Ireland (SEI). Grants of up to 45% of the

cost (excl. VAT) of engine conversion are available. The support has been targeted at the four companies who were granted excise relief under the PPO category in the Pilot Biofuels Mineral Oil Tax Relief Scheme which was launched in 2005.

EU Directives.

529. **Mr. Allen** asked the Minister for Communications, Marine and Natural Resources the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if he will make a statement on the matter. [10047/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There are seven EU Directives awaiting transposition into Irish law in my Department. Of these one is due for transposition during 2007 and three in 2008. My Department is on target to meet those deadlines.

Three directives are overdue for transposition, from 21st February 2006, 19th May 2006 and 1st January 2007 respectively. My Department is actively working to ensure that these directives are transposed at an early date.

Marine Accidents.

530. **Mr. Deasy** asked the Minister for Communications, Marine and Natural Resources his intentions regarding the raising of the trawler, *Père Charles*; and if he will make a statement on the matter. [10075/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Responsibility for maritime safety issues, including search and rescue and salvage responses in the marine environment rests with my colleague the Minister for Transport. As such, any questions relating to the raising of the fishing vessel *Père Charles* are a matter for the Minister for Transport.

Fisheries Protection.

531. **Cecilia Keaveney** asked the Minister for Communications, Marine and Natural Resources when the community support scheme for drift net fishermen will be operational; and if he will make a statement on the matter. [10100/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The Deputy will be aware that the Government agreed to make a fund of €5 million available for a community support scheme, the

focus of which should primarily be those communities where drift-net fishing has been a well-established activity and where its withdrawal demonstrably impacts on their economic and social fabric, e.g. Gaeltacht areas.

Officials of the Department are in discussion with the relevant officials in the Department of Community, Rural and Gaeltacht Affairs about arrangements for the management of the scheme. Details are being finalised at present with a view to publication in the coming weeks.

532. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources if, in relation to the national ruling regarding one salmon per person until 12 May 2007, there has been any exemption in relation to this rule; and if any other county, area or district has been allowed from now until 12 May 2007 to take more than one salmon per person. [10115/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): As the Deputy is aware, the Conservation of Salmon and Sea Trout Bye-Law No. 814, 2006 which came into operation on 1st January 2007, provides for an annual bag limit of 10 fish for 2007 subject to a season bag limit of one fish during the period 1st March to 12th May in those rivers open for salmon fishing this year.

The Shannon Regional Fisheries Board reviewed the available scientific data and recommended that a relaxation on the bag limit be introduced on the river Feale. In the interest of salmon conservation and having considered the recommendation of the Regional Board, along with advice obtained from the Standing Scientific Committee of the National Salmon Commission I agreed to review the above Bye-Law. On the 28 February 2007, I introduced the Shannon Fisheries Region (River Feale) Conservation of Salmon and Sea Trout Bye-Law No 816, 2007 which increased the season bag limit from 1 to 4 fish from the 1st March to 12th May subject to a daily bag limit of 1 fish during that period. This Bye-Law also incorporates the provisions of the existing national Bye-Law.

Inland Fisheries.

533. **Mr. Deenihan** asked the Minister for Communications, Marine and Natural Resources if he will allow the fishermen of the River Laune and the Killarney Lakes, County Kerry, five tags before 12 May 2007; and if he will make a statement on the matter. [10131/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): As the Deputy is aware, the Conservation of Salmon and Sea Trout Bye-Law No. 814, 2006 which came into operation on 1st

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January 2007, provides for an annual bag limit of 10 fish for 2007 subject to a season bag limit of one fish during the period 1st March to 12th May in those rivers open for salmon fishing this year.

I am advised by the South Western Regional Fisheries Board that according to the available scientific data there is a surplus of 971 spring fish available in the river Laune for 2007. However, this surplus may be over exploited by commercial fishermen and anglers in the absence of a definite quota for Spring salmon in 2007.

Since the primary management objective for 2007 is the conservation of salmon stocks, the precautionary approach dictates that additional risk should not be taken. However, I am considering the recommendation of the regional board along with advice obtained independent of the board and in the context of the clarity of the regulation if this measure was applied. I will make a decision on this matter as soon as possible.

Postal Services.

534. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources his views on the €87 million that An Post has invested outside of Ireland; if he is satisfied with the way An Post is running the postal service if it has this kind of money that it can invest abroad. [10150/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am not aware of any such investment made by An Post. In accordance with the Postal and Telecommunications Services Act 1983 and the Department of Finance Code of Practice for the Governance of State Bodies, an investment of this nature would require prior approval by me, along with the consent of the Minister for Finance.

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, Com-Reg, 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.

Telecommunications Services.

535. **Mr. Callely** asked the Minister for Communications, Marine and Natural Resources the mechanisms in place to protect children from offensive, age inappropriate or dangerous multimedia activities that are now easily accessible; and if he will make a statement on the matter. [10295/07]

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

Deputy to my reply to Parliamentary Question No. 322 of the 12th of December, 2006.

Decentralisation Programme.

536. **Ms Shortall** asked the Minister for Communications, Marine and Natural Resources the number of civil servants in his Department who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if he will make a statement on the matter. [10525/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government's decentralisation programme provides for the relocation of the Marine functions of my Department to Clonakilty and the headquarters of my Department to Cavan. Thirty-one staff have decentralised to Clonakilty and twenty-six to Cavan to date. Decentralised staff members originally based in non-Dublin offices were not required to transfer to Dublin in advance of relocation. Information regarding the percentage of these staff members who had a previous transfer within the two year period prior to decentralisation is not available to my Department as most were employed in other Departments/offices during this time.

In addition to the above, approximately twenty staff members have left my Department with a view to decentralisation with other organisations.

Services for People with Disabilities.

537. **Mr. Kehoe** asked the Minister for Communications, Marine and Natural Resources the services and facilities available to persons with a hearing disability who wish to phone his Department; and if he will make a statement on the matter. [10947/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department has a contract with the National Council for the Blind in Ireland for the provision of telephonist operators that are trained in all aspects of customer service. My Department has also provided an 'Induction Loop System' in each of our major reception areas to assist any personal callers to the Department that may have a hearing impairment. In addition, my Department has committed to updating the existing Customer Service Charter to include actions to meet the requirement of the Department under the Disability Act 2005 in support of both the external and internal customer.

Irish Deportees.

538. **Ms O. Mitchell** asked the Minister for Foreign Affairs the number of Irish citizens who have been deported from the United States each year from 2000 to date in 2007; and if he will make a statement on the matter. [9609/07]

Minister for Foreign Affairs (Mr. D. Ahern):

The breakdown of deportation figures on an annual basis, on the basis of data provided by the US Department of Homeland Security, is as shown in the table.

Year	Total	Criminal	Non-criminal
2000	29	15	14
2001	50	17	33
2002	64	15	49
2003	69	17	52
2004	63	24	39
2005	43	12	31
2006	39	12	27

Citizens in the non-criminal category are usually visa overstays, and come to the attention of the American authorities through minor misdemeanours such as traffic offences. Subsequently their residency status becomes apparent to the authorities. In this regard, there is no evidence of any particular targeting of the Irish undocumented in the US. The US Department of Homeland Security are not as yet in a position to provide figures for 2007.

I should also like to emphasise that the Embassy and the Consulates in the United States provide consular assistance and support to all Irish citizens, including those threatened with or awaiting deportation, who request such assistance.

Departmental Expenditure.

539. **Mr. Eamon Ryan** asked the Minister for Foreign Affairs the amount his Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if he will make a statement on the matter. [9776/07]

Minister for Foreign Affairs (Mr. D. Ahern):

The Department of Foreign Affairs is responsible for two Votes – Vote 28 (Foreign Affairs) and Vote 29 (International Cooperation). Under Vote 28, the Department of Foreign Affairs, in 2006, paid mileage expenses of €268,882 and €132,922 to cover rail and bus ticket expenses. Expenditure under Vote 29 for the same period on car mileage expenses was €24,121 and on bus and rail expenses was €1,344. These amounts represent all mileage and bus / rail fares paid both at Headquarters and at our 76 Missions outside of the State.

540. **Mr. G. Mitchell** asked the Minister for Foreign Affairs the cost of energy used running his Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and his plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9825/07]

Minister for Foreign Affairs (Mr. D. Ahern):

On the basis of the information collated in the time available, it is estimated that my Department spent approximately €300,000 in 2002 on energy costs relating to office accommodation within the State.

In 2006, the estimated expenditure on energy costs for office accommodation within the State was €600,000 approximately. However, it should be noted that this figure includes energy costs of €144,000 in respect of the Passport Office premises in Balbriggan, a relatively new facility that was not operational in 2002.

In 2002, the total expenditure on energy for properties of Irish diplomatic missions abroad was €718,300. In 2006, the total expenditure on energy abroad was €954,000, although the number of our missions would have increased in the intervening period.

The Department keeps its expenditure on energy under constant review and, with a view to complying with best practice in the area of energy conservation, participates with other Government Departments in an energy users group under the direction of the Office of Public Works.

Human Rights Issues.

541. **Mr. Gormley** asked the Minister for Foreign Affairs if, in view of Mexico's newly appointed President Felipe Calderón, he will take advantage of this opportunity to urge Mexico to begin incorporating international human rights standards into its domestic law; the steps he will take to promote the reform of the public security and the criminal justice system in Mexico and to promote the implementation of international human rights standards; and if he will make a statement on the matter. [9842/07]

Minister for Foreign Affairs (Mr. D. Ahern):

Ireland, along with our European Union partners, monitors and regularly discusses with the Mexican authorities the human rights situation in Mexico and the fulfilment of their obligations under international law.

The European Union is committed to the respect of human rights, applying a positive and cooperative approach in relation to third countries in this regard. Since 2002, Mexico has been one of the focus countries for European Commission cooperation in the area of human rights through the European Initiative for Democracy and Human Rights (EIDHR). The 2006 EU-Latin America and Caribbean Summit Declar-

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ation stressed that democracy, development and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing, and are basic principles of the strategic bi-regional partnership.

The issue of Human Rights is one of the pillars of the EU-Mexico Association Agreement and such issues are regularly addressed in the context of the EU-Mexico Joint Committee. Both Mexico and EU Member States, including Ireland, are fully aware of the fundamental importance of respecting human rights.

However, while Mexico has taken significant steps in promoting respect for human rights, considerable challenges remain to be addressed, in particular at state level. The Embassy of Ireland in Mexico City keeps the human rights situation

under review and, with our EU partners, engages in dialogue with the authorities at both federal and state level.

Departmental Staff.

542. **Mr. Sargent** asked the Minister for Foreign Affairs if he will report on gender balance at each grade in his Department and in agencies that come under the aegis of his Department. [9853/07]

Minister for Foreign Affairs (Mr. D. Ahern): The table below sets out the breakdown by gender at each grade in my Department at the present time. There are four employees working for the Advisory Board for Irish Aid, which comes under the aegis of the Department of Foreign Affairs. These staff are also accounted for in the table below.

Grade	Number of Female Officers	Number of Male Officers	% of Female Officers	% of Male Officers
Secretary General	0	1	0	100
Assistant Secretary	7	48	13	87
Counsellor/Principal Officer	13	66	16.5	83.5
Specialists (Irish Aid)	17	24	41.5	58.5
First Secretary	38	88	30	70
Assistant Principal	17	20	46	54
Third Secretary/ Administrative Officer	55	44	55.5	44.5
Higher Executive Officer	37	28	57	43
Executive Officer	72	34	68	32
Staff Officer	27	12	69	31
Clerical Officer	370	128	74	26
Services Officer	0	26	0	100
Cleaning Staff	17	0	100	0

Human Rights Issues.

543. **Mr. F. McGrath** asked the Minister for Foreign Affairs his views regarding President Uribe, Columbia and his relationship with paramilitary groups and the increasing arrests of Government employees and his political allies in Congress; and if he will support those in Columbia who are developing the peace process. [9864/07]

Minister for Foreign Affairs (Mr. D. Ahern): I am aware that a number of arrests have been made in Colombia in connection with the alleged association of members of Congress and Government officials with paramilitary groups. Any association between elected representatives and officials and paramilitary groups is a matter of serious concern. I understand that the charges levelled at those allegedly involved are being taken forward through the appropriate judicial channels.

The Government of Colombia has repeatedly stated its commitment to bringing to an end all terrorism in Colombia within the framework of

the Justice and Peace Law. This Law, passed in 2005, provides an overall legal framework for the demobilisation, disarmament and reintegration of illegal armed groups into Colombian society.

Since the process of peace negotiations between the Colombian Government and the right-wing paramilitary group, Autodefensas Unidas de Colombia (AUC), began in 2003, between 30,000 and 40,000 combatants have been demobilized. The Government of Colombia is currently engaging in dialogue with the left-wing guerrilla group known as the Ejército de Liberación Nacional de Colombia (ELN) in pursuit of a negotiated peace agreement. Negotiations between the major left-wing guerrilla group, the Fuerzas Armadas Revolucionarias de Colombia (FARC), and the Government have not yet commenced.

International support is crucial to underpinning the success of the peace process in Colombia at this critical political phase. In support of the peace process, Ireland, along with a number of other European Union Member States, has given financial support to initiatives aimed at ensuring

the effective and transparent implementation of the Justice and Peace Law. Ireland undertook in June 2005 a commitment to contribute €390,000 over a three year period to the Organization of American States' Mission to Support the Peace Process in Colombia (OAS/MAPP). The mission's mandate is to provide comprehensive support to the Colombian peace process, with a focus both on the demobilisation process and on the strengthening of institutions concerned with the rule of law. In accordance with our commitment, Ireland has provided a total of €260,000 to the OAS mission to date, with the final tranche of €130,000 due to be made available later this year.

I also attach the highest priority to the humanitarian and human rights dimension of the OAS mission's role. With this in mind, an additional €130,000 was donated to the Inter-American Commission on Human Rights in December 2005 for the independent monitoring of human rights issues in support of the OAS mission. Following a review of the IACHR's progress report, a further €127,000 was provided in support of IACHR activities related to human rights aspects of the implementation of the Justice and Peace Law in late 2006.

My Department continues to monitor the situation in Colombia through our Embassy in Mexico City, which is accredited to Colombia, as well as in cooperation with our EU partners with resident diplomatic missions in that country.

Family Law Act.

544. **Mr. Gilmore** asked the Minister for Foreign Affairs the reason a letter of freedom has been refused to a person (details supplied) in County Dublin; and if he will reconsider the application in view of this Deputy's representations. [10013/07]

Minister for Foreign Affairs (Mr. D. Ahern): An application for a Certificat de Coutume, confirming that the person to whom the Deputy has referred is free to marry abroad, was received by the Department. It is not possible to approve the application as the Department is not satisfied that the applicant's divorce would be recognised under Irish law and that, consequently, she would be free to marry again. While I have every sympathy with the plight of the applicant, the legal advice I have been given is that the requirement that the person's divorce be recognised under Irish law cannot be overlooked.

The Department has written to the applicant, explaining why her application cannot be approved on the basis of the documentation submitted, and suggesting that she seek independent legal advice with a view to obtaining a declaration from the courts in accordance with Section 29 of the Family Law Act, 1995 in relation to the recognition of her divorce under Irish law. I can assure the Deputy that if the necessary declaration is obtained; the Department will issue a Certificat

de Coutume in this case and will do so as a matter of urgency.

EU Directives.

545. **Mr. Allen** asked the Minister for Foreign Affairs the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if he will make a statement on the matter. [10054/07]

Minister for Foreign Affairs (Mr. D. Ahern): My Department, which has an overall coordinating role in EU matters, does not as a rule have responsibility for transposing EU measures into Irish law. There are currently no Directives awaiting transposition in my Department.

My colleague, Mr Noel Treacy T.D., Minister of State for European Affairs, chairs the Inter-departmental Committee on European Affairs, which keeps the transposition of EU measures under constant review. In addition, the Cabinet Committee on European Affairs, which is chaired by the Taoiseach, also monitors our national transposition rate closely. The Government remains firmly committed to the effective and timely transposition of EU measures into Irish law.

Northern Ireland Issues.

546. **Cecilia Keaveney** asked the Minister for Foreign Affairs when a Border road (details supplied) in County Donegal will be reopened, in view the commitment made in October 2006; and if he will make a statement on the matter. [10111/07]

Minister for Foreign Affairs (Mr. D. Ahern): The Government has worked consistently to ensure that all the remaining border crossings closed by the British authorities on grounds of security were reopened as part of the wider process of security normalisation in Northern Ireland, and in order to facilitate regional economic development. To date, 102 such roads have been reopened since 1994, with just two remaining closed, at Annaghroe and Knockaginney. Discussions are underway with the British authorities with the intention of restoring these two crossings as soon as possible.

In regard to the road in question, the Department will pursue all aspects, including maintenance and costings, with the Department of the Environment, and also with the British authorities.

Decentralisation Programme.

547. **Ms Shortall** asked the Minister for Foreign Affairs the number of civil servants in his Depart-

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ment who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if he will make a statement on the matter. [10531/07]

Minister for Foreign Affairs (Mr. D. Ahern): Under the Government's decentralisation programme, the Development Cooperation Directorate of the Department of Foreign Affairs will decentralise to Limerick. This is scheduled to take place during the second half of 2007 and will involve the relocation to Limerick of 124 posts. In addition, and in order to help effect the smoothest possible transfer to Limerick, plans are in train for an advance party move, involving approximately 50 staff members, to take place in May this year.

Overall, personnel have at present either been assigned to, or identified for, some 90 posts or approximately 73% of the 124 posts scheduled to be decentralised.

Sixteen Dublin based-officers of this Department have transferred to other Departments with a view to moving to a provincial location under the Decentralisation Programme. Nine of these officers initially transferred to Dublin-based offices of the respective decentralising Departments and 7 transferred directly to a provincial location. None of these sixteen officers had a previous transfer within a two year period of their decentralisation transfer.

Services for People with Disabilities.

548. **Mr. Kehoe** asked the Minister for Foreign Affairs the services and facilities available to persons with a hearing disability who wish to phone his Department; and if he will make a statement on the matter. [10954/07]

Minister for Foreign Affairs (Mr. D. Ahern): The Department of Foreign Affairs has appointed an Access Officer in compliance with the Disability Act 2005. The Access Officer looks after the provision of assistance and guidance to persons with disabilities in accessing the Department's services.

Persons with a hearing disability can make contact with the Department through fax and e-mail, as well as the "contact us" facilities on the Departmental web-site — www.dfa.ie. In addition, the Department is examining the provision of a Minicom / Textphone facility in the Passport Office. This would allow callers with a hearing disability, who have a similar unit, to engage in real time communication with Passport Office staff.

The Department of Foreign Affairs also arranges disability awareness training programmes for staff at regular intervals. The Department circulates Disability Awareness information to all staff to coincide with occasions such as International Day of People with a Disability. These initiatives have a customer service focus, including an emphasis on service provision to persons with a hearing disability.

Film Industry Development.

549. **Mr. Costello** asked the Minister for Arts, Sport and Tourism if he has been asked by a company (details supplied) to contribute towards the cost of producing a film which is due to begin filming in spring 2008; if he proposes to make a contribution on behalf of the Government; and if he will make a statement on the matter. [9445/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The provision of funding for film projects is a matter for the Irish Film Board. While the Film Board is a statutory body under the aegis of and funded by my Department, I do not have a direct role in the allocation of such funding by the Film Board or in the selection of projects funded.

Sports Funding.

550. **Mr. F. McGrath** asked the Minister for Arts, Sport and Tourism the position regarding funding for athletes who are representing Ireland in canoeing; and if they will be given the maximum support in 2007. [9409/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The Irish Sports Council was set up as a statutory body in July 1999 with responsibility for the development of sport, increasing participation at all levels and raising standards. The provision in funding for the Irish Sports Council in the 2007 Estimates is €54.025 million, in comparison to just over €13 million in 2000.

The Sports Council provides funding to recognised National Governing Bodies (NGBs) including the Irish Canoe Union (ICU). NGBs are dealt with as autonomous organisations and grants are allocated under agreed funding conditions and with specific priorities in mind. The grant allocation process is run on an annual basis by the Sports Council, with NGBs submitting an application form covering their programmes for the coming year.

Since 1999, the ICU has received almost €4.5 million in funding from the Irish Sports Council with grants of €686,107 in 2007. Of the money allocated to the ICU in 2007, €345,000 was specifically targeted at high performance and €94,000 under the International Carding Scheme, which provides direct support in terms of grant-aid and indirect support in terms of sport science

and medical backup to elite and top aspiring athletes.

Since 1998, the sport of canoeing has also received over €1million in funding under the national lottery-funded Sports Capital Programme administered by my Department. In November 2006, I also announced further funding for the provision of high-performance sports equipment for elite athletes. Of the eight grants announced, the ICU received an allocation of €56,146.

Swimming Pool Projects.

551. **Mr. Carey** asked the Minister for Arts, Sport and Tourism his plans to introduce a scheme of grants which would assist with the refurbishment of privately owned swimming pools such as a pool (details supplied) in Dublin 11; and if he will make a statement on the matter. [9468/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The Local Authority Swimming Pool Programme, which is administered by my Department provides grant aid to local authorities towards the capital costs of a new or replacement public swimming pool or the refurbishment of an existing pool. The programme provides for a maximum grant level of 80% of eligible costs (90% in the case of disadvantaged areas) subject to a maximum of €3.8 million. Where a project is being undertaken by an organisation other than a local authority, the proposal must be considered, supported and submitted by the relevant local authority. Before supporting a project, the local authority would have to be satisfied that the proposal is viable, that the balance of funding required to complete the project is available and that the project, when completed, would have a suitable level of public access. Under the current round of the programme, swimming pools within the education sector are not eligible.

The Programme is currently closed to new applications. The closing date for receipt of applications under the current round of the programme was 31 July 2000. The Department is completing an Expenditure Review of the Local Authority Swimming Pool Programme at present. The Review is examining, among other things, how the programme has worked to date and what changes, if any, are required to ensure its effective and efficient delivery. The Review is currently being finalised and it is hoped that it will be completed shortly. Following consideration of the recommendations in the review it is my intention to launch a new round of the Local Authority Swimming Pool Programme. If the Programme is re-opened, it will be open to all local authorities to submit applications under the terms that will apply. I will also consider the question of allowing swimming pools traditionally regarded as being within the education sector, such as St.

Vincent's Glasnevin to apply for grant aid on the grounds of significant public access at that stage.

Sports Capital Programme.

552. **Mr. Deenihan** asked the Minister for Arts, Sport and Tourism if he will approve a grant, under the sports capital programme, for a pitch and putt club (details supplied) in County Kerry; and if he will make a statement on the matter. [9478/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications for funding under the 2007 programme were invited through advertisements in the Press on October 15th and 16th last. The closing date for receipt of applications was November 24th 2006. All applications received before the deadline are currently being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I must inform the Deputy, however, that no application was received in the name of the organisation in question.

Swimming Pool Projects.

553. **Mr. Quinn** asked the Minister for Arts, Sport and Tourism the expenditure each year under the local authority swimming pools programme, in respect of each project financed under the programme; the name and location of the project, the local authority involved, the total cost, the percentage of the cost funded under the programme, and the completion date for the project; and if he will make a statement on the matter. [9621/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The information requested by the Deputy is attached in Tabular format and will be circulated with the official report. The current round of the Local Authority Swimming Pool Programme was closed to new applications on 31 July 2000. The priority under the current round is to continue to support those projects remaining within the programme. Of the 57 projects within the current round, 23 have been completed, 18 are under construction or about to start construction, 3 are out to tender and the remaining 13 are at various stages in the process.

An Expenditure Review of the Local Authority Swimming Pool Programme conducted by my Department is currently being finalised and will be completed shortly. The Review is examining, among other things, how the programme has worked to date and what changes, if any, are required to ensure its effective and efficient deliv-

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ery. Following consideration of the recommendations in the review it is my intention to launch a new round of the Local Authority Swimming Pool Programme. If the Programme is reopened, it will be open to all local authorities to

submit applications under the terms that will apply. I will also consider the question of allowing swimming pools traditionally regarded as being within the education sector, such as St. Vincent's Glasnevin to apply for grant aid on the grounds of significant public access at that stage.

Local Authority Swimming Pool Programme

Payments by the Department of Arts, Sport and Tourism (formerly Tourism, Sport and Recreation) for the years 1998 to 2006 (exchange rate: 0.787564 for years 1998 to 2000)

	Local Authority / Pool	*1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	Total	Total Cost	Grant	% Cost Funded	Completion
		€	€	€	€	€	€	€	€	€	€	€	€	€		
1	Clare (Ennis)	203,665	0	2,570,713	0	146,020	0	0	0	0	0	2,920,398	5,713,821	2,929,398	51	Sep-03
2	Cork City (Churchfield)	0	0	0	0	0	0	3,618,753	190,461	190,461	0	3,809,214	8,748,380	3,809,214	44	2005
3	Cork Co (Youghal)	0	0	0	0	0	0	460,485	959,915	2,198,353.49	0	3,618,753	7,826,305	3,809,214	49	Sep-06
4	Cork Co (Cobh)	0	0	0	0	0	0	273,489	1,105,961	2,239,304	0	3,809,214	7,250,000	3,809,214	53	Aug-06
5	Donegal (Ballyshannon)	97,440	0	0	0	0	0	0	0	0	0	97,440	0	0		Jun-98
6	Donegal (Letterkenny)	0	0	0	0	0	0	882,143	927,198	1,618,952	0	3,428,293	16,800,000	3,809,214	23	May-07
7	Dublin City (Finglas)	0	0	0	0	1,222,357	2,396,397	0	0	0	0	3,618,753	21,978,208	3,809,214	17	Jun-04
8	Dublin City (Ballymun)	0	0	0	0	0	0	3,618,753	0	0	0	3,618,753	19,500,000	3,809,214	20	Jul-05
9	Dublin City (Ballyfermot)	0	0	0	0	0	0	395,397	1,346,979	1,876,377	0	3,618,753	20,563,000	3,809,214	19	Jul-07
10	Dublin (St Michaels House)	0	0	0	0	0	0	0	0	445,842	0	445,842	4,998,000	3,700,000	74	Nov-07
11	Dublin South (Jobstown)	0	0	0	0	0	0	256,920	1,416,642	1,754,730	0	3,428,293	17,570,000	3,809,214	22	Nov-06
12	Dublin South (Clondalkin)	0	0	0	0	0	0	0	311,570	2,745,861	0	3,057,430	14,380,000	3,809,214	26	Jul-07
13	Galway (Renmore)	0	203,158	0	0	0	0	0	0	0	0	203,158	0	0		Jun-99
14	Galway (Ballinasloe)	0	0	0	0	1,275,193	2,343,560	0	190,461	0	0	3,809,214	7,280,676	3,809,214	52	Oct-03
15	Galway (Tuam)	0	0	0	0	0	0	2,050,678	1,568,075	0	0	3,618,753	7,379,206	3,809,214	52	Sep-05
16	Kerry (Tralee Aquadome)	0	0	0	0	0	86,400	0	0	0	0	86,400	114,017	86,400	76	Jun-03
17	Kerry (Tralee Sports Centre)	0	0	0	0	0	1,379,339	2,239,415	190,461	0	0	3,809,214	4,406,866	3,809,214	86	Jul-04
18	Kerry (Ballyunion)	0	0	0	0	0	0	0	295,105	1,339,354	486,894	2,121,354	5,015,398	3,782,896	75	Apr-07
19	Kerry (Killarney)	0	0	0	0	0	0	0	504,248	1,137,768	217,862	1,859,878	12,638,471	3,809,214	30	Nov-07
20	Laois (Portlaoise)	0	0	0	0	0	0	0	0	985,564	0	985,564	10,700,000	3,809,214	36	Jul-07
21	Laois (Portarlinton)	0	0	0	0	0	0	0	0	1,345,565	0	1,345,565	5,659,752	3,809,214	67	Aug-07
22	Limerick (Askeaton)	7,877	0	0	0	0	0	0	0	397,777	0	405,655	0	0		
23	Limerick (Newcastlewest)	0	12,697	0	0	0	0	0	0	0	0	12,697	0	0		
24	Limerick (Askeaton -replace)	0	0	0	0	0	0	0	0	1,048,575	435,611	1,484,186	4,948,498	3,809,214	77	Apr-07

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	Local Authority / Pool	*1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	Total	Total Cost	Grant	% Cost Funded	Completion
		€	€	€	€	€	€	€	€	€	€	€	€	€		
25	Limerick City (Grove Island)	0	0	0	0	0	2,108,526	1,510,227	0	190,461	518,539	3,809,214	10,186,100	3,809,214	37	Aug-04
26	Longford	0	0	0	0	0	0	0	0	1,437,798	0	1,956,337	7,000,000	3,809,214	54	Jul-07
27	Louth (Dundalk)	0	0	1,844,381	1,774,371	0	0	190,462	0	0	0	3,809,214	7,413,413	3,809,214	51	Mar-02
28	Louth (Drogheda)	0	0	0	0	0	0	523,195	3,095,558	0	0	3,618,753	8,838,000	3,809,214	43	May-06
29	Meath (Navan)	241,250	1,471,868	1,168,463	0	0	158,717	0	0	0	0	3,040,298	5,306,436	3,174,345	60	Aug-02
30	Monaghan town (returbish)	30,443	272,804	0	0	77,674	0	0	2,188,846	0	0	380,922	404,381	380,921	94	
31	Monaghan town (replace)	0	0	0	0	0	0	0	0	1,239,446	0	3,428,293	7,350,000	3,809,214	52	Aug-06
32	Offaly (Birr, Clara, Edenderry)	11,428	0	0	0	0	0	0	0	0	0	11,428	0	0	72	Apr-02
33	Roscommon town	0	0	0	2,724,246	894,488	0	190,480	0	0	0	3,809,214	5,306,108	3,809,214		
34	Tipperary town (Sean Treacy pool)	50,790	77,453	0	0	0	0	0	0	0	0	128,242	0	0	80	Jul-04
35	Tipperary (Clonmel)	0	0	0	0	0	356,600	1,223,237	0	0	0	1,559,837	2,052,418	1,641,934	69	Sep-07
36	Tipperary (Thurles)	0	0	0	0	0	0	0	0	580,171	158,732	738,903	5,481,000	3,809,214		Jul-07
37	Waterford (Crystal)	913,264	752,637	95,230	0	0	0	0	0	0	0	1,761,131	0	0		May-99
38	Westmeath (Mullingar)	95,230	44,959	0	0	0	0	0	0	0	0	140,189	0	0		Jul-01
39	Wexford (Gorey/Courtown)	0	0	0	3,618,754	0	190,461	0	0	0	0	3,809,214	0	0		Jan-00
40	Wexford (Enniscorthy)	983,208	500,965	0	0	0	0	152,369	0	0	0	1,636,541	3,555,151	2,693,565	76	Jan-00
41	Wicklow (Arklow)	103,415	1,620,626	382,341	0	0	0	0	0	0	0	2,106,382	3,308,751	2,349,015	71	Jan-00
42	Wicklow Town	238,711	756,653	1,295,041	0	266,645	0	0	0	0	0	2,557,051	4,204,482	2,679,147	64	Jun-01
43	Kildare (Athy)										170,009	6,001,000	3,809,214	3,809,214	63	Aug-08
44	Kildare (Naas)										184,057	9,880,000	3,809,214	3,809,214	39	Nov-08
	Overall Total	2,976,721	5,713,821	7,356,169	8,117,371	3,882,377	9,000,000	17,586,003	14,101,200	22,772,360	2,171,704	93,677,545	84,987,002	68,965,042		

Note 1

* Prior to transfer to this Dept in 1998 the D/Environment and Local Government administered the Pool Programme and spent €43,081 from their vote in that year. It should be noted also that in some cases payments were made prior to the formal approval of the grant allocation

Note 2

In 1998, a grant was allocated under the Sports Capital Programme (SCP) for the Athlone Leisure Centre and the amount of £240,000 was paid from swimming Pool Sub-Head at end of 1998, as the funding within SCP Sub-Head had been spent.

Sports Capital Programme.

554. **Mr. Deenihan** asked the Minister for Arts, Sport and Tourism if preferential treatment will be given to an application for grant aid under the 2007 sports capital programme by a club (details supplied) in County Kerry; and if he will make a statement on the matter. [9677/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications for funding under the 2007 programme were invited through advertisements in the Press on October 15th and 16th last. The closing date for receipt of applications was November 24th 2006. All applications received before the deadline, including one from the organisation in question, are currently being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

National Conference Centre.

555. **Mr. Deenihan** asked the Minister for Arts, Sport and Tourism the proposed start up date for the national conference centre; and if he will make a statement on the matter. [9706/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): As I have informed the House, most recently on 15 February, 2007, Spencer Dock International Conference Centre Consortium has been appointed Preferred Tenderer for the provision of a National Conference Centre in Dublin.

The Centre is being procured under a Public Private Partnership process under the auspices of the Office of Public Works — the Contracting Authority. During the Preferred Tenderer phase the Consortium is required to develop and provide the full range of project documents for review and approval by the Contracting Authority. The current expectation is that the contract will be awarded within the coming weeks. It is envisaged that site enabling and related works in preparation for construction would commence shortly thereafter and that the Centre would be operational some 40 months later.

I am delighted that delivery of another major commitment in the Programme for Government may now be about to become a reality.

Sports Capital Programme.

556. **Mr. Neville** asked the Minister for Arts, Sport and Tourism the response of his Department to an application by a club (details supplied)

in County Limerick for funding under the sports and capital programme 2007. [9722/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications for funding under the 2007 programme were invited through advertisements in the Press on October 15th and 16th last. The closing date for receipt of applications was November 24th 2006. All applications received before the deadline, including one from the organisation in question, are currently being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

Departmental Expenditure.

557. **Mr. Eamon Ryan** asked the Minister for Arts, Sport and Tourism the amount his Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if he will make a statement on the matter. [9768/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The total amount of expenditure by my Department in respect of mileage, rail and bus tickets during 2006 is as follows:

Mileage — €58,546.63

Rail and Bus — €8,268.40

These figures represent the expenditure incurred by employees and my Department, including the National Archives, while travelling on official duties and takes account of rail and bus tickets purchased for travel outside the State.

558. **Mr. G. Mitchell** asked the Minister for Arts, Sport and Tourism the cost of energy used running his Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and his plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9817/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): As my Department was not established until mid 2002 the costs of energy used in 2002 are not comparable with the costs incurred in 2006. Furthermore, in 2002, the National Museum of Ireland, the National Library of Ireland and the National Archives were an integral part of the Department and their energy costs were paid from the same subhead as those of the core Department. In 2006 the National Museum

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and Library were separate legal entities, with responsibility for all their own costs, having been established as statutory bodies in May 2005. It is not possible to separate out the costs in 2002 for the two bodies in the time available.

My core Department has offices located at 23 Kildare Street, Dublin 2 and Frederick Building, South Frederick Street, Dublin 2 but is not the main tenant in either building. The utility bills for the Kildare Street building are in the name of the Department of Enterprise, Trade and Employment. The utility bills for Frederick Building are in the name of the Department of Foreign Affairs. In each case my Department pays an agreed percentage of the utility bills corresponding to the amount of floor space occupied. The cost is paid directly to the main tenant and not to the energy supplier. In 2006, a sum of €13,964 was paid to the Department of Foreign Affairs and a sum of €13,218 to the Department of Enterprise, Trade and Employment in respect of electricity charges. My Department shares the cost of central heating with the Houses of the Oireachtas and some other Government Departments on a pro rata basis. This cost amounted to €24,693 in 2006.

My Department opened new temporary decentralised premises in Fossa, Co Kerry on the 4th of September 2006. New accounts were opened at this time with the ESB and Calor Teor-

anta. At the end of 2006, a sum of €8,225 was paid to ESB and €844 to Calor Teoranta.

The National Archives, which is part of my Department, has accounts with the ESB and Bord Gáis. In 2006 an amount of €93,529 was paid to the ESB while an amount of €33,510 was paid to Bord Gáis.

I am very conscious of the need to conserve energy and to keep costs at a reasonable level. Data relating to the quantity of energy consumed was not kept up to 2006 but such records are being kept for 2007. Furthermore, the question of energy conservation was discussed at a recent meeting of my Department's Partnership Committee and a sub-committee has been established to consider the matter and to make recommendations.

Departmental Staff.

559. **Mr. Sargent** asked the Minister for Arts, Sport and Tourism if he will report on gender balance at each grade in his Department and in agencies that come under the aegis of his Department. [9845/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): As at 28 February 2007 there were 175 members of staff (some on a worksharing basis) serving in my Department, which includes the National Archives. The breakdown by gender of the staff, by grade, is set out in the table.

Grade	No. Staff	Male	Female
Secretary General	1	1	0
Asst. Secretary	2	2	0
Principal Officer	9	5	4
Assistant Principal Officer	24	13	11
Higher Executive Officer	24	14	10
Executive Officer	34	16	18
Staff Officer	5	4	1
Clerical Officer	43	13	30
Head Services Officer	1	1	0
Services Officer	11	9	2
Special Advisor	1	1	0
Personal Assistant	1	1	0
Personal Secretary	1	0	1
Professional Accountant	1	1	0
Assistant Keeper Grade 1	1	1	0
Director	1	1	0
Keeper	1	1	0
Senior Archivist	3	0	3
Archivist	8	3	5
Conservator	1	0	1
ICT Manager	1	1	0
Conservation Internship	1	0	1
Total	175	88	87

The staffing of the agencies under the aegis of my Department is a day-to-day matter for those agencies and I do not have the information requested readily available.

Animal Welfare.

560. **Mr. Gogarty** asked the Minister for Arts, Sport and Tourism the guidelines in place to ensure that organisations in receipt of funding through his Department or its agencies that work with animals are monitored regarding the conditions and welfare of the animals; if this is currently part of or will be included in future assessments regarding funding provision; and if he will make a statement on the matter. [9888/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The Deputy will be aware that animal health and welfare is a matter in the first instance for the Minister for Agriculture and Food. Equestrian sports funded by the Irish Sports Council are subject to these animal health and welfare requirements and to the rules and regulations of the national and international federations responsible for the various disciplines involved. Horse Racing Ireland and Bord na gCon are the statutory bodies responsible for the horse and greyhound racing industries respectively. I have been assured by both bodies that there is appropriate veterinary support at all race meetings.

While the Irish Coursing Club, which is the controlling authority for the breeding and coursing of greyhounds, subject to the general control and direction of Bord na gCon, does not receive funding from my Department or Bord na gCon for coursing, my Department oversees a Monitoring Committee on coursing. This committee comprises of a veterinary inspector, representatives of the National Parks and Wildlife Service now part of the Department of the Environment, Heritage and Local Government and the Irish Coursing Club. The veterinary inspector attends 20% of all coursing meetings on behalf of the Department. Wildlife Rangers from the National Parks and Wildlife Services attend approximately 50% of coursing meetings. The Monitoring Committee meets annually — usually in advance of the start of the coursing season and considers any issues arising from the previous season.

EU Directives.

561. **Mr. Allen** asked the Minister for Arts, Sport and Tourism the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if he will make a statement on the matter. [10046/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): There are no EU Directives currently awaiting implementation by my Department.

National Lottery Funding.

562. **Mr. P. McGrath** asked the Minister for Arts, Sport and Tourism the criteria for funding under the national lottery grants scheme; if marching bands have been excluded from this criteria; and if he will make a statement on the matter. [10060/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The sports capital programme, which is administered by my Department, is the primary means of providing Government funding for sports facilities. The programme is advertised on an annual basis. Applications for funding under the programme be of a capital nature, which, for the purpose of the programme, is defined as:

- expenditure on the improvement or construction of an asset and includes any costs directly incurred in this process; and
- purchase of permanently based sports equipment, i.e. it is securely housed, and will remain in use for 5 years or more.

Also, only applications directly related to the provision of sport and recreational sport facilities are considered for funding under the programme. As marching bands do not fall into either of the above categories, applications from them are not eligible for funding under the sports capital programme.

563. **Mr. Penrose** asked the Minister for Arts, Sport and Tourism if his Department has received an application for lottery funding from a club (details supplied) in County Westmeath; the steps he will take to ensure that same is provided for in the forthcoming allocations; and if he will make a statement on the matter. [10074/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications for funding under the 2007 programme were invited through advertisements in the Press on October 15th and 16th last. The closing date for receipt of applications was November 24th 2006. All applications received before the deadline, including one from the organisation in question, are currently being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant

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allocations for the programme as soon as possible after the assessment process has been completed.

Sports Capital Programme.

564. **Mr. Kehoe** asked the Minister for Arts, Sport and Tourism the funding or grants available to a scout club looking to renovate its clubhouse; and if he will make a statement on the matter. [10268/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The sports capital programme, which is administered by my Department, is the primary means of providing Government funding for sports facilities. The programme is advertised on an annual basis. Applications for funding under the programme be of a capital nature, which, for the purpose of the programme, is defined as:

- expenditure on the improvement or construction of an asset and includes any costs directly incurred in this process; and
- purchase of permanently based sports equipment, i.e. it is securely housed, and will remain in use for 5 years or more.

I should point out to the Deputy that only applications directly related to the provision of sport and recreational sport facilities will be considered for funding under the programme.

The 2007 round of the sports capital programme was advertised on Sunday 15th and Monday 16th October last with a closing date for receipt of applications of 24th November next. Officials in the Sports Capital Unit of my Department will give advice to prospective applicants on any aspect of the programme. However, I must point out to the Deputy that only sporting applications will be considered for funding under the sports capital programme and that the programme does not provide funding for the purchase of sites or premises.

Arts Funding.

565. **Dr. Cowley** asked the Minister for Arts, Sport and Tourism the position regarding the ACCESS II funding application submitted by a group (details supplied) in County Mayo; if his attention has been drawn to the importance of this amenity for this cultural town and the importance of the development for this progressive arts committee; and if he will make a statement on the matter. [10350/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I can confirm that an application was received under the ACCESS II scheme by the closing date of November 17th 2006 from the organisations referred to by the Deputy. All applications under the ACCESS II scheme are currently being assessed by an independent Selection

Committee. I hope to make an announcement regarding the successful applicants shortly.

566. **Dr. Cowley** asked the Minister for Arts, Sport and Tourism the position regarding the ACCESS II funding application submitted by a group (details supplied) in County Mayo; if this building and society is one of the oldest in the country and is needed by this town; and if he will make a statement on the matter. [10351/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I can confirm that an application was received under the ACCESS II scheme by the closing date of November 17th 2006 from the organisations referred to by the Deputy. All applications under the ACCESS II are currently being assessed by an independent Selection Committee. I hope to make an announcement regarding the successful applicants shortly.

Decentralisation Programme.

567. **Ms Shortall** asked the Minister for Arts, Sport and Tourism the number of civil servants in his Department who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if he will make a statement on the matter. [10524/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Under my Department's decentralisation programme to Killarney, an advance group of 44 staff relocated to temporary accommodation at Fossa, in September 2006. Since then a further 3 staff have relocated to the temporary accommodation. Of the staff transferred to Fossa, 93% had transferred into my Department within the previous two years.

The number of staff who have transferred from a non-Dublin office to a Dublin office to date is 12 and the average time spent in the Dublin Office for training purposes is 3 weeks, with senior staff spending longer periods in Dublin. An extensive programme of induction and training is in place to ensure that all new staff are familiar with the objectives, procedures and work of the Department.

Services for People with Disabilities.

568. **Mr. Kehoe** asked the Minister for Arts, Sport and Tourism the services and facilities available to persons with a hearing disability who wish to phone his Department; and if he will make a statement on the matter. [10946/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): My Department does not have any specific facilities available to persons with a

hearing disability who wish to phone the Department. However my Department is fully committed to the equitable provision of services to persons with disabilities and compliance with the Disability Act 2005. In the context of the implementation of its Customer Charter my Department's website has undergone significant redesign to enhance its user friendliness and accessibility to those with disabilities in compliance with high-level web content accessibility guidelines.

Community Employment Schemes.

569. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment his plans to address the problems expressed in correspondence (details supplied); and if he will make a statement on the matter. [9937/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Community Employment Projects operated through the Sponsor, County Kildare Centre for the Unemployed Ltd, are located in Leixlip, Athy and Newbridge and are currently funded by FAS. Community Employment Projects are grant-aided under three sections, wages, training and materials. The grant amounts for training materials and administration are fixed, based on participant numbers.

The funding allocated from FAS for the Resource Centres for the Unemployed in Newbridge and Athy is approximately €500,000 for 2007. Total funding allocated by FAS to the Community Employment Projects sponsored by the County Kildare Centres for the Unemployed will be approximately €724,000.

FÁS Training Programmes.

570. **Mr. Stanton** asked the Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 4 of 1 March 2007, the FÁS training programmes open to people over 65 years of age; and if he will make a statement on the matter. [10583/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): I understand that FAS Training Programmes are open to people who are over 65 years of age. They are not a target priority group but they are eligible to apply and to be considered for participation. In addition, FÁS evening courses are available to people over 65, as are courses provided through FÁS eCollege.

Industrial Relations.

571. **Mr. Allen** asked the Minister for Enterprise, Trade and Employment the reason he has not appointed a rights commissioner to be located in Cork in view of the fact that no Cork or Kerry based rights commissioner has been appointed in the past ten years and particularly in view of the fact that, where industrial griev-

ances exist, the parties involved face a delay of approximately nine months for a hearing. [9504/07]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Rights Commissioner Service operates as a service of the Labour Relations Commission. The Labour Relations Commission is an independent statutory body. It acts independently in the carrying out of its day-to-day functions and the Commission is solely responsible for the allocation of its resources.

The Labour Relations Commission has its headquarters in Dublin, but rights commissioners hear cases in all parts of the country. Of the nine rights commissioners, two have been designated to hear cases in the Munster region. One of these has been serving the Munster region since 1996 and the second was appointed in 2006. Other rights commissioners hear cases in the Munster region as required. It would not be practical to appoint a commissioner to deal with cases from just one county.

It is the stated commitment of the Labour Relations Commission to provide speedy arrangements for the adjudication and resolution of cases. Delays in the processing of cases are regrettable and the Commission endeavours at all times to keep delays to a minimum.

Cases referred to a rights commissioner are normally dealt with within 6 months. Cases that take nine months to be heard, as referred to in the Deputy's question, are rare and this extra delay would be the result of requests for adjournments by the employer or employee or other unique factors. Significant additional resources have been allocated to the Rights Commissioner Service to assist it in dealing with its 6-month backlog of cases. For example, the number of rights commissioners increased from six to eight in 2004 and a ninth rights commissioner was appointed in 2006. This represents a 50% increase in the number of rights commissioners in the last 3 years. The number of support staff also increased and significant financial resources were allocated to the development of a new case management system. To ensure that the Commission can continue to deal with its increasing caseload, the Government has committed itself in Towards 2016 to the appointment of five additional rights commissioners, increasing, as necessary, in line with the commissioners' caseload.

Local Employment Service.

572. **Mr. Ardagh** asked the Minister for Enterprise, Trade and Employment the action he will take to ensure the continuance of the local employment service in the Connolly Centre in the Coombe, Dublin 8 that has been in existence for the past 12 years, and the continued employment of the staff of the service. [9541/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Connolly Centre is operated by the Dublin Inner City Partnership (DICP) and the staff are employed by the Partnership. FÁS contracts with the Partnership to deliver a Local Employment Service within the Dublin Inner City area. I am informed by FÁS that the Dublin Inner City Partnership has been in discussions with the Connolly Centre with a view to continuing LES service delivery within the Coombe area.

Departmental Agencies.

573. **Ms Enright** asked the Minister for Enterprise, Trade and Employment the number of site visits by the IDA to counties Laois and Offaly over the past 12 months; the towns visited in both Laois and Offaly; when they were visited; and if he will make a statement on the matter. [9582/07]

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 marketing of individual areas for new or expansion FDI investments and jobs is a day-to-day operational matter for the Agency. While I may give general policy directives to the Agency, I am precluded under the Industrial Development Acts from giving directives regarding individual undertakings or from giving preference to one area over others.

In the period from March 2006 to March 2007, IDA Ireland has hosted a total of 8 site visits by potential investors to Counties Laois and Offaly, 7 of which were to Portlaoise while 1 was to Tullamore. The visits to Portlaoise took place in May, July, September and October, 2006 and February, 2007 while the visit to Tullamore took place in March 2006.

In line with the National Spatial Strategy (NSS), a key goal for IDA Ireland is the achievement of balanced regional development. Counties Laois and Offaly form part of the IDA Midlands Region together with Counties, Longford, Westmeath and Roscommon. The locations of emphasis for IDA in this region are the NSS Gateway towns of Athlone, Tullamore and Mullingar. In addition, the agency actively promotes the county towns of Portlaoise, Longford and Roscommon. The region will also benefit from the ongoing investment in transport, energy and utilities set out in the new National Development Plan.

IDA Ireland is actively marketing the Midlands Region through its network of overseas offices. In addition, the agency is working closely with educational institutions in the Region, in developing the skill sets necessary to attract high value added employment. The agency is also working with FAS to provide guidance in developing the skill sets needed by those already in the workforce who are interested in upskilling.

IDA Ireland has invested a considerable amount in the physical infrastructure required to attract today's FDI to the Midlands. The agency has invested €3.2 m in the development of a flagship Business and Technology Park in Portlaoise and spent circa €3m in upgrading the IDA Srah Park in Tullamore to Business & Technology Park standard. In this latter Park, the construction of a 465 sq. mtr. Advance Technology Unit has been completed and is currently being actively marketed by IDA, while a 2,415 sq. mtr. Advance Technology Building will be constructed during 2007. Ultimately decisions regarding where to locate, including what sites to visit as potential locations are taken by the investor.

574. **Ms Enright** asked the Minister for Enterprise, Trade and Employment the number of site visits by Enterprise Ireland to counties Laois and Offaly over the past 12 months; the towns visited in both Laois and Offaly; when they were visited; and if he will make a statement on the matter. [9583/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): The facilitation of site visits by Enterprise Ireland is a day-to-day matter for the agency itself, and not one in which I am directly involved. However, I understand that site visits from potential investors normally relate to projects which are mobile and, more often than not, are from overseas. The Enterprise Ireland portfolio of indigenous client companies is, of its nature, not very mobile, and therefore the number of such site visits arranged by E.I. only relates to a small number of companies. Most overseas site visits generated by Enterprise Ireland are primarily from companies operating in the natural resources sector and take into account their special location requirements such as access to raw materials, infrastructure and skills needs.

EI facilitated three visits to Portlaoise in County Laois and one to Clara in County Offaly during 2006. Enterprise Ireland provides an extensive range of supports such as strategy development, production and operations, marketing, human resource development, finance and research and development. These are available to all qualifying clients in counties Laois and Offaly. The preliminary Forfás Employment Survey for 2006 indicates that there are currently 132 plants employing 3,833 people in Laois and Offaly.

Where an Irish company is interested in relocating or expanding 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.

Work Permits.

575. **Mr. M. Higgins** asked the Minister for Enterprise, Trade and Employment his views on

the case of a person (details supplied); the present position in respect of this person's case; and the advice he can offer with regard to this case being progressed. [9661/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Employment Permits Section of my Department has informed me that this application was refused on 14th September 2006 on the basis that the position the employer seeks to fill could be filled from within the EU and that the above named individual was on a study visa and was therefore not entitled to enter full time employment. Having heard an appeal, the original decision was upheld in this case. The employer was notified of these decisions in writing.

Job Creation.

576. **Dr. Twomey** asked the Minister for Enterprise, Trade and Employment the number of IDA jobs created in County Wexford on a yearly basis since 1997 to date in 2007; the way this compares on average with other counties here; and if he will make a statement on the matter. [9740/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Forfás Annual Employment Survey reports on job gains and losses in companies that are clients of the industrial development agencies. Information is aggregated at county level. 2006 is the latest year for which such figures are available. The number of jobs created in IDA supported companies in County Wexford in each of the years from 1997 to 2006 is set out in the tables. The comparable data for the other counties in the South East Region, (i.e. Waterford, Carlow, Kilkenny and Tipperary South), is also set out in that tabular statement.

Table showing the number of new jobs created in IDA supported companies in the counties of the South East Region in each of the years 1997 to 2006

Wexford

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Job Gains	136	112	76	147	78	172	134	333	71	102

Carlow

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Job Gains	38	72	10	3	2	6	8	19	44	20

Kilkenny

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Job Gains	40	58	6	36	82	105	2	66	95	15

In line with the National Spatial Strategy, IDA Ireland's strategy for County Wexford is to concentrate resources on the Hub town of Wexford as the location with the greatest potential to develop first class facilities for attracting overseas industry. Work on upgrading the 26 hectare Wexford Business and Technology Park, one of a network of flagship business parks nationwide, has just been completed. The Agency is also actively promoting New Ross, where an Advance Technology Building is available on the New Ross Industrial Estate. In addition, the County will also benefit from the ongoing investment in transport, energy and utilities set out in the new National Development Plan.

At the end of 2006, there were a total of 2,022 people working in 13 IDA supported companies in County Wexford, a slight increase on the figures for 2005. The County has a strong base of manufacturing companies, with the majority performing well in a challenging environment. IDA Ireland continues to be actively engaged with its existing base of manufacturing companies in Wexford, highlighting the importance of upskilling and the need to add high-value activities.

Over the last number of years IDA Ireland has been actively working to attract overseas companies in newer high-value sectors to Wexford and the profile of clients has been changing with Lake Region and Waters Corporation (Medical Technologies) and PFPC and Equifax (International Services) now firmly established in the county. The agency is committed to continue marketing Wexford as a location for knowledge-intensive industries. In addition, the agency is actively working with local partners such as Wexford County Council, Wexford Chamber of Commerce and the Wexford campus of Carlow Institute of Technology to develop the necessary infrastructure to attract industry.

[Mr. Martin.]

Waterford

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Job Gains	593	702	267	322	504	572	554	248	351	702

Tipperary South

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Job Gains	93	204	449	328	438	147	113	94	56	233

Departmental Expenditure.

577. **Mr. Eamon Ryan** asked the Minister for Enterprise, Trade and Employment the amount his Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if he will make a statement on the matter. [9773/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): On the basis of provisional outturn figures for 2006, the total amount paid by my Department for car mileage expenses last year was €765,164.88. A total of €101,115.59 was paid in respect of all other modes of transport, including the cost of taxis as well as buses and trains, both in Ireland and abroad. Rail and bus ticket expenses were not identified separately by my Department in 2006.

Job Losses.

578. **Cecilia Keaveney** asked the Minister for Enterprise, Trade and Employment his views in relation to a letter (details supplied); and if he will make a statement on the matter. [9786/07]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I have noted the contents of the letter referred to in the Deputy's question. I understand that statutory redundancy entitlements have been paid to the workers in the factory named in the letter. Additional ex gratia payments are a matter for negotiation between the company concerned and the workers.

The State has established a number of institutions, including the Labour Court, to assist in the resolution of trade disputes between employers and workers such as the ongoing dispute in this case. The Labour Court conducts hearings on trade disputes and then issues recommendations setting out its opinion on the dispute and the terms on which it should be settled. However, the system of industrial relations in Ireland is essentially voluntary in nature. The law on industrial relations disputes does not generally seek to impose a solution on the parties to a dispute but rather seeks to assist them in arriving at

a solution. The Labour Court cannot compel a company to comply with its recommendations. As it is a Court of last resort in the industrial relations process, it is expected that the parties come to the process in good faith and consequently are prepared to give serious consideration to the Court's recommendations.

Recommendations of the Labour Court are not legally binding, however, and ultimately, responsibility for the settlement of a trade dispute rests with the parties to the dispute.

Departmental Expenditure.

579. **Mr. G. Mitchell** asked the Minister for Enterprise, Trade and Employment the cost of energy used running his Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and his plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9822/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): It has not been possible, in the time available, to get all of the data requested by the Deputy in respect of this Parliamentary Question. The missing data will be forwarded to the Deputy as soon as it becomes available. Excluding the Offices of my Department which have their own budgets, the data currently available concerning the energy used for running my Department in 2002 and 2006 is as follows:

	2002	2006
	€	€
Cost of Energy	222,692.75	347,251.81
Quantity of Electricity used KW	—	1,612,349
Quantity of Gas used KWH	—	1,736,090

To reduce energy consumption in the Department and to ensure maximum energy efficiency with a view to meeting the concerns regarding climate change, my Department through its Green Team, which was established some years ago, has over the past few years initiated the following actions: ensured that all lighting in the Department's eight buildings is switched off over-

night; ensured that the Office of Public Works, which looks after the replacement of electric light bulbs in my Department's buildings, uses energy efficient bulbs and long life bulbs wherever possible when electric light bulbs are being replaced; ensured that the central heating arrangements for the Department's buildings are switched on and off to achieve optimum energy efficiency; ensured that the staff in the Department have been exhorted to:

1. switch off all their computer equipment (base units, monitors and peripheral devices) at the end of each working day;

2. switch off their PC monitors at lunch time and while attending meetings etc;

3. ensure that the last person leaving each individual office switches off all electric lights, printers, photocopiers and heaters;

My Department will continue to monitor its energy consumption and will where practicable continue to implement steps to reduce energy usage as a contribution to meeting concerns regarding climate change.

Departmental Staff.

580. **Mr. Sargent** asked the Minister for Enterprise, Trade and Employment if he will report on gender balance at each grade in his Department and in agencies that come under the aegis of his Department. [9850/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): Information on the current gender balance at each grade in my Department (including Offices). The Offices of the Department are (i) Labour Relations Commission; (ii) Labour Court; (iii) Employment Appeals Tribunal; (iv) Office of the Director of Consumer Affairs; (v) Patents Office; (vi) Companies Registration Office; (v) Office of the Registrar of Friendly Societies; (vi) Office of the Director of Corporate Enforcement.

The Agencies under the aegis of the D/ETE are (i) Forfas; (ii) Enterprise Ireland; (iii) IDA Ireland; (iv) National Standards Authority of Ireland; (v) Science Foundation Ireland; (vi) Shannon Free Airport Development Company; (vii) Crafts Council of Ireland; (viii) Intertrade Ireland; (ix) Personal Injuries Assessment Board; (x) Health and Safety Authority; (xi) Competition Authority; (xii) Irish Auditing and Accounting Supervisory Authority (xiii) National Competitiveness Council; (xiv) Fas; (xv) County City and Enterprise Boards under the aegis of my Department is given in the tables.

Gender Balance Data as at 12 March, 2007 of Staff of Department of Enterprise, Trade and Employment, and its Offices. The Offices of the Department are (i) Labour Relations Commission; (ii) Labour Court; (iii) Employment

Appeals Tribunal; (iv) Office of the Director of Consumer Affairs; (v) Patents Office; (vi) Companies Registration Office; (v) Office of the Registrar of Friendly Societies; (vi) Office of the Director of Corporate Enforcement.

Grade	% male	% female
	%	%
<i>General Service Grades</i>		
Secretary General	100	0
Assistant Secretary	86	14
Principal Officer	82	18
Assistant Principal	67	33
Higher Executive Officer	45	55
Administrative Officer	40	60
Executive Officer	31	69
Staff Officer	30	70
Clerical Officer	30	70
Services Officer	93	7
Services Attendant	33	67
Cleaner	12	88
Telephonist	60	40
<i>Other Grades</i> ³³ It should be borne in mind when considering the gender balance of these posts that, in many instances, there is only a single post at that grade		
Head of Financial Control	0	100
Controller (ESF financial control)	100	0
Accountant Grade 1	67	33
Auditor	100	0
Principal Solicitor	0	100
Solicitor	100	0
Legal Adviser	60	40
Employee Assistance Officer	0	100
Chief Executive (Labour Relations Commission)	100	0
Chairman (Labour Court)	100	0
Deputy Chairman (Labour Court)	50	50
Member (Labour Court)	83	17
Registrar (Labour Court)	100	0
Director (ODCE, NERA, ODCA)	67	33
Corporate Compliance Manager (ODCE)	100	0
Senior Examiner of Patents	100	0
Examiner of Patents	33	67
Ministerial Special Adviser	50	50
Ministerial Press Adviser	100	0
Ministerial Personal Assistant	33	67
Ministerial Personal Secretary	0	100
Ministerial Driver	100	0
Overall Gender Balance	42	58

[Mr. Martin.]

(iii) IDA Ireland

Gender balance of staff of Agencies under the aegis of the Department of Enterprise, Trade and Employment

(i) Forfás

Grade	% male	% female
	%	%
CEO	100	0
Executive Director	100	0
Grade 1	50	50
Principal Officer Equivalent	83	17
Assistant Principal Equivalent	47	53
Higher Executive Officer Equivalent	51	49
Executive Officer Equivalent	22	78
Clerical Officer Equivalent	6	94
Clerical Assistant Equivalent	44	56
Graduate Trainees	60	40
Overall Gender Balance	44	56

(ii) Enterprise Ireland

Grade	% male	% female
	%	%
CEO	100	0
Executive Director	100	0
Grade 1/HOD	73	27
SPSO/PAT Dir	100	0
Level F/PSO	83	17
Level E	59	41
Level D	42	58
Level C	10	90
Level B	3	97
Level A	40	60
SSO	79	21
SRO	74	26
SO	50	50
RO	75	25
EO	100	0
T2	79	21
CRT2	100	0
CRT1	100	0
T1	60	40
TA	100	0
LA/GA	100	0
Graduates	45	55
LA1	0	100
Overall Gender Balance	49	51

Grade	% male	% female
	%	%
CEO	100	0
Executive Director	100	0
Grade 1	67	33
Level F	67	33
Level E	77	23
Level D	45	55
Level C	10	90
Level B	0	100
Overseas Secretaries	0	100
Level A	0	100
Overall Gender Balance	47	53

(iv) National Standards Authority of Ireland (NSAI)

Grade	% male	% female
	%	%
CEO	100	0
SPSO	100	0
PSO	77	23
SSO	71	29
SO	100	0
EO	100	0
T2	94	6
T1	100	0
TA	100	0
Level F	100	0
Level E	75	25
Level D	38	62
Level C	14	86
Level B	10	90
Overall Gender Balance	60	40

(v) Science Foundation Ireland (SFI)

Grade	% male	% female
	%	%
Director	100	0
Level F	42	58
Level E	40	60
Level D	17	83
Level C	0	100
Overall Gender Balance	35	65

(vi) Shannon Free Airport Development Company (SFADCO)

Grade	% male	% female
	%	%
CEO	100	0
E1	75	25
E3B	91	9
E3A	80	20
E3	69	31
E4	43	57
E5	9	91
C1 1A	20	80
C1	0	100
Graduate	29	71
Overall Gender Balance	48	52

(vii) Crafts Council of Ireland

Grade	% male	% female
	%	%
Assistant Principal	0	100
Higher Executive Officer	0	100
Executive Officer	0	100
Clerical Officer	0	100
Overall Gender Balance	0	100

(viii) Intertrade Ireland

Grade	% male	% female
	%	%
Chief Executive	100	0
Director	67	33
Manager	43	57
Deputy Manager	50	50
Executive staff	0	100
Administrative staff	0	100
Overall Gender Balance	31	69

(ix) Personal Injuries Assessment Board (PIAB)

Grade	% male	% female
	%	%
Deputy Secretary Equivalent	0	100
Accelerated Director	50	50
Principal Officer (Higher)	100	0
Principal Officer	100	0
Assistant Principal (Higher)	86	14
Assistant Principal	64	36

Grade	% male	% female
	%	%
Higher Executive Officer	27	73
Executive Officer	19	81
Clerical Officer	35	65
Overall Gender Balance	43	57

(x) Health and Safety Authority (HAS)

Grade	% male	% female
	%	%
Assistant Chief Executive	50	50
Programme Manager	100	0
Assistant Principal	67	33
Inspector Grade 1	55	45
Inspector Grade 2	75	25
Inspector Grade 3	52	48
Higher Executive Officer	25	75
Executive Officer	15	85
Clerical Officer	20	80
Service Officer	100	0
Overall Gender Balance	49	51

(xi) Competition Authority

Grade	% male	% female
	%	%
Chairperson	100	0
Member	75	25
Principal Officer Equivalent	63	37
Assistant Principal Equivalent	57	43
Higher Executive Officer Equivalent	100	0
Executive Officer Equivalent	67	33
Clerical Officer Equivalent	33	67
Overall Gender Balance	60	40

(xii) Irish Auditing and Accounting Supervisory Authority (IAASA)

Grade	% male	% female
	%	%
CEO	100	0
Principal Officer Heads of Function	33	67
Professional Accountant Grade 1 Project Manager	0	100
Finance Manager	100	0
Administrative Executive	0	100
Overall Gender Balance	38	62

[Mr. Martin.]

(xiii) National Competitiveness Council

The NCC was established by the Government in May 1997 as part of the Partnership 2000 Agreement. As per the NCC's Terms of Reference, Forfás, the national policy and advisory board for enterprise, trade, science, technology and innovation, provides the Council's secretariat. The gender balance of staff of Forfas is given above.

(xiv) Fás

Grade	% male	% female
	%	%
Management Grade 1	100	0
Management Grade 3	86	14
Management Grade 4	73	27
Management Grade 5	100	0
Management Grade 6	84	16
Management Grade 7	67	33
Operational Grade 8	68	32
Operational Grade 9	46	54
Operational Grade 10	38	62
Clerical Grade 11	9	91
Operative Grade 13	66	34
Overall Gender Balance	47	53

(xv) County and City Enterprise Boards

The number, pay and conditions of the staff of the thirty-five County and City Enterprise Boards (CEBs) is determined by the Minister for Enterprise, Trade and Employment with the consent of the Minister for Finance. However staff of the Boards are recruited directly by the individual Boards and the Department does not ordinarily collect individual Personnel records in respect of staff of the Boards and does not ordinarily seek information on the gender balance of staff within Boards.

Work Permits.

581. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment if a person (details supplied) in Dublin 4 will be supported with their application for a spousal work permit; and if they will be given the maximum support. [9945/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Employment Permits Section of my Department has informed me that this application was received in the Section on 16th February 2007 and it will be considered in due course.

EU Directives.

582. **Mr. Allen** asked the Minister for Enterprise, Trade and Employment the number

of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if he will make a statement on the matter. [10051/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): There are currently a total of sixteen Directives due to be transposed by my Department up to 2010. Three of these Directives are overdue and the following is the position with regard to implementation progress:

1. Directive 2004/22/EC of 31 March 2004 concerning harmonisation of measuring instruments

Transposition Deadline: 30 April 2006

Expected date of implementation: 30 March 2007

2. Directive 2003/72/EC supplementing the Statute for a European Cooperative Society with regard to the involvement of employees

Transposition Deadline: 18 August 2006

Expected date of implementation: 30 March 2007

3. Directive 2004/109/EC on minimum transparency requirements for listed companies

Transposition Deadline: 20 January 2007

Expected date of implementation: 30 April 2007

Another thirteen Directives are due for transposition between 2007 and 2010 as follows:

1. Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market

Transposition Deadline: 12 June 2007

2. Directive 2006/89/EC on the approximation of laws with regard to the transport of dangerous goods by road.

Transposition Deadline: 1 July 2007

3. Directive 2005/32/EC of the European Parliament and of the Council establishing a framework for the setting of ecodesign requirements for energy-using products

Transposition Deadline: 11 August 2007

4. Directive 2006/15/EC of 7 February 2006 establishing a second list of indicative occupational exposure limit values.

Transposition Deadline: 29 August 2007

5. Directive 2005/56/EC of the European Parliament and of the Council of 26 October

2005 on cross-border mergers of limited liability companies.

Transposition Deadline: 15 December 2007

6. Directive 2006/122/EC relating to restrictions on the marketing and use of certain dangerous substances and preparations.

Transposition Deadline: 26 December 2007

7. Directive 2006/68/EC of the European Parliament and Council amending Directive 77/91/EC regarding the formation of public limited liability companies and the maintenance & alteration of their capital

Transposition Deadline: 15 April 2008

8. Directive 2004/40/EC of the European Parliament and of the Council of 29 April 2004 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (18th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC).

Transposition Deadline: 29 April 2008

9. Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC.

Transposition Deadline: 6 June 2008

10. Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on Machinery, and amending Directive 95/16/EC

Transposition Deadline: 29 June 2008

11. Directive 2006/46/EC on the annual accounts of certain types of companies, on consolidated accounts, on the annual accounts and consolidated accounts of banks and other financial institutions and on the annual accounts and consolidated accounts of insurance undertakings

Transposition Deadline: 5 September 2008

12. Directive 2006/123/EC of the European Parliament and of the Council on services in the internal market.

Transposition Deadline: 28 December 2009

13. Directive 2006/25/EC of the European Parliament and of the Council on the minimum Health and Safety requirements regarding the exposure of workers to risks arising from physical agents (artificial optical radiation) (19th individual Directive within the meaning of article 16(1) of directive 89/391/EEC).

Transposition Deadline: 27 April 2010.

It is my intention to continue to make transposition of EU Directives an ongoing priority in my Department.

Job Initiative.

583. **Mr. Penrose** asked the Minister for Enterprise, Trade and Employment the position regarding the jobs initiative scheme; the qualifying conditions attached thereto; if same will be renewed; and if he will make a statement on the matter. [10083/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Job Initiative programme provides full-time employment for people who are 35 years of age or over, unemployed for 5 years or more, and in receipt of Social Welfare payments over that period. The main purpose of the programme is to assist long-term unemployed people to prepare for work opportunities by providing participants with work experience, training and development opportunities.

FÁS provides financial support to assist with the Job Initiative programme, including participant wages. Also, while on the programme participants can retain entitlements such as medical cards or child dependant allowance, and be eligible for others such as Revenue Job Assist. Following changes which I introduced in November 2004 there have been no compulsory lay-offs on the Job Initiative Schemes. Contracts for existing participants are renewed and those who leave voluntarily are replaced by CE participants to support the service being provided. I have no plans to make any policy changes to the Job Initiative programme.

FÁS Training Programmes.

584. **Mr. Gogarty** asked the Minister for Enterprise, Trade and Employment the bodies under his remit that provide training in information technology to students or adults who have learning difficulties or who are affected by illness in the south city and south and west County Dublin areas; and if he will make a statement on the matter. [10321/07]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): FÁS, the National Training and Employment Authority, is the relevant agency under the aegis of my Department which provides training in information technology to students or adults experiencing learning difficulties or who are affected by illness, who may be classified as, or declared disabled. The remit of FÁS includes the provision of vocational training for the open labour market. People with disabilities who wish to enter the labour market are encouraged to apply for training, and the appropriate supports are put in place to meet their particular individual needs.

[Mr. Killeen.]

If a person with a disability cannot meet the requirements of FÁS mainline vocational training, with supports provided, then the individual is referred to specialist training provision contracted by FÁS. In these circumstances, and depending on the severity of the disability, a functional assessment would be carried out by the specialist training provider to determine whether the person would be able to undertake vocational training, or would require rehabilitative training under the remit of the Department of Health and Children. The entry process for all FÁS services is for the individual to register at his or her nearest FÁS Employment Service Office and undertake an initial vocational guidance interview.

In relation to information technology training in the South City, South and West County Dublin areas, the specific FÁS training centres offering various information technology programmes to all trainees, including those with learning or health difficulties who are in a position to participate, are as follows:

1. FÁS Ballyfermot TC, Ballyfermot Hill, Dublin 10
2. FÁS Loughlinstown TC, Wyattville Road, Loughlinstown
3. FÁS Tallaght TC, Cookstown Industrial Estate, Tallaght

The specialist training providers contracted by FÁS in the same geographical areas are as follows:

- National Learning Network (NLN), is the training section of the Rehab Group, the not-for-profit organisation working for the inclusion of for people with disabilities and other marginalised groups.
- Eve Holdings is the training section of the Health Services Executive (Dublin, Wicklow and Kildare).
- NLN — Ballyfermot Training Centre — Kylemore Road, Dublin 10.
- NLN — Bray Training Centre — Boghall Industrial Estate, Bray, Co. Wicklow.
- St John of Gods — Burton Hall — Burton Hall Road, Sandyford Industrial Estate, Sandyford, Co Dublin
- NLN — Fresh Start — Institute of Technology, Blanchardstown, Blanchardstown Road North, Dublin 15
- NLN — Roslyn Park — National Training College, Sandymount, Dublin 4.

- NLN — Tallaght Training Centre — Unit 77, Broomhill Road, Tallaght, Dublin 24.

Decentralisation Programme.

585. **Ms Shortall** asked the Minister for Enterprise, Trade and Employment the number of civil servants in his Department who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if he will make a statement on the matter. [10529/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): My Department is required to relocate 250 posts to Carlow under the Government's Decentralisation Programme and this is planned to occur by the end of 2009. In order to accommodate staff who wish to move earlier than the projected building completion date of late 2009, officials of my Department, in consultation with the Department of Finance and the OPW, as well as decentralising staff and Business Units, are progressing an earlier move to Carlow. I expect this advance move option to allow for the movement of approximately 100 decentralising staff to Carlow during the second quarter of 2007, on a voluntary basis.

The number of posts in Business Units decentralising to Carlow, as at 19th March is 288. My Department currently has 105 Carlow-bound applicants assigned within the Department, with a further 75 Carlow-bound applicants yet to be assigned to the Department. It is hoped to have all decentralising posts filled in sufficient time to ensure that staff are adequately trained in advance of the move to Carlow.

No staff from my Department have relocated to Carlow to date. As no staff have transferred from a non-Dublin office to Dublin as part of the initial transfer, the other issues raised by the Deputy do not apply.

Services for People with Disabilities.

586. **Mr. Kehoe** asked the Minister for Enterprise, Trade and Employment the services and facilities available to persons with a hearing disability who wish to telephone his Department; and if he will make a statement on the matter. [10951/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): My Department does not have any specific facilities available to persons with a hearing disability who wish to phone the Department. However, the Department is fully committed to the equitable provision of services to persons with disabilities and to compliance

with the Disability Act 2005. The Department has recently installed an induction loop system at the reception desks of its 3 main Dublin buildings to facilitate persons with a hearing disability if they visit the Department in person. Visitors to the Department with a hearing disability may also avail of a sign language service by appointment. The Department engages sign language translators for major events and has organised sign language training for staff to ensure the persons with a hearing disability are facilitated.

The Department's Customer Action Plan identifies the role of electronic service delivery as a key to transcending physical and geographical barriers to services. As a consequence of this the Department's website has undergone significant redesign, in compliance with high-level web content accessibility guidelines, to enhance its user friendliness and accessibility to those with disabilities.

Social Welfare Code.

587. **Mr. McCormack** asked the Minister for Social and Family Affairs his plans to revise the eligibility criteria for the back to education allowance; if these payments will be extended to 12 months rather than the academic year; and if he will make a statement on the matter. [9489/07]

Minister for Social and Family Affairs (Mr. Brennan): The back to education allowance or BTEA is a second chance education opportunities scheme designed to encourage and facilitate people on certain social welfare payments to improve their skills and qualifications and, therefore, their prospects of returning to the active work force.

To qualify for participation in the BTEA scheme an applicant must be, inter alia, in receipt of a relevant social welfare payment for at least six months, in the case of people wishing to complete a second level course, or twelve months in the case of people wishing to pursue third level qualifications. The twelve month requirement is reduced to nine in the case of people who wish to attend a third level course and who are participating in the National Employment Action Plan process.

In 2002 the Government appointed an independent Estimates Review Committee to consider the Estimates proposals received in the Department of Finance from Departments and Offices. In its report to Government that Committee recommended discontinuation of the practice of paying the back to education allowance over the summer period to people who were formerly on the live register. The Committee concluded that people on the scheme during the academic year should be able to take up paid employment during the summer break. If they could not find employment, they would be entitled to jobseekers allowance or jobseekers

benefit, subject to satisfying the usual conditions and, therefore, no hardship would occur.

Payment is made under the scheme for the duration of the academic year in the case of people on unemployment payments prior to taking up this scheme. People in this situation may qualify for unemployment payments during the holiday period. It is important that the resources available under the scheme are directed at the most vulnerable in society. I will continue to monitor the scheme but I believe that, overall, the current arrangements ensure that my Department's back to education allowance scheme continues to support effectively those people who are most distant from the labour market.

Social Welfare Benefits.

588. **Mr. P. Breen** asked the Minister for Social and Family Affairs the reason rent supplement has been reduced for a person (details supplied) in County Clare; and if he will make a statement on the matter. [9508/07]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme, which includes rent supplement, is administered on behalf of my Department by the Health Service Executive and provides for the payment of a weekly or monthly supplement in respect of rent to eligible persons in the State whose means are insufficient to meet their accommodation needs.

The Executive has advised that the weekly rate of €65 rent supplement in payment to the person concerned since 4th September, 2006, is the maximum rate of supplement appropriate to his circumstances, having regard to the level of rent in his case. When previously living at another address, a higher rate of rent supplement was in payment to the person because a higher level of rent was charged at that address. He received two payments of €130, one in September 2006 and the other in December 2006. These were fortnightly payments comprising 2 weekly payments of rent supplement of €65.

Should the person in question have any further enquiries in relation to his rate of payment he should contact the local community welfare officer who will provide any assistance required.

589. **Mr. Penrose** asked the Minister for Social and Family Affairs the finance that his Department has made available to individuals and families to deal with the severe flooding difficulties experienced by farmers and other members of the community in the Shannon basin area around Athlone and its hinterland due to recent weather difficulties; and if he will make a statement on the matter. [9787/07]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance (SWA) scheme, which is administered by the

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Community Welfare Division of the Health Service Executive (HSE), is designed to provide immediate and flexible assistance for those in need who do not qualify for payment under other State schemes. Under the legislation governing the scheme, the Health Service Executive (HSE) may make an exceptional needs payment to people on social welfare or health board payments. This is a once-off payment to meet an unforeseen or special need that cannot be met from a person's basic income.

Assistance in the form of an Urgent Needs Payment (UNP) can be also made to persons who would not normally be entitled to SWA, to assist, for example in cases of flood damage, with immediate needs, such as food, clothing, fuel, household goods and perhaps shelter. Assistance can be provided in cash or in kind.

My Department's response to the recent flooding primarily involved supporting the community welfare service in the provision of ENP and UNP funding in the short term and other supports where applicable to cater for the long term effects of the flooding. Support given relates to damage to a person's home or loss of essential items. It does not extend to business or commercial losses.

My Department, working through the HSE, has a role in providing immediate humanitarian aid in response to serious flooding incidents. It has no role in providing compensation for losses arising from such incidents. Local community welfare officers are available to provide assistance on an individual basis where that is warranted. If any person is experiencing hardship as a result of the recent flooding, they should contact their local Community Welfare Officer in the first instance.

Social Welfare Code.

590. **Mr. P. McGrath** asked the Minister for Social and Family Affairs if he has plans to facilitate families of over three children who need to purchase a multi-person vehicle with an increased child benefit payment to offset the extra carbon tax they will have to pay; and if he will make a statement on the matter. [9967/07]

Minister for Social and Family Affairs (Mr. Brennan): Child benefit is a universal payment, paid in respect of children up to the age of 16 years. It continues to be paid in respect of children up to age 19 who are in full-time education, or who have a physical or mental disability.

The policy of the Government over the past number of years has been to substantially increase the amount spent on child benefit for all families. Commitment to this policy is reflected in the significant resources invested in the scheme since 2001, increasing monthly payments to €160.00 for each of the first two children and €195.00 for the third and subsequent children from April 2007. This represents increases of

320% and 294% respectively since 1997, compared to a 41.4% increase in the consumer price index over the same period.

To ensure that additional resources are targeted at larger families, a higher rate of child benefit is already paid in respect of the third and subsequent qualified children. I have no immediate plans to change current arrangements but I will continue to keep the matter under review.

591. **Mr. Deasy** asked the Minister for Social and Family Affairs his plans to back date the new additional means tested payment equivalent to up to half of the carer's allowance rate for certain people with another social welfare entitlement in line with the other payment increases announced by him in budget 2007; and if he will make a statement on the matter. [9453/07]

600. **Mr. Kehoe** asked the Minister for Social and Family Affairs the increases available to persons of pension age in receipt of carer's allowance; and if he will make a statement on the matter. [9792/07]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 591 and 600 together.

In the Social Welfare and Pensions Bill 2007, which is currently before the Oireachtas, I have provided for new arrangements whereby people in receipt of a social welfare payment, who are also providing full time care and attention, will be able to retain their main welfare payment and receive another payment, depending on their means, the maximum of which will be equivalent to a half rate carer's allowance. A person currently in receipt of a carer's allowance, who may have an underlying entitlement to another social welfare payment, will be able to transfer to that payment and receive up to a half rate carer's allowance.

These new arrangements will apply to almost all weekly social welfare payments including state pension contributory and non-contributory and to people in receipt of qualified adult allowances. Recipients of jobseeker's allowance or benefit will not be eligible for the new arrangements, given the nature of these payments. This is in line with the arrangements which currently apply to receipt of the respite care grant. It is estimated that approximately 18,000 carers will benefit from this measure at cost of some €57 million in a full year.

There are significant administrative issues which must be addressed before such a reform can be implemented. The new arrangements will apply from September 2007 and financial provision has been made on that basis. In Budget 2007 I increased the rates of carer's allowance so that the maximum rate for a person aged under 66 is now €200 per week, while the maximum rate

for a person aged over 66 in receipt of carer's allowance is higher at €218 per week.

Towards 2016 commits the Government to continuing to review the scope for further development of the carer's allowance, carer's benefit and the respite care grant. I am committed to working for, and with, carers to deliver increased benefits, supports, and services for them and their families.

Pension Provisions.

592. **Mr. Sargent** asked the Minister for Social and Family Affairs his plans for further raising the limit on earnings permitted by persons in receipt of the State pension. [9515/07]

Minister for Social and Family Affairs (Mr. Brennan): In 2006, I announced a wide range of important reforms for non-contributory pensioners in conjunction with the introduction of the State Pension (non-contributory). As part of these reforms, I also announced a specific additional disregard of €100 per week where the pensioner and/or spouse is in employment. This new disregard allows a State Pensioner to earn additional income through employment without effecting their full pension entitlements. It is intended to facilitate non-contributory pensioners who wish to continue working, or to re-enter the workforce. In Budget 2007, I decided to further increase the disregard to €200 per week, effective from last January. The earnings disregard is now equivalent to €10,400 a year.

Ensuring that our older people are offered choices in relation to generating additional income remains an important priority and I will continue to examine how we can build on the reforms I have outlined as part of the commitment to strive to ensure all our older people have security and dignity in their later years.

Social Welfare Benefits.

593. **Mr. Wall** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Kildare has not received a rent subsidy payment; and if he will make a statement on the matter. [9589/07]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme, which includes rent supplement, is administered on behalf of the Department by the community welfare division of the Health Service Executive. Rent supplements are subject to a statutory limit on the amount of rent that an applicant for supplement may incur. The Health Service Executive may in respect of sub-divisions of its functional areas, set levels that are below that provided for in these regulations.

The Executive has advised that the person concerned was refused rent supplement on the grounds that the rent payable for her accom-

modation was in excess of the maximum limit for her area of residence and for her household size. The Executive further advises that it wrote to the person concerned on the matter in January of this year. She did not reply and has not been in contact since. It is open to the person concerned to again contact the Executive should she wish to clarify the position as regards the conditions of entitlement to rent supplement and the manner in which rent limits apply under the scheme.

594. **Mr. Ring** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Mayo has been refused unemployment assistance, in view of the fact that this person previously worked all their life. [9636/07]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned is in receipt of jobseeker's allowance from 10 January 2007 at the weekly rate of €185.80. He made a retrospective application for the period from 27 October 2006 to 9 January 2007. A Deciding Officer was not satisfied that the person concerned fulfilled the conditions for receipt of jobseeker's allowance for the period in question and disallowed the application. It is open to the person concerned to appeal this decision and a form for this purpose has been issued to him.

Under Social Welfare legislation decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

Question No. 595 withdrawn.

Social Welfare Code.

596. **Mr. Connolly** asked the Minister for Social and Family Affairs his plans to introduce an all-Ireland island wide free travel for persons on a disability pension; his reasons for excluding same from the all-Ireland free travel scheme; and if he will make a statement on the matter. [9687/07]

Minister for Social and Family Affairs (Mr. Brennan): The Programme for Government contains a commitment to the introduction of a scheme of all-Ireland free travel for pensioners resident in all parts of the island of Ireland. I have recently announced the implementation of the all-Ireland free travel scheme commencing from April 2 which will enable pensioners resident here and in Northern Ireland to travel free of charge on all eligible transport services on the island.

The scheme will extend the existing cross-border free travel arrangements by allowing pensioners over the age of 66 and resident here to travel free of charge on all bus and rail services in Northern Ireland. Likewise, pensioners in

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Northern Ireland will travel free of charge on transport services in this State.

The All-Ireland Free Travel scheme is based on the criteria for entitlement to free travel North and South for pensioners over 66 and applies only to this category. Some 600,000 customers are in receipt of free travel in the Republic of Ireland, of which 430,000 are aged over 66 years. The balance of 170,000 free travel recipients are under the age of 66 and so do not qualify for the new scheme.

The extension of the scheme to an all Ireland free service for over 66s represents a significant expansion in travel opportunities. I will continue to examine any opportunities to further improve and expand on what will, from April 2nd, be a very comprehensive, seamless free travel scheme. Any such additional developments would have to be worked out in conjunction with the authorities in Northern Ireland. The existing cross-border free travel scheme, introduced in July 1995, continues to apply to all Free Travel Pass holders, to enable them make journeys from a point in the Republic of Ireland to a destination in Northern Ireland.

597. **Mr. Penrose** asked the Minister for Social and Family Affairs the reasons older people in receipt of State pensions, are excluded from the back to education allowance scheme; if there are plans to change this rule; and if he will make a statement on the matter. [9688/07]

Minister for Social and Family Affairs (Mr. Brennan): The back to education allowance (BTEA) is a second chance education opportunities scheme designed to encourage and facilitate people on certain social welfare payments to improve their skills and qualifications and, therefore, their prospects of returning to the active work force. It is essentially a social welfare replacement income which is paid at a standard weekly rate equivalent to the maximum rate of the relevant social welfare payment that qualifies the applicant for participation in the scheme.

Eligibility to participate in the scheme is dependent on the applicant being in receipt of a relevant social welfare payment for a minimum period of time and satisfying a lower age condition prior to commencing an approved course of education.

To qualify for participation an applicant must, inter alia, be in receipt of a relevant social welfare payment and at least 21 years of age prior to commencing an approved course of study. Persons in receipt of disability related payments may access the scheme at 18 years of age. Similarly, lone parents and persons in receipt of unemployment payments can qualify at 18 years of age provided they are out of formal education for at least 2 years.

The eligibility criteria for participation in the scheme are considered reasonable and targeted in order to ensure that resources reach those most in need of support. If a person is in receipt of BTEA prior to reaching pension age, the annual cost of education allowance, which is currently €400, continues in payment beyond pension age during the remainder of the course of study.

I will continue to monitor the scheme but overall it appears that, the current arrangements ensure that my Department's back to education allowance scheme continues to support those people who are most distant from the labour market and whose need is greatest.

Departmental Expenditure.

598. **Mr. Eamon Ryan** asked the Minister for Social and Family Affairs the amount his Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if he will make a statement on the matter. [9779/07]

Minister for Social and Family Affairs (Mr. Brennan): There is a significant level of travel expenditure in my Department's budget, arising from the dispersed nature of my Department's services, and inter alia, the fact that a considerable level of investigative work must be carried out in the course of delivering the Department's services nationwide. The total amount paid out in 2006 by my Department in respect of such travel expenses was 2,132,239.05. This amount includes car mileage, bus/train fares and miscellaneous costs; these expenses are not recorded separately.

Proposed Legislation.

599. **Ms O'Sullivan** asked the Minister for Social and Family Affairs when he will consult staff on the structure of the proposed agency to take responsibility for the money advice and budgeting service; when he will publish the heads of the MABS Bill; and if he will make a statement on the matter. [9789/07]

Minister for Social and Family Affairs (Mr. Brennan): The Money Advice and Budgeting Service (MABS) provides assistance to people who are over-indebted and need help and advice in coping with debt problems. There are 52 independent companies with some 230 staff nationwide operating the service.

In 2006, €16.4 million was provided to fund the service and in 2007 I have further increased the annual allocation to €17.67 million to assist the MABS in dealing with its workload. In November 2005, I informed the MABS National Advisory Committee that I intended to review the MABS Bill 2002 and invited all MABS stakeholders to make submissions to me with a view to

developing proposals for a modern streamlined MABS structure.

Fifteen submissions were received from MABS interests, including the National Executive Committee of money advice staff, a staff union and from some of the partner organisations that work with the MABS including the Society of St. Vincent de Paul and FLAC. In addition, many local MABS companies submitted their views on the structure of the MABS in the format of a completed questionnaire which was organised at the initiative of the MABS National Advisory Committee.

I plan to bring proposals to Government shortly to establish MABS on a statutory basis. My proposals will take account of the significant developments which have taken place in MABS since the previous Bill was published in 2002 and will they have been informed by the submissions received and consultations I have had with a range of interests. Officials of my Department will consult further with all MABS stakeholders including MABS staff following Government consideration of these proposals.

Question No. 600 answered with Question No. 591.

Departmental Expenditure.

601. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs the cost of energy used running his Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and his plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9828/07]

Minister for Social and Family Affairs (Mr. Brennan): Supply contracts for my Department's electricity, gas and oil requirements are negotiated by the Office of Public Works (OPW) through the Government Supplies Agency. The total energy cost in 2002 amounted to €1,518,923. The total energy cost in 2006 amounted to €2,715,144. Figures in relation to the exact quantities of energy that these figures represent are not readily available.

While overall responsibility for technical matters and energy audits are a matter for the OPW, the Department is conscious of the need to reduce energy usage, both for economic and environmental reasons. In this context, last month, in conjunction with the OPW, a pilot energy audit and conservation programme commenced at five of the Department's offices. OPW estimates that this will achieve a reduction of 10% in energy usage and it is intended to extend the project to cover all of the Department's offices.

Departmental Staff.

602. **Mr. Sargent** asked the Minister for Social and Family Affairs if he will report on gender balance at each grade in his Department and in agencies that come under the aegis of his Department. [9856/07]

Minister for Social and Family Affairs (Mr. Brennan): The gender balance at each grade in my Department and in the agencies that come under the aegis of my Department are set out in the tables.

Department of Social and Family Affairs

Grade	Female	Male	Total
Secretary General		1	1
Deputy Secretary	1		1
Assistant Secretary	1	5	6
Principal Officer *	23	48	71
Assistant Principal Officer	61	155	216
Higher Executive Officer	283	357	640
Administrative Officer	5	4	9
Executive Officer	513	287	800
Staff Officer	445	81	526
Clerical Officer	1,828	490	2,318
Services Grades	71	90	161
Total	3,231	1,518	4,749

*Includes 18 Medical Assessors — two female and 16 male.

Combat Poverty

Grade	Female	Male	Total
Director	1		1
Assistant Principal Officer	3	2	5
Higher Executive Officer	8		8
Executive Officer	3		3
Clerical Officer	6		6
Total	21	2	23

Office of the Pensions Ombudsman

Grade	Female	Male	Total
Pensions Ombudsman		1	1
Principal Officer		1	1
Assistant Principal Officer	2		2
Higher Executive Officer	1		1
Clerical Officer		1	1
Total	3	3	6

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The Pensions Board

Grade	Female	Male	Total
Chief Executive Officer	0	1	1
Principal Officer	3	3	6
Assistant Principal Officer	4	4	8
Higher Executive Officer	3	3	6
Executive Officer	9	1	10
Clerical Officer	10	1	11
Total	29	13	42

Citizens Information Board

Grade	Female	Male	Total
Chief Executive Officer	1		
Principal Officer	1	1	2
Assistant Principal Officer	9	4	13
Higher Executive Officer	37	14	51
Executive Officer		1	1
Staff Officer	1		1
Clerical Officer		1	1
Grade VII	1		1
Grade V	1	1	2
Grade IV	14	2	16
Grade III	13	1	14
Total	78	25	103

Family Support Agency

Grade	Female	Male	Total
Chief Executive Officer		1	1
Service Manager	1		1
Area Co-ordinator	5	1	6
Assistant Principal Officer	3	1	4
Mediator	18	3	21
Higher Executive Officer	4		4
Executive Officer	3		3
Staff Officer	2		2
Clerical Officer	22		22
Total	58	6	64

Social Welfare Appeals.

603. **Mr. Howlin** asked the Minister for Social and Family Affairs further to an invalidity pension appeal by a person (details supplied) in County Wexford, the date on which a request from the appeals office for receipt of this appellant's file was received in his Department; the reason the file has not been forwarded to the appeals office; if he will ensure that determi-

nation of this appeal is not delayed by failure to deliver the file in good time; and if he will make a statement on the matter. [9882/07]

Minister for Social and Family Affairs (Mr. Brennan): The person's invalidity pension appeal request was received in my Department from the Appeals Office on 5 December 2006. Due to an oversight the person's file was not referred to the Appeals Office until 6 March 2007.

The relevant departmental papers and comments of the Social Welfare Services on the matters raised in the appeal have been referred to an Appeals Officer who proposes to hold an oral hearing on the case. I am advised that the time and date of the hearing will be notified to the person in due course. Meanwhile, the person concerned will continue to be entitled to illness benefit (formerly known as disability benefit) pending the outcome of the appeal. The delay that occurred in this case is very much regretted.

Family Support Services.

604. **Mr. Broughan** asked the Minister for Social and Family Affairs the reason County Louth is the only county which does not have a family resource centre; if his Department will consider an application for funding for such a facility from a Drogheda based community group proposing the establishment of such a facility in the Moneymore area of Drogheda, County Louth; and if he will make a statement on the matter. [9979/07]

Minister for Social and Family Affairs (Mr. Brennan): The administration of the Family and Community Services Resource Centre (FRC) Programme is one of the key functions of the Family Support Agency. The aim of the FRC Programme is essentially to help combat disadvantage by improving the function of the family unit. FRCs empower disadvantaged people by involving them in decisions which affect them and in using and developing their own skills, knowledge and experience. The centres focus on developing the skill levels and capacities of their local communities, including training for voluntary management committees, to encourage communities to become self reliant and self directed.

The emphasis is on the involvement of local communities in developing approaches to tackle the problems they face and on creating successful partnerships between the voluntary and statutory agencies in the areas concerned. The services provided and activities supported by the resource centres are designed to meet the needs of the local community and include the provision of training, information, advice and support to target groups and families in the area; the provision of education courses, child care facilities to those attending such courses and the running of after-school clubs.

Priority in funding is given to centres which serve those areas where communities are contending with multiple disadvantages and where families are facing significant challenges in trying to rear their children and securing positive futures for them. Family Resource Centres are an example of the kind of community initiative which the Government is keen to develop, focusing as they do on family support and social inclusion. For this reason I am pleased to say that the target set by the Government under the 2000-2006 National Development Plan of including 100 Family Resource Centres in the FRC Programme nationwide by the end of 2006 has been fully achieved. Funding under the programme has increased substantially from €317,500 in 1994 to over €18.8 million in 2007.

The Family Support Agency received an application for inclusion in the FRC programme on 6 March 2007 from a group from the Moneymore area of Drogheda, County Louth. The National Development Plan (NDP) 2007-2013 has provided funding for the expansion of the Family and Community Services Resource Centre Programme over the lifetime of the plan. Funding has been received for six new centres in 2007.

At present the Family Support Agency has 20 applications on hand seeking inclusion in the programme and as only six new centres can be included this year, some applications will not be successful in 2007. This application will be considered under the relevant criteria of the scheme and a decision made in due course. This is the first application that has been received by the Family Support Agency from a group in County Louth seeking inclusion in the programme.

Social Welfare Code.

605. **Mr. Ring** asked the Minister for Social and Family Affairs his views on raising the living alone allowance in view of the fact that it is at a low rate and has been for some time; if he will raise it to a more realistic level; and if he will make a statement on the matter. [9981/07]

Minister for Social and Family Affairs (Mr. Brennan): The living alone increase is an additional payment of €7.70 per week made to people aged 66 years or over who are in receipt of certain social welfare payments and who are living alone. It is also available to people who are under 66 years of age who are living alone and who receive payments under one of a number of invalidity type schemes. The increase is intended as a contribution towards the additional costs people face when they live alone.

The policy in relation to support for pensioners has been, for many years, to give priority to increasing the personal rates of pension rather than focusing on payments such as the living alone increase. This approach ensures that resources are used to improve the position of all pensioners and is subject to regular review. It was

decided in the context of budget 2007 to continue this policy with maximum increases of €16 and €18 per week granted on personal rates giving a maximum rate of the State pension (contributory) of €209.30 per week and a maximum non-contributory pension of €200 per week. Taking account of the increases in the budget, since 1996 pensions have increased by almost 119% or about 57% in real terms.

606. **Mr. Allen** asked the Minister for Social and Family Affairs if he plans to extend the grant under the national fuel scheme to an all year round basis in view of the high energy costs at the present time, which are causing severe financial hardship to the elderly and the ill. [9984/07]

Minister for Social and Family Affairs (Mr. Brennan): The national fuel scheme assists householders on long-term social welfare or health service executive (HSE) payments with meeting the cost of their heating needs during the winter season and adjoining months. Fuel allowances are paid for 29 weeks from end-September to mid-April and are included in the recipient's weekly payment during this period. The allowance represents a contribution towards a person's normal heating expenses. It is not intended to meet those costs in full.

The fuel allowance scheme has been improved and expanded over recent years. The range of improvements made to the scheme include an easing of the means test, extending the duration of payment from 26 to 29 weeks and an increase of €5 in the rate of payment in the 2006 budget. In budget 2007, I provided for a number of further improvements in the fuel allowance scheme. These comprise an increase in the weekly rate of fuel allowance of €4 from €14 to €18 (€21.90 in designated smokeless areas) and an increase in the income threshold for eligibility to fuel allowance by €49 from €51 to €100 above the State pension (contributory) rate.

Some 274,000 people benefited from the fuel allowance in 2006 at an estimated annual cost of some €125 million. As a consequence of the increase in rate and the increase in the income threshold for eligibility as announced in the recent Budget, annual expenditure on the scheme in 2007 will increase by an estimated €36.4 million. The total annual cost in 2007 is estimated at over €161 million.

Fuel allowances are incorporated in the recipient's weekly social welfare payment. The Government's objective is to ensure that the recipient's total weekly income, including the fuel allowance, is sufficient to meet all of their income needs, including heating costs. Budget resources are concentrated on providing significant real increases over and above inflation each year in all primary social welfare pension, benefit and assistance rates.

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The increases of €16 and €18 per week in the rates of payment for contributory and non-contributory pensions respectively announced in the recent budget is a continuation of this policy. This approach delivers a better outcome for pensioners and others by substantially increasing their income in real terms over the whole year, to better assist them in meeting their normal basic living costs, including heating.

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 Service 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.

Any further extensions or improvements to the fuel allowance scheme would have significant cost implications and would have to be considered in a budget context and in the light of the resources available for improvements in social welfare generally.

Pension Provisions.

607. **Mr. F. McGrath** asked the Minister for Social and Family Affairs if his attention has been drawn to the fact that Ireland's pensions are invested globally and that consequently Irish regulation does not afford protection to those underlying pensions moneys that are outside Ireland's jurisdiction. [10035/07]

608. **Mr. F. McGrath** asked the Minister for Social and Family Affairs if his attention has been drawn to the fact that pensioners and investors have not been correctly informed that Irish regulations cannot afford protection to moneys invested outside of Ireland. [10036/07]

609. **Mr. F. McGrath** asked the Minister for Social and Family Affairs if his attention has been drawn to the fact that the entire pension and investment industry here is entirely defective and based upon defective principles of structure and methodology. [10037/07]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 607 to 609, inclusive, together.

Occupational pensions schemes in Ireland are organised on a trust basis and trustees are required to, at all times, act in the best interests of the scheme members. The operation of pensions schemes is governed by the provisions of the Pensions Act 1990 which specifies that the trustees

must provide for the proper investment of the resources of the scheme in accordance with the rules of the scheme.

Usually trustees can, and do, delegate the actual conduct of the scheme's investments to a professional investment manager. Nevertheless, the responsibility for monitoring the conduct of the investment manager and the performance of the assets rest finally with the trustees. More recently, Ireland implemented the EU Directive 2003/41/EC on the activities and supervision of institutions for occupational retirement provision (IORPS), which sets out a framework for the operation and supervision of occupational pension schemes in all EU Member States. In relation to investment, the directive establishes the "prudent person approach" as the underlying principle for investment. This principle was already firmly established in Ireland under law.

The Occupational Pension Schemes (Investment) Regulations, (SI 294 OF 2006) which were signed into law pursuant to the implementation of the IORPs Directive, lay down the investment principles of that Directive. Article 5 of the regulations requires that trustees of pension schemes, with 100 members or more, prepare a statement of investment policy principles (SIPP). The information required in a SIPP includes investment objectives, investment risk measurement methods, risk management processes used, and the strategic asset allocation implemented with respect to the nature and duration of pension liabilities.

The investment regulations also specify the investment duties of trustees of pension schemes in detail. For all schemes, other than one-member arrangements, the regulations stipulate that pension scheme assets must be invested in a way which ensures security, quality, liquidity and profitability of the portfolio as a whole, so far as is appropriate, having regard to the nature and duration of the expected liabilities of the scheme. The regulations require that the funds of a pension scheme must be invested predominantly in regulated markets (EU or otherwise) and be properly diversified in order to avoid risk to the whole portfolio.

Issues in relation to investments generally are a matter for the Financial Regulator and my colleague the Minister for Finance.

EU Directives.

610. **Mr. Allen** asked the Minister for Social and Family Affairs the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if he will make a statement on the matter. [10057/07]

Minister for Social and Family Affairs (Mr. Brennan): There are no outstanding EU directives within the area of responsibility of my Department that have not been transposed into law.

Social Welfare Appeals.

611. **Mr. Ring** asked the Minister for Social and Family Affairs the way his Department will assess a person (details supplied) in County Mayo in relation to being a care recipient in view of the fact that they were not brought in to the appeal; and if he will carry out a further medical assessment of this person. [10072/07]

Minister for Social and Family Affairs (Mr. Brennan): Entitlement to Carer's Allowance is based on the care recipient requiring full-time care and attention. The care recipient's doctor provides a medical report in the first instance at the time of application for the allowance. Based on this information the Department's Chief Medical Advisor forms an opinion as to whether the care recipient requires full time care and attention. The Chief Medical Advisor may request, the care recipient to attend for medical examination before forming his opinion on the issue.

The person concerned was refused carer's allowance on the grounds that full-time care and attention as prescribed in regulations was not required in this case. She was notified of the decision, the reason for it and her right to appeal, on 2 December 2005. She lodged an appeal to the Social Welfare Appeals Office and was offered the opportunity to submit additional medical evidence in support of her appeal. No additional medical evidence was received.

Following an oral hearing, the appeal was disallowed. The Appeal's Officer decided that the person being cared for is not so incapacitated as to require full-time care and attention. He based his decision on the medical evidence on file and on the evidence given by the clement person concerned at the oral appeal hearing. Under Social Welfare legislation decisions in relation to claim must be made by Deciding Officers and Appeals Officers. These Officers are statutorily appointed and I have no role in regard to making such decisions.

Social Welfare Code.

612. **Mr. Penrose** asked the Minister for Social and Family Affairs the arrangements he is putting in place for the introduction of the free telephone rental allowance for people who possess mobile telephones but who do not possess a landline; if application forms will issue; the arrangements to be put in place to ensure that pensioners who now possess a mobile telephone and did not previously receive the free telephone rental allowance will now receive same as and from 1 April

2007; and if he will make a statement on the matter. [10096/07]

Minister for Social and Family Affairs (Mr. Brennan): The telephone allowance administered by my Department under the household benefits package is being extended to include mobile telephones effective from April 2007.

The telephone allowance currently applies to fixed line telephones only with a credit made by my Department direct to the supplier (i.e. the telephone company) on the customer's behalf. Under the new arrangements, customers will have the choice to either opt for a direct credit to a telephone company for their landline as at present or for a cash payment in respect of their mobile phone.

Payment of cash direct to customers with mobile phones will enable them to avail of their entitlement and will facilitate customer choice. Arrangements are being made to issue application forms to those customers who previously have notified the Department that they had a mobile telephone.

613. **Mr. M. Brady** asked the Minister for Social and Family Affairs his views on extending the entitlement to a widow's pension to those persons who have married in a church ceremony only. [10171/07]

Minister for Social and Family Affairs (Mr. Brennan): Entitlement to a widow's or widower's pension depends, in the first instance, on the status in law of the relationship between the parties prior to the death of one of them. If the parties, at the date of death, were married within the meaning of the laws of the State, then the survivor of that marriage is a widow or widower for the purposes of the social welfare legislation relating to widow's and widower's pensions. However, a marriage that consists of a church ceremony only does not constitute a legal marriage under the laws of the State. The survivor of that relationship is therefore not regarded as a widow/er of the deceased and it is therefore not considered appropriate to extend the widow's or widower's pension to a person in this situation. The position will be kept under review in the context of any change in the general laws of the State in this area.

Pension Provisions.

614. **Mr. Rabbitte** asked the Minister for Social and Family Affairs if his attention has been drawn to the fact that the delays in pensioners receiving prompt assessment and payment of their entitlements are ongoing and that such delays are currently running to six months from date of application; the number of pensioners who have submitted applications which have not been assessed; the numbers who have been waiting more than one month, three months and six

[Mr. Rabbitte.]

months; the target time set by his Department for assessing such applications; when this is expected to be met; and if he will make a statement on the matter. [10440/07]

Minister for Social and Family Affairs (Mr. Brennan): My Department is committed to providing a quality service to all of its customers. Applications are processed and decisions on entitlement are issued as quickly as possible having regard to the eligibility conditions that apply.

Most claims for State Pension Transition (SPT) and State Pension Contributory (SCP) are paid within four weeks of the person reaching pension age. However, there have been some delays in processing claims in recent months, due to a number of factors. There has been an increase in the numbers of new claims being received, an unusually high level of staff turnover in the office in Sligo and some delays of a temporary nature arose following the implementation of a new program to upgrade the Pension computer system associated with changes in work organization. This is a multi-annual programme involving business, organizational and computer technology changes, with the long-term aim of improving service to customers across all the Departments schemes, increasing efficiency and enhancing controls.

At present there are some 12,000 new claims for SPT and SPC at various stages of processing of which some 2,500 have not yet been examined. Some 3,700 claims are in the process for one-three months, 2,400 for four-six months and 3,300 for over six months. In general, further information, such as documentation, insurance contribution history etc is required from the customer or a third party before these claims can be decided.

The periods for which a claim is in process is not indicative of delays in receiving payment, as many customers apply for their pension in advance of reaching pension age. The target times set by my Department for processing SPT/C new claims are as follows: State Pension Transition, 80% within five weeks; and State Pension Contributory, 55% within six weeks. These targets, which were set some number of years ago are based on lower average claim loads than are currently being experienced. While the targets are not currently being met, action is being taken to ensure that improvements in claim processing times will be attained in the coming months.

A number of initiatives are currently under way to improve processing times for new claims. Claims where the person is close to or has passed his or her 65th/66th birthday are prioritised. Staff are redeployed to focus resources on the areas where there are delays and overtime is employed where necessary. Temporary staff are also being deployed to assist with the work. Progress is being made in dealing with the claims backlog

and it is expected that processing times for new claims will continue to improve.

Decentralisation Programme.

615. **Ms Shortall** asked the Minister for Social and Family Affairs the number of civil servants in his Department who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if he will make a statement on the matter. [10534/07]

Minister for Social and Family Affairs (Mr. Brennan): To date, 122 officers have transferred to offices of the Department outside of Dublin under the Government's decentralisation programme. This includes 14 officers who have transferred to temporary accommodation while the permanent accommodation is being finalised. Fourteen of the 122 officers transferred from a non-Dublin office to a Dublin office initially for training purposes. The average time spent training in Dublin is four weeks.

Some 2.5% of officers had previously transferred to a different location within the past two years. All of the officers concerned had accepted the initial transfer on promotion to a higher grade. In addition, 118 staff have transferred to other Departments for the purposes of their decentralisation programmes.

Pension Provisions.

616. **Mr. Stanton** asked the Minister for Social and Family Affairs further to Parliamentary Questions Nos. 29, 71 and 90 of 1 March 2007, regarding the 47,000 people who are not receiving a pension payment in their own right or as a qualified adult on the pension of their spouse or partner, if he will provide a breakdown of the number and percentages of men and women and also a breakdown by five year age group (details supplied); and if he will make a statement on the matter. [10580/07]

Minister for Social and Family Affairs (Mr. Brennan): On the basis of the number of people receiving social welfare support and the Population and Migration Estimates published by the CSO, it is estimated that 47,000 people of pension age are not receiving a social welfare pension payment in their own right or as a qualified adult on the pension of their spouse or partner. Further details of this estimate are not readily available.

It is considered that the group in question probably consists mainly of former public servants and self-employed people together with their spouses. Issues in relation to people not eligible for pensions will be discussed in the forth-

coming Green Paper on Pensions and decisions regarding pension provision for this group will be made in the context of the consultation process which will follow its publication, and the framing of a long-term policy for future pension provision. The Green Paper is due to be finalised by the end of this month.

Social Welfare Benefits.

617. **Mr. Stanton** asked the Minister for Social and Family Affairs further to Parliamentary Question No. 6 of 1 March 2007, if the testing of the lone parent proposals in an urban and rural setting has begun; if not, when he expects it to begin; the nature of the testing process; and if he will make a statement on the matter. [10581/07]

Minister for Social and Family Affairs (Mr. Brennan): In addition to the development of a new social assistance payment for lone parents, last year's Government discussion paper, Proposals for Supporting Lone Parents, put forward proposals for a range of supports for lone parents, including expanding the availability and range of education and training opportunities for lone parents; extending the National Employment Action Plan to focus on lone parents; focused provision of child care and improved information services.

The Senior Officials Group on Social Inclusion is currently working on an implementation plan to progress the non-income recommendations in tandem with the development of the legislation required in my Department to introduce a new payment scheme. As part of this process, my Department, with the co-operation of FÁS, the Office of the Minister for Children and the Department of Education and Science, is to test the proposals in both an urban and rural setting so that, through customer profiling, case management and outcome monitoring, the practical and administrative issues that may arise in advance of the scheme being introduced are identified and resolved.

These tests will allow for operational and logistical co-ordination between the relevant Departments and agencies to be developed and will facilitate the development of the new scheme. New lone parent applicants as well as lone parents in receipt of the payment for a number of years will be invited to participate in the tests. They will be offered an activation programme tailored to their personal circumstances following an in-depth assessment from either a facilitator in my Department or a Placement Officer in FÁS. The tests will include the arrangements to ensure that the activation plan is carried out by all those involved.

The pilot arrangements are scheduled for the autumn. A working group is being established with representatives from the main agencies involved to oversee the test arrangements and report back to Government on the results.

Live Register.

618. **Mr. Stanton** asked the Minister for Social and Family Affairs the number of people who are approaching three months on the live register; the number of people who are currently on the live register; the number of people who have been referred to FÁS for entry onto the national employment action plan since the referral scheme began; the number of participants in the NEAP; if people are removed from the live register once they are in the NEAP; and if he will make a statement on the matter. [10582/07]

Minister for Social and Family Affairs (Mr. Brennan): At the week ending 23 February 2007 the total live register was 159,399, of whom 47,539, some 30% of the total, were under three months on the live register. The National Employment Action Plan (NEAP) was introduced on a phased basis in September 1998. Under the NEAP people aged 18 and under 64 years who are approaching certain durations on the live register are referred FÁS for interview with a view to job placement or offer of training. Approximately 3,000 people are referred each month. Over the period September 1998 to November 2006, the latest date for which detailed figures are available, 285,000 recipients of unemployment payments have been referred under the NEAP.

People remain on the live register while engaged with FÁS under the NEAP until they take up offers of employment or training. If they do not attend for interview with FÁS, or having engaged with FÁS decline offers of employment or training, their cases are referred back to the social welfare local office for review to determine if they continue to satisfy the conditions for receipt of unemployment payments. The National Employment Action Plan has played an important role in assisting unemployed persons enter or return to the labour force.

Social Welfare Benefits.

619. **Mr. Stanton** asked the Minister for Social and Family Affairs further to Parliamentary Question No. 49 of 1 March 2007, the existing cross-Border free travel scheme introduced in July 1995; and if he will make a statement on the matter. [10584/07]

Minister for Social and Family Affairs (Mr. Brennan): The scheme I recently announced will extend the existing arrangements by allowing pensioners over the age of 66 and resident here to travel free of charge on all bus and rail services throughout Northern Ireland. Likewise, pensioners in Northern Ireland will travel free of charge on transport services in this State. The extended scheme applies only to pensioners entitled to free travel. The existing scheme will continue to apply as before to others covered by the present arrangements.

[Mr. Brennan.]

The existing cross-Border free travel scheme, introduced in July 1995, applies to all free travel pass holders and their spouses, partners and companions. This scheme extended the domestic free travel entitlement so that free travel pass holders resident in Ireland could undertake a cross-Border journey from a point of departure in one jurisdiction to a destination in the other jurisdiction free of charge. Some 220,000 cross-Border journeys are undertaken each year.

Family Support Services.

620. **Mr. Stanton** asked the Minister for Social and Family Affairs further to Parliamentary Question No. 36 of 1 March 2007, the accounting and other administrative procedures in place for management of the moneys allocated through the family services project and special projects fund; and if he will make a statement on the matter. [10585/07]

Minister for Social and Family Affairs (Mr. Brennan): The Family Services Project and the Special Projects fund are administered by my Department's Social and Family Support Services. The objectives of the projects are to assist individuals and families to enhance their employability through education, training and personal development opportunities and to improve their quality of life.

The funding is provided to LVC groups to identify needs in relation to Social Welfare customers and their families in terms of personal development, education, training, parenting, literacy/numeracy, etc. The relevant group or agency then submits the application either solely or in partnership with other agencies, to my Department. Funding is awarded to groups under a number of conditions, one of these being that they submit a full evaluation of the programme including details of how the allocated funding was expended by the group.

My Department also submits half yearly progress reports to the Border Midland and Western and the Southern and Eastern Regional Assemblies in respect of the Family Services Project and to the Employment and Human Resources Development Operational Programme in respect of the Special Projects Fund. These reports not only give details of expenditure but also outline how the projects are performing against agreed indicators. From 2007 the Family Services Project and the Special Projects fund form part of my Department's Programmes under the Social Inclusion Priority of the NDP 2007-2013.

Social Welfare Benefits.

621. **Mr. Stanton** asked the Minister for Social and Family Affairs further to Parliamentary Question No. 13 of 1 March 2007, the number of people in receipt of out of pocket expenses from

his Department; the qualification criteria of the payment; the schemes and programmes to which this payment applies; and if he will make a statement on the matter. [10586/07]

Minister for Social and Family Affairs (Mr. Brennan): The back to education programmes operated by my Department take cognisance of the fact that the more structured full-time second or third level courses of study that are approved under the back to education allowance scheme may not suit people who have been out of the education system for some time.

In recognition of this, in Budget 2007, I extended the €32 weekly out of pocket expenses payment to people in receipt of certain social welfare payments who agree to attend specified short-term courses of education, training or development that are organised by my Department's Facilitators. A broad range of courses may be pursued, including personal development courses, basic education e.g. literacy and numeracy classes, general training courses and the acquisition of specific job skills. The out of pocket expenses is a payment towards costs i.e. meal and travel, that persons may incur as a result of participation in one of these courses.

The number of people who attended courses of education, training and development and who availed of out of pocket expenses in the year ending December 2006 was 490. Unlike the other options within the back to education programmes, applicants for out of pocket expenses do not have to satisfy any specific eligibility criteria other than be in receipt of a relevant social welfare payment. Currently, the relevant social welfare payments that qualify are job-seekers allowance, job-seekers benefit and one parent family payment.

I have extended this provision to a wider range of other social welfare recipients including farm assist, deserted wife's allowance, deserted wife's benefit, widow's/widower's contributory and non-contributory pension, prisoners wife's allowance, disability allowance, illness benefit, invalidity pension, blind pension, incapacity supplement, carer's allowance and the qualified adult dependant increase for a person in receipt of one of the aforementioned relevant payments. The qualified adult dependant of a person in receipt of job-seekers allowance or job-seekers benefit can also avail of this provision. This change will come into effect from May this year.

Services for People with Disabilities.

622. **Mr. Kehoe** asked the Minister for Social and Family Affairs the services and facilities available to persons with a hearing disability who wish to telephone his Department; and if he will make a statement on the matter. [10957/07]

Minister for Social and Family Affairs (Mr. Brennan): My Department is committed to pro-

viding ease of access to its services for all customers including those with a hearing disability. A facility for persons with a hearing disability, who wish to telephone my Department, is in operation on a trial basis in the Disability Allowance section since October 2006. This facility can be used to communicate directly with customers with compatible equipment using a standard telephone line. It allows the caller to type in a message that is then transmitted to the receiver's display screen, with messages being relayed back in the same manner. This service will be monitored and if successful will be made available in due course in other offices.

For customers with hearing difficulties who call to my Department's Local Offices, there is a loop system in place in some four such offices. This will be installed in all new offices and other offices as the facilities are upgraded. In addition, a sign language interpreter is also provided if requested by the customer.

Harbours and Piers.

623. **Mr. Timmins** asked the Minister for Transport the position in relation to an application from a commission (details supplied) in County Wicklow; if sanction will be given for these necessary works to be carried out in 2007; and if he will make a statement on the matter. [9881/07]

Minister of State at the Department of Transport (Mr. Gallagher): Responsibility for Arklow Harbour and for 12 other regional harbours operating under the Harbours Act 1946, transferred from the Department of Communications, Marine and Natural Resources to the Department of Transport with effect from 1 January 2006.

Arklow Harbour Commissioners have recently sought additional funding for remedial works at the harbour. The funding proposals and those of other regional harbours will be considered in the context of the necessity to prioritise the limited available budget towards essential remedial works. The resources available to the Department for expenditure on regional harbours are being concentrated on essential remedial works, pending the transfer of the harbours to local authority or port company control, in accordance with the Ports Policy Statement, which was published in January 2005.

Motor Fuels.

624. **Mr. Curran** asked the Minister for Transport his plans to introduce a grant to people having their cars modified to enable them to use low CO₂ emission biofuels. [9965/07]

640. **Mr. Curran** asked the Minister for Transport his plans to introduce a grant to people having their cars modified to enable them to use low emission biofuels. [9988/07]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 624 and 640 together.

I refer to my reply to question 8659/07 on 6 March 2007. The Department of Transport has recently funded a scheme to convert 50 selected vehicles to run on pure plant oil (PPO), which is being carried out under the aegis of the German-Irish Chamber of Industry and Commerce. The cost to the Department is €227,000 and provides for 75% of the cost of engine modification.

Decisions about successful applications are being made in April with the view to obtaining a diverse mix of transport operators. It is expected that this scheme will be complementary to the Minerals Oil Tax Relief (MOTR) Scheme II, which aims to place 163 million litres of biofuels on the market at a cost of €200 million, and will help develop a sustainable indigenous network of localized PPO supply chains in Ireland.

However, this scheme does not apply to private cars as it is targeted at hauliers or captive fleets maintained by local authorities or public organizations. In Budget 2006, the Minister for Finance provided for a 50% VRT relief on flexi-fuelled vehicles (FFV), which are capable of operating on 85% blend, for 2006 and 2007. In addition, the Department of Communications, Marine and Natural Resources (DCMNR) announced obligatory 5% fuel blending by 2009, which will help to achieve the indicative target of 5.75% set out in the Biofuels Directive 2003/30/EC.

Parking Regulations.

625. **Ms McManus** asked the Minister for Transport his views on giving drivers without special needs who park in designated areas leaving no space for drivers with special needs two points for this offence in view of the problems that drivers with special needs have to endure; and if he will make a statement on the matter. [10137/07]

Minister for Transport (Mr. Cullen): The focus of the penalty points system is on driver behaviour that impacts on road safety. The only parking offence that is included in the system is the serious offence of dangerous parking. It is considered that it would not be appropriate to extend the system to include drivers who illegally park in a disabled persons parking bay.

A number of measures have already been initiated on other fronts to impose a deterrent against such illegal parking, for example, last year I prescribed a fixed charge of €80 to apply to illegal parking in a disabled person's designated parking space from 3 April 2006. The amount of the fixed charge increases by 50% to €120 if it is not paid within 28 days. This level of fixed charge is double the level that applies to any other illegal parking offence. If no payment is received within that 56-day period, a court prosecution is initiated. Where a person does not pay the charge

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is subsequently convicted in court of the said offence he or she is liable to a fine.

Provision was made in the Road Traffic Act 2006 to increase the level of maximum monetary fine that a court can impose in respect of a range of offences. I made a Commencement Order earlier this month in relation to that statutory provision and, as a result, a person convicted of illegal parking is liable, from 5 March 2007, to receive a fine not exceeding €1,000 for a first offence, a fine not exceeding €2,000 for a second or subsequent offence and in the case of a third or subsequent offence committed within a twelve month period, a fine up to €2,000 and/or a prison sentence of up to 3 months. The level of fine to be imposed in any instance is at the discretion of the court.

EU Directives.

626. **Mr. Eamon Ryan** asked the Minister for Transport the grounds on which Ireland opposed the EU directive on manning conditions for regular passenger and ferry services operating between member states (details supplied). [10465/07]

Minister of State at the Department of Transport (Mr. Gallagher): There is no EU Directive on the manning of regular passenger and ferry services operating between member states, in force or being considered by member states. If the Commission were to initiate a proposal it would be given careful consideration.

In 1998 there was an EU Commission proposal: Commission communication on a common policy on manning of regular passenger and ferry services operating in and between Member States (COM/98/0251). A key provision of the Commission's draft Directive was its Article 2.2: 'If the vessel used is not registered in a Member State, the terms and conditions referred to shall be those applicable to the residents of one of the Member States between whose ports the service is provided and with which the service has the closest connection. The closest connection shall be determined on the basis of the place from which the service is effectively managed.'

The European Parliament approved the proposal in March 1999. The Commission issued a revised proposal in 2000 (COM/2000/0437). However, no final agreement was reached in the Council of Ministers in the matter, and the Commission formally withdrew the proposal in August 2004. At the time the proposal was being considered, Ireland was concerned about the economics of providing ferry services for peripheral Community regions, particularly at off-peak seasons. We were also concerned that the Commission's proposals excluded non-ferry vessels in direct competition with ferries, since freight traffic is now of more importance for jumbo ferry

operations than the transport of passengers and their cars.

To facilitate consideration of the matter, Ireland was in favour of a study being undertaken to determine the implications of the proposals for peripheral Community regions.

Departmental Funding.

627. **Mr. Neville** asked the Minister for Transport the funding available to the National Safety Council for 2006 and 2007. [9442/07]

Minister for Transport (Mr. Cullen): The National Safety Council (NSC) was allocated in excess of €5m from the Exchequer for 2006. The Council also received funding from the Irish Insurance Federation and from private sponsorship in the estimated amount of €1.2m.

On 1 September 2006, the Road Safety Authority (RSA) under the auspices of my Department was established. Among the responsibilities assigned to the RSA were the functions of the NSC. Hence, the funding, allocated from the Exchequer to the RSA for 2007, includes the exchequer funding allocated for the transferred functions.

Taxi Regulations.

628. **Mr. Penrose** asked the Minister for Transport if, with reference to a letter dated 5 February 2007 to his Department (details supplied), he will take steps to have the issue set out therein comprehensively dealt with and a detailed reply furnished; and if he will make a statement on the matter. [9584/07]

Minister for Transport (Mr. Cullen): Responsibility for the development and maintenance of the regulatory framework for the control and operation of taxis, hackneys and limousines, including the licensing of such vehicles, rests with the Commission for Taxi Regulation. The Commission is an independent body established under the Taxi Regulation Act 2003.

The letter in question was the subject of correspondence between my Department and the Commission for Taxi Regulation and a reply on the matter issued to the Deputy on 13 March 2007.

State Airports.

629. **Mr. P. Breen** asked the Minister for Transport if in view of the confirmation by way of reply to Parliamentary Question No. 604 of 12 December 1984 that he was not in a position on that date to indicate the length of the then proposed runway 10/28 at Dublin Airport, he will correct the record of Dáil Éireann in relation to inaccurate information given by him in Parliamentary Questions Nos. 268 of 12 October 2004, 352 of 30 November 2004 and 221 of 9 March 2005 in the course of which he confirmed

that the current red zones at Dublin Airport were formally established in 1968 by Dublin County Council at the request of his Department; and if he will make a statement on the matter. [9651/07]

Minister for Transport (Mr. Cullen): It is not clear what inaccurate information the Deputy is referring to in this question. For my part I am satisfied that information provided in replies to previous questions was accurate and based on records held in my Department.

In 1968 the then Department of Transport and Power notified Dublin County Council of the areas in which it was considered that restrictions on new development were necessary to ensure the safe operation and development of Dublin Airport. These areas, which were delineated in red on a map, came to be known as red areas or red zones.

The Dublin Airport Authority (DAA) has informed me that the red zones took into account four runways at Dublin Airport, i.e. the 2 existing runways, and 2 new proposed runways. On the question of runway lengths, the DAA has additionally informed me that documents which were the subject of correspondence between the then Department of Transport and Power and Dublin County Council in March 1968 indicated two new proposed parallel runways at Dublin Airport, each of potentially 11,500 feet in length. Subsequently, one of these runways was constructed to a length of 8,650 feet and opened for use in 1989. The second runway, proposed to be 10,200 feet in length, is the subject of a current planning application before An Bord Pleanála.

Public Transport.

630. **Ms O. Mitchell** asked the Minister for Transport if a timescale exists for the introduction of 100 private sector buses for the Dublin market; when this will happen; if the introduction of same is dependent upon reform of the Transport Act 1932; and if he will make a statement on the matter. [9669/07]

Minister for Transport (Mr. Cullen): As previously announced, the Government has decided that the regulation of the bus market in the Greater Dublin Area will be the responsibility of the Dublin Transport Authority and has decided to mandate the Dublin Transport Authority to procure 100 buses from the private sector to provide services on new routes. The precise arrangements for the awarding of franchises to private operators in the Dublin market will be dealt with in the context of replacing the Road Transport Act 1932. Reform of the Act is, therefore, necessary to implement the Government decision.

Consequently it is not possible, at this juncture, to indicate when precisely the buses will be in service. In the meantime, the licensing provisions

of the Road Transport Act 1932, as amended, will continue to be applied and all applications for bus licences from private operators will be considered on their merits subject to the provisions of the Act.

Harbours and Piers.

631. **Mr. Ring** asked the Minister for Transport if funding will be made available for a project (details supplied) in County Mayo; and if he will make a statement on the matter. [9674/07]

632. **Mr. Ring** asked the Minister for Transport the funding that has been earmarked in respect of regional harbours in County Mayo under the national development plan, giving harbour location, funding purpose, and so on; and if he will make a statement on the matter. [9675/07]

Minister of State at the Department of Transport (Mr. Gallagher): I propose to take Questions Nos. 631 and 632 together.

The position in respect of Westport Harbour's Integrated Development Plan, including the proposal to construct a marina, is that a payment of €94,276 was made to the Westport Harbour Commissioners in December 2002, for expenditure incurred on that plan up to that date. The payment was made on the strict condition that there could be no further expectation whatsoever of further funding for the Integrated Development Plan under the Seaports Measure of the National Development Plan 2000-2006.

In 2006, I approved funding of €500,000 to be spent at Westport Harbour on remedial works. This funding was provided against the background of the proposed transfer of the harbour to Mayo County Council, as provided for in the Ports Policy Statement published in 2005.

This amount was not drawn down in 2006 due to the relevant works not being sufficiently advanced. I am reallocating a similar amount for these remedial works from the 2007 budget and my Department will be communicating shortly with Mayo County Council and the harbour commissioners in this regard.

Ferry Services.

633. **Mr. Ring** asked the Minister for Transport if he will provide this Deputy with a copy of the report carried out on a proposed project (details supplied) in County Mayo; his plans to review this issue; and if he will make a statement on the matter. [9710/07]

Minister of State at the Department of Transport (Mr. Gallagher): A copy of the report, which will be published on my Department's website, has been issued to the Deputy on 12 March 2007. This study was commissioned in March 2002, in relation to the feasibility of a ferry service linking Achill Island with the Erris Peninsula. It was

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carried out by Tourism and Transport Consult International and the final cost of the study was €46,355.

The study found little evidence to support such a ferry service in terms of demand. It found that the project would be non-viable without financial support for acquisition and for ongoing running costs. The estimated overall cost of the project was between two and three million euro initially, with an annual operating cost of €455,000. I have no plans to review the issue.

Road Network.

634. **Ms O. Mitchell** asked the Minister for Transport the total kilometres of motorway and dual carriage roads built during the National Development Plan 2000 to 2006; and if he will make a statement on the matter. [9730/07]

Minister for Transport (Mr. Cullen): In the period 2000 to 2006 a total of 539 kilometres of new roads were completed and opened to traffic. A further 5 kilometres of roadway associated with interchanges was also provided. In addition, 349 kilometres were in construction at the end of the period in question.

Departmental Expenditure.

635. **Mr. Eamon Ryan** asked the Minister for Transport the amount his Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if he will make a statement on the matter. [9781/07]

Minister for Transport (Mr. Cullen): My Department paid out 1,151,848 euro in car mileage expenses in 2006, of which 639,420 euro related to driver testing costs. A further 39,000 euro approximately was paid to cover rail and bus ticket expenses in 2006.

636. **Mr. G. Mitchell** asked the Minister for Transport the cost of energy used running his Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and his plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9830/07]

Minister for Transport (Mr. Cullen): My Department was established in May 2002 and assumed functions which had previously been performed by a number of other Departments. Since then the Department has taken on responsibility for certain functions in the area of Maritime Transport and Safety, including the Irish Coast Guard. A number of functions relating to road safety have also been transferred to the newly established Road Safety Authority.

These changes in functions, together with the consequential changes in numbers and locations

of departmental buildings, prevent direct comparisons in energy consumption and related costs being made between 2002 and 2006. Data relating to the quantity of energy consumed is not readily available. However, the total energy costs incurred by my Department in 2002 and 2006 was €98,450.44 and €236,290.54 respectively. My Department is currently involved with OPW in a project aimed at the reduction of energy usage in all our premises.

Departmental Staff.

637. **Mr. Sargent** asked the Minister for Transport if he will report on gender balance at each grade in his Department and in agencies that come under the aegis of his Department. [9858/07]

Minister for Transport (Mr. Cullen): The table outlines the gender balance in each grade in my Department. In respect of the agencies that come under the aegis of my Department the information on gender balance should be sought directly from such agencies.

Grade	Male	Female
Secretary General	0	1
Assistant Secretary	6	0
Principal Officer	17	2
Assistant Principal	25	19
Higher Executive Officer	32	38
Administrative Officer	3	6
Executive Officer	20	48
Staff Officer	3	11
Clerical Officer	29	79
Technical Staff	95	0
Services Officers/Attendants	9	3
Telephonists	0	4

Pension Provisions.

638. **Ms Shortall** asked the Minister for Transport further to Parliamentary Question No. 438 of 20 February 2007, the position of a person (details supplied) in Dublin 9; and if he will rectify the error in their current and past pension payments. [9868/07]

Minister of State at the Department of Transport (Mr. Gallagher): The position with regard to the individual concerned remains as outlined in my reply to the Deputy's Parliamentary Question No. 438 of 20 February 2007.

Public Transport.

639. **Mr. Nolan** asked the Minister for Transport his proposals for the provision of public transport for persons with impaired vision who

live in the south Carlow/Kilkenny area; and if he will make a statement on the matter. [9944/07]

Minister for Transport (Mr. Cullen): My Department's Sectoral Plan under the Disability Act 2005, entitled 'Transport Access for All', addresses the accessibility needs of people with mobility, sensory and cognitive impairments across all transport modes and contains time bound targets for the progressive realisation of accessible transport in Ireland. A copy of this Sectoral Plan is available in the Oireachtas Library.

Bus Éireann has informed me that all new buses will incorporate features to facilitate people with mobility and sensory impairments in line with the commitments under the Transport Sectoral Plan under the Disability Act 2005 — 'Transport Access for all'.

The Carlow/Kilkenny area will benefit from the 183 new railcars on order for the national Intercity network, under the Transport 21 investment programme, and which will be entering service through 2007 and 2008. All of the railcars will be fitted with the latest technology for the disabled including audio and visual displays.

Question No. 640 answered with Question No. 624.

EU Directives.

641. **Mr. Allen** asked the Minister for Transport the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if he will make a statement on the matter. [10059/07]

Minister for Transport (Mr. Cullen): The information sought by the Deputy is outlined in the tables. In relation to directives which are overdue for transposition, every effort is being made by my Department to have the transpositions effected at the earliest possible date.

There are a number of directives which have been partially but not fully transposed. These are listed separately in the second table. While the major part of these Directives have been transposed, the reason for the delay in transposing the remaining elements of those Directives asterisked relates to the sections of the Directives governing the sale or use of component parts in motor vehicles. The need for separate legislation to deal with this aspect is being examined currently by my Department.

Table 1: Directives Awaiting Transposition

	Title	Deadline for Transposition
1	Directive 2003/42/EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation.	4th July 2005
2	Directive 2004/36/EC of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports	30th April 2006
3	Directive 2003/59/EC of the European Parliament and of the Council of 15th July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC	10th Sept 2006
4	Council Directive 2006/103/EC of 20th November 2006 adapting certain Directives in the field of Transport Policy, by reason of accession of Bulgaria and Romania.	1st January 2007
5	Council Directive 2006/96/EC of 20th November 2006 adapting certain Directives in the field of free movement of goods, by reason of accession of Bulgaria and Romania.	1st January 2007
6	Directive 2005/35/EC of the European Parliament and Council on ship-source pollution and on the introduction of sanctions for infringements.	1st April 2007
7	Directive 2006/22/EC of the European Parliament and of the Council of 15th March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No. 3820/85 and 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC.	1st April 2007
8	Regulation (EC) No. 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No. 3821/85 and (EC) No. 2135/89 and repealing Council Regulation (EEC) No. 3820/85	11th April 2007

[Mr. Cullen.]

	Title	Deadline for Transposition
9	Directive 2005/14/EC of the European Parliament and of the Council of 11 May 2005 amending Council Directives 72/166/EEC, 84/5/EEC, 88/357/EEC and 90/232/EEC and Directive 2000/26/EC of the European Parliament and of the Council relating to insurance against civil liability in respect of the use of motor vehicles.	11th June 2007
10	Directive 2005/65/EC on enhancing Port Security	15th June 2007
11	Directive 2006/90/EC of 3 November 2006 adapting for the seventh time to technical progress Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail.	30th June 2007
12	Commission Directive 2006/119/EC of 27 November 2006 amending for the purposes of adapting to technical progress Directive 2001/56/EC of the European Parliament and of the Council concerning heating systems for motor vehicles and their trailers.	30th September 2007
13	Commission Directive 2006/120/EC of 27 November 2006 correcting and amending Directive 2005/30/EC amending, for the purposes of their adaptation to technical progress Directives 97/24/EC and 2002/24/EC of the European Parliament and of the Council, relating to the type-approval of two or three-wheel motor vehicles.	30th September 2007
14	Directive 2004/45/EC amending Directive 2001/25 on the minimum level of training of seafarers.	20th October 2007
15	Directive 2006/40/EC of the European Parliament and of the Council of 17th May 2006 relating to emissions from air-conditioning systems in motor vehicles and amending Council Directive 70/156/EEC.	4th January 2008
16	Directive 2006/23/EC of the European Parliament and of the Council of 5th April 2006 on a Community air traffic control licence.	17th May 2008
17	Directive 2006/38/EC of the European Parliament and of the Council of 17 May 2006 amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures	10th June 2008

Table 2: Directives Partially Transposed

	Title	Deadline for Transposition
1	Directive 70/220/EEC as amended by Directive 98/77/EC relating to measures to be taken against air pollution by emissions from motor vehicles	*1st October 1999
2	Directive 70/221/EEC as amended by Directive 2006/20/EC relating to fuel tanks and rear underrun protection of motor vehicles and their trailers	*11th March 2007
3	Directive 71/320/EEC as amended by Directive 98/12/EC relating to the braking devices of certain categories of motor vehicles and their trailers	*31st March 2001
4	Directive 72/245/EEC as amended by Directive 2004/104/EC relating to the radio interference (electromagnetic compatibility) of vehicles	*31st December 2005
5	Directive 74/61/EEC as amended by Directive 95/56/EC relating to devices to prevent the unauthorized use of motor vehicles	*1st October 1998
6	Directive 74/408/EC as amended by Directive 96/37/EC relating to the interior fittings of motor vehicles (strength of seats and of their anchorages)	*1st October 1999
7	Directive 76/757/EEC as amended by Directive 97/29/EC relating to retro-reflectors for motor vehicles and their trailers	*1st October 1999
8	Directive 76/758/EEC as amended by Directive 97/30/EC relating to the end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers	*1st October 1999
9	Directive 76/759/EEC as amended by Directive 1999/15/EC relating to direction indicator lamps for motor vehicles and their trailers	*1st April 2001
10	Directive 76/760/EEC as amended by Directive 97/31/EC relating to the rear registration plate lamps for motor vehicles and their trailers	*1st October 1999
11	Directive 76/761 as amended by Directive 1999/17/EC relating to motor vehicle headlamps which function as main-beam and/or dipped-beam headlamps and to incandescent electric filament lamps for such headlamps	*1st April 2001

	Title	Deadline for Transposition
12	Directive 76/762 as amended by Directive 1999/18/EC relating to front fog lamps for motor vehicles and filament lamps for such lamps	*1st April 2001
13	Directive 77/538/EEC as amended by Directive 1999/14/EC relating to rear fog lamps for motor vehicles and their trailers	*1st April 2001
14	Directive 77/539/EEC as amended by Directive 97/32/EC relating to reversing lamps for motor vehicles and their trailers	*1st October 1999
15	Directive 77/540/EEC as amended by 1999/16/EC relating to parking lamps for motor vehicles	*1st April 2001
16	Directive 77/541/EEC as amended by Directive 96/36/EC relating to safety belts and restraint systems of motor vehicles	*1st October 1999
17	Directive 88/77/EC amended by Directive 2001/27/EC relating to measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles	*1st October 2001
18	Directive 92/22/EEC amended by Directive 2001/92/EC relating to safety glazing and glazing materials on motor vehicles and their trailers	*1st July 2003
19	Directive 92/23/EEC as amended by Directive 2001/43/EC relating to tyres for motor vehicles and their trailers and to their fitting	*4th August 2002
20	Directive 2001/56/EC relating to heating systems for motor vehicles and their trailers	*9th May 2005
21	Directive 2003/97/EC relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices	*24th January 2005
22	Directive 2005/55/EC as amended by Directive 2006/51/EC relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles	*1st October 2006
23	Directive 2005/66/EC relating to the use of frontal protection systems on motor vehicles	*25th August 2006
24	Council Directive 93/14/EEC relating to the braking of two or three-wheel motor vehicles	9 May 2003
25	Council Directive 93/30/EEC on audible warning devices for two or three-wheel motor vehicles	9 May 2003
26	Directive 97/24/EC of the European Parliament and of the Council of 17 June 1997 on certain components and characteristics of two or three-wheel vehicles, as amended by directive 2003/77/EC	9 May 2003
27	Directive 2000/7/EC of the European Parliament and of the Council on speedometers for two or three-wheel motor vehicles	9 May 2003
28	Directive 2005/64/EC of the European Parliament and of the Council of 26 October 2005 on the type approval of motor vehicles with regard to their reusability, recyclability and recoverability and amending Council Directive 70/156/EEC	15th December 2006 (15 July, 2010 – Implementation Date for small vans).
29	Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive).	30th April 2006
30	Commission Directive 2006/20/EC of 17 February 2006 amending for the purposes of its adaptation to technical progress, Council Directive 70/221/EEC concerning fuel tanks and rear underrun protection of motor vehicles and their trailers.	11th March 2007
31	2005/49/EC of 25 July 2005 amending, for the purposes of their adaptation to technical progress, Council directive 72/245/EEC relating to the radio interference (electromagnetic compatibility) of vehicles and Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers.	30th June 2006
32	Directive 1999/17/EC of 18 March 1999 adapting to technical progress Council Directive 76/76/EEC relating to motor vehicle headlamps which function as main-beam and/or dipped-beam headlamps and to incandescent electric filament 1 mps for such headlamps.	1st October 1999

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	Title	Deadline for Transposition
33	Directive 2002/24/EC of the European Parliament and of the Council of 18 March 2002 relating to the type-approval of two or three-wheel motor vehicles and repealing Council Directive 92/61/EEC (Text with EEA relevance)	9th May 2003
34	Commission Directive 2004/104/EC of 14 October 2004 adapting to technical progress Council Directive 72/245/EEC relating to the radio interference (electromagnetic compatibility) of vehicles and amending directive 70/156/EEC on the approximation of the laws of Member States relating to type-approval of motor vehicles and their trailers.	31 December 2005

Public Transport.

642. **Mr. Kenny** asked the Minister for Transport if he will indicate his decision in respect of an application for a route licence (details supplied); and if he will make a statement on the matter. [10175/07]

Minister for Transport (Mr. Cullen): I can confirm that an application was received on the 28th July, 2006 from the operator referred to by the Deputy for bus passenger services between Oranhill and Galway City Centre. The Company was informed at that time that the Department had on hands a prior notification for services on or along part of the route in question which would have to be finalised before a decision could be made on the application concerned.

On the 23rd January, 2007 my Department informed the applicant that the prior notification had been finalised and that processing had resumed on their application. On the 8th March, 2007 an offer of a licence was made and the Company was asked to supply certain information that is required before a licence can issue.

Regional Airports.

643. **Mr. Kenny** asked the Minister for Transport his views in respect of the development and further potential for Galway airport with particular reference to the restrictive length of runway that currently applies; if he has had discussions with the airport authorities in respect of potential future developments from Europe; and if he will make a statement on the matter. [10263/07]

Minister for Transport (Mr. Cullen): I am very pleased to say that I recently approved Exchequer grant aid amounting to €6.3 million for Galway Regional Airport under the Transport 21 capital expenditure grant scheme for the six regional airports which was launched by my Department last year. The allocation for Galway includes €2.8 million in respect of projects aimed at providing enhanced levels of safety and security and a sum of €3.5 million for developmental works, subject to agreement with the airport on specific projects.

The approved allocations under the scheme followed a rigorous appraisal and prioritisation of

the submissions received from all of the regional airports which was carried out with the assistance of expert advisors. I believe that the financial assistance approved under the new scheme will enhance the potential of Galway Airport to attract inward investment and generate additional tourism business, thus boosting the contribution it makes to the development of its catchment area.

Parking Regulations.

644. **Dr. Cowley** asked the Minister for Transport the outcome of a review commitment made in September 2006 where he stated that the present statutory scheme for grant and use of parking permits is under review in his Department in consultation with the relevant bodies with a view to strengthening the provisions further and to ensure that the scheme is confined strictly to those who meet the restricted mobility criterion; and if he will make a statement on the matter. [10283/07]

Minister for Transport (Mr. Cullen): The Road Traffic (Traffic and Parking) Regulations, 1997 empower local authorities, the Irish Wheelchair Association and the Disabled Drivers Association, to grant a disabled person's parking permit to a person who is suffering from a disability that is of a nature that prevents him or her from walking or causes undue hardship to the person in walking.

A review of all aspects of the disabled person's parking permit is still ongoing in my Department. The progress made to date has been in the area of strengthening the enforcement provisions. The first step to address this is through amendments made in the Road Traffic Act 2004 to strengthen the on-street enforcement against illegal use of permits.

Secondly, the fixed charge system that was introduced in April 2006 applies a level of fixed charge in respect of illegal parking in a designated disabled persons parking bay that is double the fixed charge that applies to any other illegal parking offence.

Thirdly, significant amendments were also made in section 20 of the Road Traffic Act 2006 in relation to the making of a false declaration in the application for a permit and in relation to forgery, alteration or other illegal use or lending

of a permit. The 2006 Act also provided for increased maximum fines that the courts may impose on those convicted of offences, including illegal parking. The latter provision was commenced earlier this month. Further new legislative provisions in relation to the inspection of permits and the detention of permits that are invalid or being used illegally are being progressed at present.

Now that so much progress has been made in relation to enforcement and safeguarding against illegal use of permits, the next step is to complete the review in relation to eligibility for issue of a permit and it is intended that this process will be completed this year.

Public Transport.

645. **Mr. Gogarty** asked the Minister for Transport the reason Dublin Bus has not been granted a licence to operate a service along Griffeen Avenue, Lucan, in view of the fact that there is huge demand on this route and that it is not currently being supported by private operators. [10316/07]

Minister for Transport (Mr. Cullen): The provision of public bus services by Dublin Bus or private bus operators on specific routes to serve particular areas is an operational matter for the companies themselves. Currently my Department has no outstanding notifications on hand from Dublin Bus to operate bus passenger services in the Griffeen Avenue area of Lucan.

Rail Services.

646. **Dr. Cowley** asked the Minister for Transport if his attention has been drawn to the need to have an early bird rail service available to persons in County Mayo; the plans in place to instigate such a service; and if he will make a statement on the matter. [10438/07]

Minister for Transport (Mr. Cullen): The day to day operation of train services including service timetabling is an operational matter for Iarnród Éireann.

Integrated Transport Services.

647. **Dr. Cowley** asked the Minister for Transport his views on whether there is an urgent need to have an effective transport system available from Ireland West Airport Knock in view of the new transatlantic flights announced recently; the plans his Department has put in place to ensure ease of transfer for passengers from the airport to the nearest towns and to connect to other public transport systems; and if he will make a statement on the matter. [10441/07]

Minister for Transport (Mr. Cullen): Last Thursday, March 15th, my colleague Pat the Cope Gallagher, T.D., Minister of State in my

Department, announced his approval of the introduction by Bus Éireann of a number of new services and re-routing of existing services to serve Ireland West Airport Knock.

The Airport currently has a Bus Éireann air coach service to Charlestown, Co. Mayo which was launched in June 2004. The newly approved Bus Éireann routes via Ireland West Airport Knock include enhancing the existing Galway to Derry service to operate seven services Galway/Derry and six services Derry/Galway daily, all of which would operate via Ireland West Airport Knock. Two new daily return services from Sligo will be introduced along with one additional daily return service from Sligo to Galway that will operate via Ireland West Airport Knock. There will also be a daily 6.00am service from Letterkenny to Galway via the airport, and one daily return service from Westport.

In addition, this Government has provided substantial funds to improve road transport infrastructure in the region of Ireland West Airport since coming into office. The 16km Knock-Claremorris scheme on the N17 was completed in 2002. The 8 km N5 Strokestown-Longford scheme was completed in 2004. Phase one of the N26 Ballina-Bohola scheme (5km) was completed in December 2004. The 18 km Charlestown Bypass, which joins onto the Swinford bypass, is due for completion this time next year. Under Transport 21, the Government also proposes the re-opening of the Western Rail Corridor from Ennis to Claremorris, providing additional opportunities for public transport linkage to Ireland West Airport.

Further improvements are planned under the National Development Plan 2007 – 2013, including significant funding for roads which serve the airports main catchment area including bypasses for Tuam and Claregalway and phase 2 of the N26 Ballina to Bohola scheme (18 km) which is at final design stage.

Decentralisation Programme.

648. **Ms Shortall** asked the Minister for Transport the number of civil servants in his Department who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if he will make a statement on the matter. [10536/07]

Minister for Transport (Mr. Cullen): I refer the Deputy to my answer to PQ, Reference No. 6696/07. To date 18 officers have transferred out of my Department under the decentralisation programme. None of these staff had a previous transfer within a two year period of the decentralisation transfer and none transferred from a non-

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Dublin office to a Dublin office in the initial transfer. The matter of staff being held in Dublin pending their move to decentralised locations is a matter for the Departments to which they transferred.

Services for People with Disabilities.

649. **Mr. Kehoe** asked the Minister for Transport the services and facilities available to persons with a hearing disability who wish to phone his Department; and if he will make a statement on the matter. [10958/07]

Minister for Transport (Mr. Cullen): An accessibility audit regarding the services and facilities available to disabled persons was carried out in the Department last Summer, and implementation of the recommendations made following this audit have recently commenced. An induction loop system has been installed in our Conference Rooms for staff and visitors with a hearing disability and a review of the Department's switchboard facilities is currently underway. The feasibility of providing an improved service for callers with a hearing disability is being considered as part of that review.

Care of the Elderly.

650. **Mr. Wall** asked the Minister for Community, Rural and Gaeltacht Affairs the schemes or grants available to a person (details supplied) in County Kildare to obtain a panic alarm, in view of the fact that this person is living alone, in a rural part of Kildare and is in receipt of a State pension. [9432/07]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): My Department operates the Scheme of Community Support for Older People. This Scheme encourages and assists the community's support for older people by means of community based grants to improve the security of its vulnerable older members in their own homes.

The Scheme is open to people aged 65 and over who have a genuine need for assistance and is administered by community and voluntary organisations throughout the country with support provided by my Department.

Maximum individual grants are provided under the scheme as follows:

- €300 in respect of the once-off installation cost of socially monitored alarms
- €200 in respect of physical security equipment
- €200 in respect of security lighting
- €50 in respect of smoke alarms

- €150 in respect of interior emergency lighting for qualifying older people living on our offshore islands.

Applications under the Scheme are accepted throughout the year and can be made through a local community and voluntary group. Information on such groups is available from my Department and a list of Groups approved under the Scheme in recent years is available on my Department's website: www.pobail.ie.

Community Development.

651. **Mr. McEllistrim** asked the Minister for Community, Rural and Gaeltacht Affairs if he will make a statement on the cohesion plan he has put in place to join together both the partnership programme and the LEADER based programme under a single administration company and particularly regarding people's concern that parity of esteem of both programmes would be included in any new companies to be set up nationwide (details supplied). [9423/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Arising from the joint ministerial initiative on the review of local and community development structures, the Government agreed a series of measures in January 2004 designed to improve arrangements under which community and local development initiatives are delivered. The Deputy will be aware that the key principles governing the process are:

- improving on the ground services, supports and impacts on local communities, from within existing levels of resources,
- streamlining and rationalising structures so as to avoid overlaps, duplication and undue administrative overheads,
- bringing transparency, co-ordination and improved control to the funding and operation of local/community development measures,
- strengthening the democratic accountability of agencies and service providers in this area.

The core objective of the cohesion process is the alignment of local, community and rural development structures to achieve full coverage within a given area. The intention is, that in 2007, there will be one company delivering services in any given area and fewer companies overall in the country. This will lead to improved co-ordination of service delivery and maximise the impact of both rural development and social inclusion measures at a local level.

I believe that we are pursuing a proven model in that area already. There are currently 12 LEADER/Partnership groups that deliver, inter alia, both local and rural development programmes in a way that respects the distinct ethos

of the respective programmes. This integrated model is being extended to all local development bodies in rural areas this year. I will shortly be introducing new requirements in regard to the constitution, mandate and governance of these bodies. These procedures will maintain the parity of esteem between rural development and social inclusion programmes and ensure that the scope for new synergies between these programmes is optimised.

Rural Social Scheme.

652. **Mr. Neville** asked the Minister for Community, Rural and Gaeltacht Affairs the waiting time for entry into the rural social scheme. [9439/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Currently, there is pro-

vision for 2,600 participants and a further 130 supervisors on the Rural Social Scheme (RSS). I am not in a position to give specific waiting times for entry on to the RSS at present as all of the available places have been allocated.

The RSS is delivered at a local level by the LEADER groups and, in the Gaeltacht, by the LEADER groups in conjunction with Údarás na Gaeltachta. Each of the Implementing Bodies have been encouraged to form a waiting list of suitable eligible applicants in their areas, which can then be used to fill vacancies as and when they arise.

Accordingly, I would encourage anyone interested in participating in the Scheme to contact their local LEADER group or Údarás na Gaeltachta who will be able to advise them of the qualifying conditions of the Scheme and the waiting lists in their specific area.

Please see the following list of contact details.

Group Grúpa	Area Covered An Ceantar atá i gceist	Contact Details Sonraí Teagmhála
Ballyhoura Development Ltd	Part of Counties Limerick and Cork/Codanna de Chontaetha Luimnigh agus Chorcaí	Main Street, Kilfinane, Co. Limerick Ph/Fón: 063-91300 Fax/Facs: 063-91330 Email/R-phost: localdev@ballyhoura.org
Barrow Nore Suir Rural Development Ltd.	Co. Kilkenny & part of Co. Tipperary Co. Chill Chainnigh & codanna de Cho. Thiobraid Árann	42 Parliament Street, Kilkenny Ph/Fón: 056-7752111 Fax/Facs: 056-7752333 Email/R-phost: info@bnsrd.com
Blackwater Resource Development	Blackwater Region, Mallow & hinterland Co. Cork Réigiún Blackwater, Mala & cúlchríoch Cho. Chorcaí	The Showgrounds, Fermoy, Co. Cork Ph/Fón: 025-33411 Fax/Facs: 025-33422 Email/R-phost: info@blackwater-resources.com
Donegal Local Development Company Ltd	All Donegal except the Gaeltacht areas & Inishowen Peninsula Dún na nGall ar fad ach amháin na ceantair Ghaeltachta agus Inis Eoghain	1 Millennium Court, Pearse Road, Letterkenny, Co. Donegal Ph/Fón: 07491-27056 Fax/Facs: 07491-21527 Email/R-phost: info@dldc.orgsmccann@dldc.org
IRD Duhallow Ltd	Kanturk, Millstreet & Part of Kerry Ceann Toirc, Sráid an Mhuilinn & cuid de Chiarraí	James O'Keeffe Institute, Newmarket, Co. Cork Ph/Fón: 029-60633 Fax/Facs: 029-60694 Email/R-phost: duhallow@eircom.net
Inishowen Rural Development Ltd	Inishowen Peninsula Inis Eoghain	Pound Street, Carndonagh, Inishowen, Co. Donegal Ph/Fón: 07493-73083 Fax/Facs: 07493-73084 Email/R-phost: irdl@iol.ie
Kildare European Leader II Teo.	Co. Kildare Co. Chill Dara	The Woods House, Clane, Co. Kildare Ph/Fón: 045-861973 Fax/Facs: 045-861975 Email/R-phost: info@kelt.ie Website/Láithreán gréasáin: www.kelt.ie
Laois Leader Rural Development Company Ltd	Co. Laois Co. Laoise	Pepper's Court, Portlaoise, Co. Laois Ph/Fón: 0502-61900 Fax/Facs: 0502-61902 Email/R-phost: llrde@iol.ie
Longford Community Resources	Co Longford Co. an Longfoirt	6 Earl Street, Longford Ph/Fón: 043-45555 / 043-48104 Fax/Facs: 043-48105 Email/R-phost: leader@lclrl.ie
Louth Leader	Co. Louth Co. Lú	Market Street, Ardee, Co. Louth Ph: 041-6856804 Email: info@louthleader.com

[Éamon Ó Cuív.]

Group Grúpa	Area Covered An Ceantar atá i gceist	Contact Details Sonraí Teagmhála
Mid South Roscommon Rural Development Company Ltd	Part of Counties Roscommon & Westmeath Cuid de Chontaetha Ros Comáin & na hIarmhí	Curraghboy, Athlone, Co. Roscommon Ph/Fón: 09064-88292 Fax/Facs: 0902-88046 Email/R-phost: info@southrosleader.ie
Offaly Leader + Company Ltd	Co. Offaly Co. Uíbh Fhailí	Rural & Community Development Centre, Harbour Street, Tullamore, Co. Offaly Ph/Fón: 0506-22850 Fax/Facs: 0506-22851 Email/R-phost: admin@offalyleader.ie Website/ Láithreán gréasáin : www.offalyleader.ie
Rural Dublin Leader Company Ltd	Co. Dublin Co. Bhaile Átha Cliath	11 Parnell Square, Dublin 1 Ph/Fón: 01-8780564 Fax/Facs: 01-8780572 Email/R-phost: info@ruraldublin.ie
Co. Sligo Leader Partnership Company	Part of Co. Sligo Cuid de Cho. Shligigh	Sligo Development Centre, Cleveragh Road, Sligo Ph/Fón: 07191-4115507191-4115607191-41159 Fax/Facs: 07191-41162 Email/R-phost: info@sligoleader.com
South Kerry Development Partnership Ltd	South Kerry Ciarraí Theas	Old Barracks, Bridge Street, Caherciveen, Co Kerry Ph/Fón: 066-9472724 / 066-9472725 Fax/Facs: 066-9472725 Email/R-phost: swhyte@skdp.net
Tipperary Leader Group Ltd	Part of Co. Tipperary & part of North East Limerick Cuid de Cho. Thiobraid Árann & cuid de Luimneach Thoir Thuaidh	The Bridewell, St. Michael Street, Tipperary Town, Co Tipperary Ph/Fón: 062-33360 Fax/Facs: 062-33878 Email/R-phost: tlg@iol.ie
Waterford Leader Partnership Ltd	Co. Waterford Co. Phort Láirge	John Barry House, Lismore, Co. Waterford Ph/Fón: 058-54646 Fax/Facs: 058-54126 Email/R-phost: wlpl@eircom.net
West Cork Leader Co-operative Society Ltd	West Cork to Kinsale, Lee Valley & Owenabue Valley Iarthar Chorcaí go Cionn tSáile, Lee Valley & Owenabue Valley	South Square Clonakilty West Cork Ph/Fón: 023-34035 Fax/Facs: 023-34066 Email/R-phost: wclc@wclc.iol.ie
Western Rural Development Company Ltd	Part of Counties Mayo & Sligo Cuid de Chontaetha Mhaigh Eo & Shligigh	C/O Connacht Gold Co-op, Carrick-on-Shannon, Co. Leitrim. Ph/Fón: 071-9620079 Fax/Facs: 071-9621100 Email/R-phost: Leader3@eircom.net
Westmeath Community Development Ltd	Co. Westmeath Co. na hIarmhí	2nd Floor Presentation House Harbour Street, Mullingar, Co. Westmeath Ph/Fón: 044-48571 Fax/Facs: 044-48441 Email/R-phost: westcd@iol.ie
Wexford Organisation for Rural Development Ltd	Co Wexford Co. Loch Garman	Johnstown Castle, Co. Wexford Ph/Fón: 053-46453053-71550 Fax/Facs: 053-46456 Email/R-phost: info@wexfordleader.ie mfurlong@wexfordleader.ie
Wicklow Rural Partnership Ltd	Co Wicklow Co. Chill Mhantáin	Wicklow Rural Partnership Ltd, Saville House, Savilles Cross, Rathdrum, Co Wicklow Ph/Fón: 0404-46977 Fax/Facs: 0404-46978 Email/R-phost: info@wicklowleader.ie
Arigna Catchment Area Community Company Ltd	Co. Leitrim and part of Co Roscommon Co. Liatroma agus cuid de Cho. Ros Comáin	Enterprise Centre, Arigna, Carrick-on-Shannon, Co Roscommon. Ph/Fón: 07196-46186 Fax/Facs: 07196-46188 Email/R-phost: arignal@iol.ie

Group Grúpa	Area Covered An Ceantar atá i gceist	Contact Details Sonraí Teagmhála
Cavan-Monaghan Rural Development Co-op Society Ltd	Counties Cavan & Monaghan Contaetha an Chabháin & Mhuineacháin	C/O Agriculture College, Ballyhaise, Co Cavan Ph/Fón: 049-4338477 Fax/Facs: 049-4338189 Email/R-phost: info@cmrd.ie
Comhar Iorrais Leader Teo	Erris Region Réigiún Iorrais	LEADER II Office, Sraid an tSeipeil, Beal an Mhuirthead, Co. Mhuigh Eo Ph/Fón: 097-82303 Fax/Facs: 097-82303 Email/R-phost: errisrd@iol.ie
Comhdhail Oileáin na hEireann	Offshore Islands Na hOileáin amach ón gCósta	Runaíocht Inis Oirr, Aran, Cuan na Gaillimhe Ph/Fón: 099-75096 Fax/Facs: 099-75103 Email/R-phost: comhdhail.oileain@indigo.ie
Galway Rural Development Company Ltd	Co Galway excluding the Gaeltacht Co. na Gaillimhe gan an Ghaeltacht san áireamh	Old Church Street, Athenry, Co Galway Ph/Fón: 091-844335 Fax/Facs: 091-845465 Email/R-phost: grdc@grd.ieinfo@grd.ie
Meitheal Forbatha Na Gaeltachta Teoranta	Gaeltacht, Caislean Ghriarire & An Cam Co Chiarraí & Oilean Acla	Baile an Fheirtearaigh, Trá lí, Co Chiarraí Ph/Fón: 066-9156400 Fax/Facs: 066-9156199 Email/R-phost : eolas@mfg.ie
South West Mayo Development Company Ltd	South West Mayo Maigh Eo Thiar Theas	Carey Walsh Building, George's Street, Newport, Co Mayo Ph/Fón: 098-41950 Fax/Facs: 098-41952 Email/R-phost: rss@southmayo.com
East Cork Area Development	East from Glanmire along the southern coast to Youghal Soir ó Ghleann Maghair ar chósta an deiscirt go hEochaill	Midleton Community Enterprise Centre, Owennacurra Business Park, Knockgriffin, Midleton, East Cork Ph/Fón: 021-4613432 Fax/Facs: 021-4613808 Email/R-phost: info@ecad.ie Website/ Láithreán gréasáin : www.eastcork.com
Meath Community Partnership Co. Ltd	Co Meath Co. na Mí	Tom Blake House, Bective Street, Kells, Co Meath Ph/Fón: 046-9280790 Fax/Facs: 046-9249338 Email/R-phost: info@meathleader.ie
Rural Resource Development Ltd	Co Clare Co an Chláir	Shannon Business CentreTown Centre, Shannon, Co Clare Ph/Fón: 061-361144 Fax/Facs: 061-361954 Email/R-phost: info@rrd.ie
Tuatha Chiarraí Teoranta	Parts of Co Kerry outside Gaeltacht and North Kerry Codanna de Cho. Chiarraí lasmuigh den Ghaeltacht agus de Chiarraí Thuaidh	Church Lane, Church StreetTralee, Co Kerry Ph/Fón: 066-7120390 Fax/Facs: 066-7120804 Email/R-phost: tuhakiriadmin@iol.ie
West Limerick Resources Ltd	West Limerick Iarthar Luimnigh	St Mary's Road, Newcastle West, Co Limerick Ph/Fón: 069-62222 Fax/Facs: 069-61870 Email/R-phost: info@wlr.ie
Carlow LEADER Rural Development Co Ltd	Co Carlow Co. Cheatharlach	Castle Hill, Carlow Ph/Fón: 059-9134283 Fax/Facs: 059-9138257 Email/R-phost: rsscarrow@eircom.net

[Éamon Ó Cuív.]

Údarás na Gaeltachta

Group Grúpa	Area Covered An Ceantar atá i gceist	Contact Details Sonraí Teagmhála
Na Forbacha Co na Gaillimhe	Co Galway & Co Mayo Co. na Gaillimhe & Co. Mhaigh Eo	Ph/Fón: 091-503136 / 091-503152 Fax/Facs: 091-503101 Email/R-phost: t.oconghaile@udaras.ie s.odroighnean@udaras.ie
Na Doirí Beaga Gaoth Dobhair Co Dhún na nGall	Co Donegal Co. Dhún na nGall	Ph/Fón: 074-9560307 Fax/Facs: 074-9560101 Email/R-phost: m.gallachoir@udaras.ie
Pairc Ghnó An Daingin Baile an Mhuilinn, An Daingean, Co Chiarraí	Co. Kerry, Co Cork & Co Waterford Co. Chiarraí, Co. Chorcaí & Co. Phort Láirge	Ph/Fón: 066-9150473 Fax/Facs: 066-9150101 Email/R-phost: am@udaras.ie

Departmental Programmes.

653. **Mr. Neville** asked the Minister for Community, Rural and Gaeltacht Affairs the amount of funding distributed to Limerick West under CLÁR in 2007. [9440/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The position regarding funding approved to date in 2007 is as follows. On 28 February 2007, I approved funding of €5,698 for a single to three phase electricity conversion for a business in the Limerick West DED of Ballintober under the CLÁR Programme.

In addition, on 1st March 2007, I announced — along with Dick Roche T.D., Minister for the Environment, Heritage and Local Government — funding for local secondary and tertiary roads under the Programme. Limerick County Council received €179,551.10 for allocation to CLÁR areas within that county. The decision as how much of that funding is spent on roads in CLÁR areas in Limerick West is a matter for the local authority.

654. **Mr. Hayes** asked the Minister for Community, Rural and Gaeltacht Affairs when grant allocations under the programme for locally based community and voluntary organisations will be announced; and if a hall (details supplied) will be successful. [9540/07]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The processing of the approximately 1,300 applications received by my Department under this Programme is ongoing and to date I have announced two tranches of funding. The group referred to by the Deputy is not amongst those so far processed, however, I will be announcing further allocations of funding under this Programme in the coming period and I expect that, following completion of the assessment process, I will be in a position to make a decision regarding this group at that time.

655. **Mr. McGinley** asked the Minister for Community, Rural and Gaeltacht Affairs if he

will provide funding for a group water scheme for a disadvantaged community in Glenmaquin, County Donegal, which is in the CLÁR area; and if he will make a statement on the matter. [9576/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Under the CLÁR Programme, Group Water Schemes are selected by the Local Authority on foot of applications received from local groups. Applications are then forwarded to my Department if the cost of the scheme is such that additional funding is required. To date, my Department has no record of having received an application for the scheme referred to by the Deputy.

North-South Implementation Bodies.

656. **Mr. McGinley** asked the Minister for Community, Rural and Gaeltacht Affairs if his attention has been drawn to the disparity of pay and conditions within the remit of the North/South Ministerial Council, particularly in relation to those who are employed by Waterways Ireland; and if he will make a statement on the matter. [9623/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The pay and conditions of staff in Waterways Ireland are linked to those of comparable civil and public service staff in the jurisdiction in which they are based. This policy applies to each of the North-South Implementation Bodies. I am informed that the operational issues that this policy presents for the Bodies have been raised by their Chief Executive Officers and are currently being examined by the Secretariat of the North-South Ministerial Council and the two Departments of Finance, North and South.

Departmental Programmes.

657. **Mr. M. Moynihan** asked the Minister for Community, Rural and Gaeltacht Affairs the level of funding which has been provided in Cork north west through his Department's CLÁR scheme since 2002. [9699/07]

660. **Mr. O'Donovan** asked the Minister for Community, Rural and Gaeltacht Affairs the level of funding which has been provided in Cork south west through his Department's CLÁR scheme since 2002. [9702/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I propose to take Questions Nos. 657 and 660 together.

The Deputies should note that my Department only maintains records of expenditure under the CLÁR Programme on a county-by-county basis. Details of all CLÁR funding approved for Co. Cork between 2002-2005 is available on my Department's website at www.pobail.ie. The 2006 CLÁR Annual Report containing details of all approvals made in 2006 will be available shortly. The total funding approved to date for CLÁR areas in Co Cork from 2002 to 2007 is €7,941,132 of which €5,530,054 has been paid.

658. **Mr. Blaney** asked the Minister for Community, Rural and Gaeltacht Affairs the level of funding which has been provided in Donegal through his Department's CLÁR scheme since 2002. [9700/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Details of all CLÁR funding approved for Co Donegal between 2002-2005 is available on my Department's Website at www.pobail.ie. The 2006 CLÁR Annual Report containing details of all approvals made in 2006 will be available shortly. The total funding approved to date for CLÁR areas in Co Donegal from 2002 to 2007 is €8,707,279 of which €6,103,846 has been paid.

659. **Mr. McEllistrim** asked the Minister for Community, Rural and Gaeltacht Affairs the level of funding which has been provided in Kerry through his Department's CLÁR scheme since 2002. [9701/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Details of all CLÁR funding approved for Co Kerry between 2002-2005 is available on my Department's Website at www.pobail.ie. The 2006 CLÁR Annual Report containing details of all approvals made in 2006 will be available shortly. The total funding approved to date for CLÁR areas in Co Kerry from 2002 to 2007 is €8,318,600 of which €5,966,848 has been paid.

Question No. 660 answered with Question No. 657.

661. **Mr. Finneran** asked the Minister for Community, Rural and Gaeltacht Affairs the level of funding which has been provided in Roscommon, Sligo and Leitrim through his Department's CLÁR scheme since 2002. [9703/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Details of all CLÁR funding approved for the three counties between 2002-2005 is available on my Department's website at www.pobail.ie. The 2006 CLÁR Annual Report containing details of all approvals made in 2006 will be available shortly.

The total funding approved to date for CLÁR areas in the three counties from 2002 to 2007 is as follows:

- Roscommon — €7,573,086 — of which €5,450,908 has been paid;
- Sligo — €5,223,126 — of which €4,357,469 has been paid; and
- Leitrim — €10,534,025 — of which €7,954,593 has been paid.

662. **Mr. Callanan** asked the Minister for Community, Rural and Gaeltacht Affairs the level of funding which has been provided in Galway east through his Department's CLÁR scheme since 2002. [9704/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The Deputy should note that my Department only maintains records of expenditure under the CLÁR Programme on a county-by-county basis.

Details of all CLÁR funding approved for Co Galway between 2002-2005 is available on my Department's Website at www.pobail.ie. The 2006 CLÁR Annual Report containing details of all approvals made in 2006 will be available shortly.

The total funding approved to date for CLÁR areas in Co Galway from 2002 to 2007 is €8,500,083 of which €5,314,996 has been paid.

663. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs the funding provided by his Department to a body towards the CLÁR roads fund for the strengthening and repair of roads in County Mayo in the past year; and if he will make a statement on the matter. [9712/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): On the 22nd June 2006, I announced an allocation of €90,000 (€45,000 each from Coillte and CLÁR) for works in Co. Mayo under the CLÁR and Coillte co-funded scheme. This Scheme has been running very successfully since its introduction in 2002 with 68 projects, totalling almost €4.2m in value being funded nationwide.

Departmental Expenditure.

664. **Mr. Eamon Ryan** asked the Minister for Community, Rural and Gaeltacht Affairs the amount his Department paid in 2006 for car mileage expenses; the amount paid to cover rail and

[Mr. Eamon Ryan.]

bus ticket expenses; and if he will make a statement on the matter. [9770/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): In 2006 car mileage expenses in my Department amounted to €370,419. Rail and bus ticket expenses amounted to €16,626.

Departmental Programmes.

665. **Ms O'Sullivan** asked the Minister for Community, Rural and Gaeltacht Affairs if there is a mechanism by which a community can apply to be included in the RAPID programme; the information they would need to submit; if there are specific criteria for inclusion; and if he will make a statement on the matter. [9782/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I refer the Deputy to the reply I gave to question number 105 on 28 February 2007.

Community Development.

666. **Mr. Kehoe** asked the Minister for Community, Rural and Gaeltacht Affairs the funding available for a group who want to start up an Internet cafe and make the facilities available to people with disabilities; the locations where they can receive computer training and training in art; and if he will make a statement on the matter. [9813/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): As the Deputy will be aware, my Department provides funding for a wide range of community projects, through a number of schemes and programmes. Each of the schemes and grant programmes operated by my Department are governed by rules and eligibility criteria, which projects have to meet in order to qualify for funding.

With regard to the specific project referred to by the Deputy, elements of such a project may be eligible for funding under my Department's Programme of Grants for Locally Based Community

and Voluntary Organisations, or the Local Development Social Inclusion Programme. Detailed information in respect of these programmes can be found on my Department's website at www.pobail.ie.

Departmental Expenditure.

667. **Mr. G. Mitchell** asked the Minister for Community, Rural and Gaeltacht Affairs the cost of energy used running his Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and his plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9819/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department was established in mid-2002 and brought together a range of functions previously the responsibility of a number of other Departments. At that time, the Department's staff were based largely in Dublin but in a number of locations and it was not until 2004 that all of the Dublin staff were brought together in the current headquarters building in Mespil Road. In the circumstances, it is very difficult to produce data which could be of benefit to the comparative analysis that the Deputy is engaged in.

I share the Deputy's concerns about the need to reduce energy usage for climate change reasons but also for reasons of cost and my Department will be taking steps to build on initiatives already taken in this respect.

Departmental Staff.

668. **Mr. Sargent** asked the Minister for Community, Rural and Gaeltacht Affairs if he will report on gender balance at each grade in his Department and in agencies that come under the aegis of his Department. [9847/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The tables show gender balance at each grade in my Department and in agencies that come within the ambit of my Department.

Name of Organisation	Grade	Total Staff	Male	Female
Department of Community Rural and Gaeltacht Affairs	Secretary General	1	1	0
	Assistant Secretary	3	2	1
	Principal Officer	13	10	3
	Senior Inspector	1	1	0
	Media Advisor	1	0	1
	Special Advisor	1	1	0
	Assistant Principal	31	21	10
	Administrative Officer	3	0	3
	Higher Executive Officer	54	24	30
	Executive Officer	53	15	38

Name of Organisation	Grade	Total Staff	Male	Female
	Staff Officer	3	0	3
	Clerical Officer	69	19	50
	Service Officer	6	2	4
	Agriculture Inspectors	7	5	2
	Translator	1	0	1
	Chief Placenames Officer	1	1	0
	Higher Placenames Officer	2	2	0
	Placenames Officer	4	2	2
	Accountant	1	1	0
	Engineer	1	1	0
	Maoirseoir Tithe	5	5	0
An Coimisinéir Teanga	Coimisinéir	1	1	0
	AP	1	0	1
	HEO	1	0	1
	EO	1	0	1
	CO	2	1	1
Bord na Leabhar Gaeilge	Director	1	1	0
	Office Administrator	1	0	1
	Clerical officer	2	0	2
	Cleaner	1	0	1
Commissioners of Charitable Donations and Bequests for Ireland	Secretary of the Board	1	0	1
	Higher Executive Officer	1	0	1
	Executive Officer	1	0	1
	Clerical Officer	4	0	4
	Service Officer	1	0	1
An Foras Teanga – Foras na Gaeilge (in the south)	CEO	1	1	0
	PO	2	2	0
	AP	4	2	2
	AO	2	2	0
	HEO	3	2	1
	EO	5	1	4
	SO	1	1	0
	CO	8	1	7
	Stores officer	1	1	0
	Engineer grade 1 equivalent	1	1	0
	Engineer grade 2 equivalent	1	0	1
	Engineer grade 3 equivalent	10	8	2
	Technical officer	1	1	0
An Foras Teanga – Foras na Gaeilge (in the north)	Deputy CEO	1	1	0
	SO	3	2	1
An Foras Teanga – Tha Boord o Ulster Scotch (in the south)	HEO	1	1	0
	EO	1	1	0
An Foras Teanga – Tha Boord o Ulster Scotch (in the north)	G7 (PO)	1	1	0
	DP (AP)	3	2	1
	SO	2	2	0
	EO1	1	0	1

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Name of Organisation	Grade	Total Staff	Male	Female
National Advisory Committee on Drugs	EO2	2	0	2
	AO	3	0	3
	PO	1	0	1
	AP	1	0	1
National Drugs Strategy Team	PO	1	0	1
	AP	2	1	1
	HEO	1	0	1
	CO	2	1	1
Pobal	CEO	1	1	0
	6	9	4	5
	4	52	16	36
	3	62	16	46
	2	33	11	22
	1	63	14	49
Údarás na Gaeltachta	CEO	1	1	0
	Deputy CEO	1	1	0
	Ard-bhainisteoir	3	3	0
	Bainisteoir	5	5	0
	Grád 1	22	20	2
	Grád 2	22	14	8
	Grád 3	29	13	16
	Grád 4	18	1	17
	Grád 5	11	1	10
Waterways Ireland –(in the north – contracted staff)	Clerical Officer (C)	6	2	4
	Engineer (C)	1	1	
	Head of Human Resources (C)	1		1
	Lock keeper (C)	1	1	
	Part time Clerical Officer (C)	1		1
	Technician (C)	2	2	
	Student Placement	3	2	1
Waterways Ireland – in the North	Administrator	10	3	7
	Administrator IT	2	1	1
	Chief Executive	1	1	0
	Clerical Officer	9	0	9
	Director	4	4	0
	Engineer	3	2	1
	General Operative	7	7	0
	Heads of Administration	3	0	3
	Head of Civil and Environmental	1	1	0
	Head of Finance	1	0	1
	Head of IT	1	1	0
	Head of Structural Engineering	1	1	0
	Lock keeper	3	3	0
	Lough Erne Warden	1	1	0
	Project Accountant	1	1	0
Receptionist	1	0	1	

Name of Organisation	Grade	Total Staff	Male	Female
Waterways Ireland – in the south	Senior Administrator	9	3	6
	Senior Administrator IT	2	1	1
	Senior Engineer	5	5	0
	Services Officer	2	2	0
	Supervisor Grade 1	2	2	0
	Valuer	2	2	0
	Administrator	1	0	1
	Administrator (Assistant Auditor)	1	0	1
	Assistant Inspector	2	2	0
	Assistant Lock keeper (General Operative)	3	3	0
	Boatman	10	10	0
	Boatperson	5	4	1
	Carpenter	3	3	0
	Chargehand	14	14	0
	Chargehand Carpenter	3	3	0
	Civil Foreman Grade 2	1	1	0
	Cleaner Caretaker	1	1	0
	Clerical Officer	8	3	5
	Craft Chargehand	1	1	0
	Craftsman	1	1	0
	Dock Master	1	1	0
	Engineer	9	7	2
	Environment Officer	2	2	0
	Excavator Driver	1	1	0
	Fabricator/Fitter	1	1	0
	Fitter	2	2	0
	Foreman Grade 1	2	2	0
	Foreman Grade 1 Construction	1	1	0
	Foreman Grade 1 Maintenance	3	3	0
	Foreman Grade 1 Mechanical	1	1	0
	Foreman Grade 2	5	5	0
	Foreman Mechanical Grade 2	1	1	0
	Foremand Grade 2	1	1	0
	Ganger	1	1	0
	Gauge Reader	1	0	1
	General Operative	87	87	0
	Head of Administration	1	1	0
	Head of Asset & Project Management	1	1	0
	Head of Mechanical and Safety	1	1	0
	Inspector of Navigation	1	1	0
	Internal Auditor	1	0	1
	Light Equipment Operator	1	1	0
	Lock keeper	34	30	4
	Mechanical Fitter	5	5	0
	Office & Stores Clerk 1	2	1	1
	Office & Stores Clerk 2	1	0	1
	Office Foreman Grade 2	1	1	0
	Office/Stores Foreman Grade 1	1	1	0
	Office/Stores Supervisor	1	1	0
	Plant Operator B	1	1	00
Regional Engineer	1	1	0	
Regional Manager	3	3	0	

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Name of Organisation	Grade	Total Staff	Male	Female
Waterways Ireland – in the south on contract	Safety Advisor	1	1	0
	Senior Administrator	1	0	1
	Senior Engineer	8	6	2
	Senior Environment Officer	1	0	1
	Senior Ganger	3	3	0
	Skipper	1	1	0
	Store Person	1	1	0
	Storekeeper Clerk 1	2	1	1
	Storekeeper Clerk 2	1	1	0
	Storekeeper Clerk-in-Charge	2	1	01
	Storesperson (Transport Driver A)	1	1	0
	Technician	6	6	0
	Technician / D Person	1	0	1
	Transport Driver A	5	5	0
	Transport Driver B	4	4	0
	Waterway Patroller	3	3	0
	Office & Stores Clerk 2 (C)	1	0	1
	Western Development Commission	Special Projects (C)	1	0
Work Placement Clerk		1	1	0
CEO		1	0	1
	AP	2	0	2
	HEO	10	2	8
	EO	2	0	2
	CO	3	0	3

Community Development.

669. **Mr. Timmins** asked the Minister for Community, Rural and Gaeltacht Affairs the position in relation to a person (details supplied) in County Wicklow who has applied for the programme of grants for local based community and voluntary organisations; if same will be awarded; and if he will make a statement on the matter. [9880/07]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): Under the 2006 Programme of Grants for Locally-Based Community and Voluntary Organisations, my Department received in excess of 1300 applications. The Group to which the Deputy refers was not amongst those Groups whose application was successful.

All unsuccessful Groups are notified of the reasons and there is an appeals procedure available. Groups can receive information on this by contacting my Department.

Public Transport.

670. **Mr. Durkan** asked the Minister for Community, Rural and Gaeltacht Affairs the extent to which he and or his Department intends to provide or fund local transport in rural areas such as Kiltel, County Kildare which currently does

not have such public transport services facilities; and if he will make a statement on the matter. [9910/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The operation of the Rural Transport Programme (formerly known as the Rural Transport Initiative) is a matter for my colleague Minister of State Pat the Cope Gallagher TD, Department of Transport. Separately, my Department is developing proposals to establish a pilot night-time transport scheme which will be additional to the Rural Transport Programme and I hope to make an announcement in this regard in the coming weeks.

Dormant Accounts Fund.

671. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs if funding will be provided to a group (details supplied) in County Mayo. [9924/07]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): An application to the Dormant Accounts Fund has been received from the organisation in question. Due to a misunderstanding, there was a delay in processing this application, however, at this stage processing is well advanced. The applicant has been advised of the position.

Íocaíochtaí Deontas.

672. D'fhiafraigh **Mr. Kehoe** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cén fáth nach bhfuil deontais á gcur ar fáil do phobail lasmuigh den Ghaeltacht chun áiseanna caithimh aimsire i nGaeilge agus clubanna Gaeilge a chur ar fáil do dhaoine óga, go háirithe i bhfianaise an oiread sin Gaelscoileanna agus Gaelcholáistí atá ar fud na tíre. [9962/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Mar is eol don Teachta, is é Foras na Gaeilge atá freagrach go príomha as an nGaeilge a chur chun cinn i ngach gné don saol ar fud oileán na hÉireann. Tuigim ón bhForas go gcuirtear réimse leathan tacaíochtaí ar fail ar mhaithe le caithimh aimsire i nGaeilge agus clubanna Gaeilge do dhaoine óga. Ina measc, áirítear —

- an Scéim nua Óige atá fógraithe ag an bhForas le déanaí chun tacaíocht a thabhairt d'imeachtaí lasmuigh d'am scoile;
- Scéim na gCampáí Samhraidh;
- bunmhaoiniú do Chumann na bhFiann, a eagraíonn clubanna óige;
- 20 scéim pobail ar fud an oileáin a eagraíonn imeachtaí do gach aoisghrúpa, daoine óga san áireamh;
- bunmhaoiniú do Chomhlúadar, a eagraíonn imeachtaí agus a thugann tacaíocht do theaghlaigh atá ag tógáil clainne le Gaeilge;
- maoiniú do 4 chlub óige;
- scéimeanna scoláireachtaí do Ghael-Linn agus do Chomhaltas Uladh;
- bunmhaoiniú do Ghael-Linn, a eagraíonn réimse leathan imeachtaí do dhaoine óga; agus
- bunmhaoiniú do Ghaelscoileanna, a eagraíonn imeachtaí idir scoile mar chuid dá gníomaíochtaí.

Job Losses.

673. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs the reason persons (details supplied) were offered redundancy and one person was left out. [9992/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I refer the Deputy to my reply to Questions No 434 and 435 on 27 February 2007. I understand from Údarás na Gaeltachta that the only supervisors that were made redundant in the context referred to were (a) those whose schemes had terminated, or (b) those whose schemes had been amalgamated resulting in a surplus to requirements. I am advised that neither of these circumstances pertained in the case of the individual referred to by the Deputy.

Departmental Programmes.

674. **Mr. Kirk** asked the Minister for Community, Rural and Gaeltacht Affairs the funding agreements of LEADER programmes in relation to County Louth; the percentage that comes from the EU and the National Exchequer; and if he will make a statement on the matter. [9993/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The LEADER+ Community Initiative and Area Based Rural Development Initiative (ABRDI) are currently implemented in County Louth by County Louth Rural Development Company Ltd. Funding has been allocated to this Local Action Group under the respective programmes as follows:

- LEADER+ Community Initiative — €3,168,832 (LEADER+ is financed at 35% by the Exchequer and at 65% by the EU).
- ABRDI — €1,022,560 which covers both Exchequer and co-funded measures. (As Louth is in the BMW region, 75% of expenditure incurred by the Local Action Group from co-financed measures of the ABRDI is funded by the EU).

The Group has also received two additional allocations of project funding under the ABRDI of €45,000 in 2006 and €160,000 in 2007. Funding for the interim costs of the Group in the period between the end of the 2000-06 round of funding and the commencement of the Rural Development Programme 2007-13 is also being provided. This is totally Exchequer funded.

Finally, the Deputy should note that the draft 2007-13 Programme is, at present, under discussion with the European Commission.

EU Directives.

675. **Mr. Allen** asked the Minister for Community, Rural and Gaeltacht Affairs the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if he will make a statement on the matter. [10048/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): There are no EU directives awaiting transposition into law relating to my Department's work.

Údarás na Gaeltachta.

676. **Mr. Kenny** asked the Minister for Community, Rural and Gaeltacht Affairs the assistance given by Údarás na Gaeltachta under all headings to all third level institutions in 2005 and 2006; the purposes for which such allocations have been made; and if he will make a statement on the matter. [10116/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): A breakdown of the assistance given by Údarás na Gaeltachta to third level institutions in 2005 and 2006 in respect of

third level courses and other related activities, including aquaculture research and educational research for the benefit of the Gaeltacht, is set out in the table.

Institution	2005	2006
	€	€
Acadamh na hOllscolaíochta, NUI Galway	685,000	1,550,000
Galway-Mayo Institute of Technology	82,000	115,000
Letterkenny Institute of Technology	26,000	—
Waterford Institute of Technology	—	133,000
National University of Ireland, Maynooth	—	23,978
Martin Ryan Marine Science Institute/Ionad Taighde Charna, Carna, Co. Galway	242,337	—

Community Development.

677. **Dr. Cowley** asked the Minister for Community, Rural and Gaeltacht Affairs if the lands acquired under compulsory purchase order in Achill and Innisbiggle, County Mayo for the Innisbiggle cable car project could be transferred to a local trust or development company (details supplied) for it to establish this project, in view of the fact that this would not waste the investment already made by his Department; and if he will make a statement on the matter. [10272/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): A review undertaken by consultants Malachy Walsh and Partners, in conjunction with McClure Watters, in 2005 concluded that the Inis Bigil cablecar project was not economically viable and that my Department's remit to provide safe access for the island community had already been satisfied. In the circumstances, my Department has no plans to request Mayo County Council to transfer lands acquired under Compulsory Purchase Order for the project concerned to the development company referred to by the Deputy.

678. **Dr. Cowley** asked the Minister for Community, Rural and Gaeltacht Affairs further to Parliamentary Question No. 138 of 28 February 2007; the way a local group in Mulranny, County Mayo, established to ensure health, safety and improvements at Mulranny pier, can ensure it will be assessed under his scheme for small piers in Gaeltacht areas; and if he will make a statement on the matter. [10345/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The group in question may submit a completed application form to my Department for assistance under the scheme for small Gaeltacht piers. An application form may be obtained from my Department's Mayo Regional Office at: An Roinn Gnóthaí Pobail, Tuaithe agus Gaeltachta, Gob an Churraigh, Acaill, Co Mhaigh Eo (Tel: 098-20035). On

receipt of a completed application form the application will then be assessed.

679. **Dr. Cowley** asked the Minister for Community, Rural and Gaeltacht Affairs the funding available to a private school (details supplied) in County Mayo to have essential repairs carried out to the entrance road to their school; if this school is in line to apply for an LIS scheme grant or assistance under the CLÁR scheme; and if he will make a statement on the matter. [10437/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): CLÁR operates a measure to provide additional funding to local authorities to carry out works on Local Improvement Scheme (LIS) roads in CLÁR areas. The local authority selects the projects, according to the rules laid down by the Department of Environment, Heritage and Local Government, and my Department has no role in the selection process. Applications for funding of such roads may be made by residents to the local authority.

Inland Waterways.

680. **Mr. Gregory** asked the Minister for Community, Rural and Gaeltacht Affairs if his attention has been drawn to a matter (details supplied); if he will instruct Waterways Ireland to take effective steps to prevent a recurrence of these problems in 2007; if he will raise the responsibility of the gardaí to enforce the law in such situations with the Department of Justice, Equality and Law Reform; and if he will make a statement on the matter. [10466/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I am informed by Waterways Ireland that it has arrangements in place to liaise with the Gardaí prior to major events occurring at the venue in question and that it is satisfied that these arrangements are effective. While I understand that the area in question was cleaned up within 48 hours, Waterways Ireland informs me that it is in discussion with the venue managers and the relevant local authority with a view to securing enhanced clean-up

operations following future events. The Deputy will appreciate that issues of law enforcement are a matter for the Garda Síochána.

Decentralisation Programme.

681. **Ms Shortall** asked the Minister for Community, Rural and Gaeltacht Affairs the number of civil servants in his Department who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if he will make a statement on the matter. [10526/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): To date 79 officers have transferred to offices of my Department outside Dublin. This does not include officers who transferred from my Department to other Departments under the decentralisation programme as I have no information with regard to their subsequent onward movement in other Departments.

Of the officers who decentralised in my Department, 45 were Dublin based and 34 were not based in Dublin. Sixty-four had transferred into this Department under the decentralisation programme and records indicate that 3 of those had had an inter-departmental transfer in the 2 years prior to transferring to this Department.

Only one officer transferred from a non-Dublin office to our Dublin office. The officer in question undertook training in this Department over a 21-week period before relocating to Tubbercurry.

Services for People with Disabilities.

682. **Mr. Kehoe** asked the Minister for Community, Rural and Gaeltacht Affairs the services and facilities available to persons with a hearing disability who wish to phone his Department; and if he will make a statement on the matter. [10948/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department provides facilities e.g. a hearing loop, to facilitate visitors to the Department who have a hearing disability and is also in a position to provide handsets with enhanced hearing for visitors or staff with hearing disabilities.

The Department, however, does not provide facilities for those who wish to phone the Department. If this has created any specific difficulty, the Department would be happy to try to rectify that and I would welcome any information that the Deputy might be able to provide in this regard.

Grant Payments.

683. **Mr. Naughten** asked the Minister for Agriculture and Food when a decision will be made on an application to the national reserve by a person (details supplied) in County Roscommon; the reason for the delay in relation to same; and if she will make a statement on the matter. [9399/07]

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 A. Category A caters for farmers who inherited land or received land free of charge or for a nominal sum from a farmer who had retired or died by 16 May, 2005 and who had leased out his/her holding to a third party during the reference period 2000 to 2002. My Department has requested further documentation with regard to processing this application. When this documentation is received my Department will process this case further.

In addition the person named has already received an allocation from the 2005 National Reserve under Category B(ii) investment in suckler quota. Therefore, it should be noted that the rules governing the single payment scheme stipulate that an applicant who is found to be eligible under another category in the Reserve in another year may only receive an allocation of entitlements under whichever category is most beneficial.

A formal letter outlining my Department's decision on the 2006 National Reserve will issue to the person named as soon as his application has been fully processed.

684. **Mr. Ring** asked the Minister for Agriculture and Food the reason payment has not issued to a person (details supplied) in County Mayo in view of the fact that the application was fully processed. [9402/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the Single Payment Scheme to the person named was submitted on the 18th December 2006. The application was accepted even though the closing date for receipt of completed applications to transfer entitlements was the 16th May 2006. During processing of the Transfer application it was necessary for an official of my Department to request specific documentation relating to the application. The requested documentation was received and the application is now fully processed.

Payment of €3,821.46 in respect of 16.49 transferred entitlements issued to the person named on the 16th March 2007.

Afforestation Programme.

685. **Mr. Crawford** asked the Minister for Agriculture and Food the number of hectares of land planted in each of the years from 1995 to 2006; the amount that will be planted in 2007; if she is satisfied that there is enough effort being made to maintain existing plantations and to provide proper worthwhile markets for the timber; and if

Year	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Total	23,710	20,981	11,434	12,928	12,668	15,695	15,464	15,054	9,097	9,739	10,096	8,039

At this stage of the year it is difficult to predict the final planting rate for 2007 but provision has been made in my Department's Estimates for 10 000 hectares of new planting. An enhanced package is available this year, including increased grants and premiums, and a new Forest Environment Protection Scheme (FEPS) which provides an added incentive to REPS farmers to plant part of their land.

It is important that existing plantations are maintained if the optimum return is to be achieved. There are a number of controls in place to ensure that, where a plantation has been established with the help of grant-aid from my Department, it is properly maintained in subsequent years. Various incentives are also available to encourage proper management of the woodland resource. Some of the key controls and incentives are as follows:

- 25% of the establishment grant is only paid 4 years after the initial planting and when my Department is satisfied that the plantation has been successfully established.
- Other inspections at later dates for premium purposes provide further information on the status of plantations.
- 10 years after planting a management plan is required by my Department which adds to the information on the status of the plantations and provides a secure basis for future maintenance.
- My Department also operates schemes aimed at further developing the woodland resource e.g. pruning and shaping; forest road grants etc, and has encouraged initiatives from the sector in this area, such as the development of a thinning protocol for private plantations, which was published last year.
- Teagasc and COFORD run courses and seminars in this area every year, dealing with particular aspects of forest management and promoting best practice.

In relation to markets, timber prices are currently good, particularly for large saw log. Prices for small material have not increased pro rata but I would expect them to increase in line with the expected increase in demand for bio fuels.

she will make a statement on the matter. [9413/07]

Minister for Agriculture and Food (Mary Coughlan): The requested planting rates are detailed in the table.

Grant Payments.

686. **Mr. Noonan** asked the Minister for Agriculture and Food if the full payment under the EU single payment scheme for 2006 has been paid to a person (details supplied) in County Limerick. [9418/07]

Minister for Agriculture and Food (Mary Coughlan): This case is now being reviewed and my Department will write to the person named within the next two weeks setting out the position regarding the 2006 Single Payment Scheme.

Poultry Production.

687. **Mr. Neville** asked the Minister for Agriculture and Food the support for free range chicken production. [9438/07]

Minister for Agriculture and Food (Mary Coughlan): The criteria for free-range poultry production are set out in EU regulations on the marketing standards for poultrymeat. This legislation does not provide for Member States advancing financial assistance to producers. Such funding would contravene EU State Aid rules as it would put producers in one Member State at a competitive advantage vis a vis those in other countries.

My Department's officers are involved with existing and prospective free range producers in such matters as familiarising them with the facilities and standards to be achieved in order to be eligible for the free range designation and in conducting the regulatory inspections. There is no charge for free-range registration.

The poultry sector is eligible for financial assistance under schemes operated by my Department in the animal health and environment protection areas. For example, the Farm Waste Management Scheme was recently extended to the poultry sector. There is also generous assistance available under the Water Chlorination Grant Scheme which commenced operation on 1 February 2007.

Avian Flu.

688. **Mr. Crawford** asked the Minister for Agriculture and Food the number of applications that were successful under the EU avian flu package; if they have all been dealt with; the amount of

compensation paid; if she is satisfied that it was sufficient to help the industry survive; and if she will make a statement on the matter. [9458/07]

Minister for Agriculture and Food (Mary Coughlan): A total of 108 applications were successful under the compensation measures introduced for poultry producers due to the fall-off in consumption arising from concerns in regard to avian influenza. All applications have been processed and payments are currently taking place. We expect a total of some €469,000 to be paid. I am satisfied that the scheme is of assistance to eligible applicants.

Departmental Funding.

689. **Mr. Hogan** asked the Minister for Agriculture and Food if she will make available financial assistance for the hosting of the international sheep dog trials here; and if she will make a statement on the matter. [9462/07]

Minister for Agriculture and Food (Mary Coughlan): My Department has no funds available for this purpose.

Farm Waste Management.

690. **Mr. Hogan** asked the Minister for Agriculture and Food if her attention has been drawn to the enormous waiting time for farm inspection in respect of the waste pollution scheme; the steps that can be taken to increase the number of inspectors dealing with this scheme in the Kilkenny office; and if she will make a statement on the matter. [9463/07]

Minister for Agriculture and Food (Mary Coughlan): I am aware of the difficulties caused by the massive increase in applications under the Farm Waste Management Scheme and have recently introduced revised procedures in order to speed up the process of issuing approvals under the Scheme. This includes the streamlining of administrative procedures for the approval of applications and the release to applicants of the newly revised Standard Costings used to assess the financial implications of proposed investments carried out under the Scheme. I am confident that these changes will greatly increase the number of approvals issued to farmers to commence work under the Scheme.

As far as the staffing levels in local AES offices of my Department are concerned, these are reviewed on an ongoing basis to ensure that the necessary staffing resources are in place to ensure delivery of the Scheme.

Grant Payments.

691. **Mr. Penrose** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Westmeath has not been granted the single farm payment for 2006 in view of the fact that this person who has land rented,

completed entitlements for their herd number and the transfer of entitlements was lodged in the Dingle farm payment section in Portlaoise in April 2006; if she will take steps to have same now expedited; and if she will make a statement on the matter. [9493/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the Single Payment Scheme to the person named was submitted on the 26th April 2006. During processing of the Transfer application, it was necessary for an official of my Department to write to the person named to seek clarification on certain matters relating to the application.

Upon receipt of the requested documentation my Department will process the application and will correspond directly with the person named.

692. **Mr. Crawford** asked the Minister for Agriculture and Food when a person (details supplied) in County Cavan will receive their single farm payment; and if she will make a statement on the matter. [9507/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the Single Payment Scheme to the person named was submitted on the 1st November 2006. The application was accepted even though the closing date for receipt of completed applications was 16 May 2006. During processing of the Transfer application it was necessary for an official of my Department to write to the person named to seek clarification on certain matters relating to the application.

Upon receipt of the requested documentation my Department will process the application and will correspond directly with the person named.

693. **Mr. Ring** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Mayo has not received the single payment scheme; and when they will receive it. [9521/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the Single Payment Scheme to the person named was submitted on the 1st November 2006. The application was accepted even though the closing date for completed applications to transfer entitlements was the 16th May 2006.

During processing of the Transfer application it was necessary for an official of my Department to write to the person named on the 21st November 2006 and again on the 12th February 2007 to seek clarification on certain matters relating to the application. Further documentation was received on both the 23rd November 2006 and on 15th February 2007. The application is

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now fully processed and payment in respect of 9.19 transferred entitlements will issue shortly.

The person named also submitted an application for an allocation of entitlements from the 2006 Single Payment Scheme National Reserve under Category A. Category A caters for farmers who inherited land or received land free of charge or for a nominal sum from a farmer who had retired or died by 16 May, 2005 and who had leased out his/her holding to a third party during the reference period 2000 to 2002.

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.

Farm Retirement Scheme.

694. **Mr. Hayes** asked the Minister for Agriculture and Food if the recommendations of the Oireachtas joint committee will be considered for the New Early Retirement Scheme Draft Development Plan 2007 to 2013 as referred to in a previous parliamentary question. [9531/07]

Minister for Agriculture and Food (Mary Coughlan): As indicated in reply to Parliamentary Question No. 418 of 12 December, 2006, certain of the recommendations contained in the Report by the Joint Oireachtas Committee on Agriculture and Food were precluded by the EU Regulations under which the two Early Retirement Schemes were operated. I saw merit in other aspects of the Committee's report; some recommendations have been either fully or partially implemented and others are being considered in the context of the proposal for a new Early Retirement Scheme, which has been included in the draft Rural Development Programme for the period 2007–2013. This draft Programme was sent to the Commission in late December and I continue to pursue early approval.

Following clarification from the European Commission, I announced increases in the rate of pension under both of the earlier Schemes to take effect from 1 November 2006. These increases, which are financed entirely from the National Exchequer, 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.

695. **Mr. Timmins** asked the Minister for Agriculture and Food the position in relation to a person (details supplied) in County Wicklow who is waiting to be awarded the second half of a single

farm payment; if same will be awarded; and if she will make a statement on the matter. [9542/07]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under the Consolidation measure of the 2006 Single Payment Scheme. This application has now been processed and the outstanding payment will issue in the coming days.

696. **Dr. Cowley** asked the Minister for Agriculture and Food the rationale behind the document issued by her Department for farmers to complete on cross compliance and farm inspections taking into account that this is 66 pages long, has 1450 different questions, sections and permutations and requires her Departmental inspector's signature in 28 different places; and if she will make a statement on the matter. [9567/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that the introduction of the Single Payment Scheme and my Department's commitment in the Charter of Rights for farmers to ensure maximum integration of inspections across schemes and for cross-compliance has resulted in a drop in annual farm inspection levels from 18,000 under the coupled regime to less than 8,000 in 2006. I agree that the inspection requirements linked to cross-compliance are complex and I am committed to negotiating significant changes in the context of the simplification exercise, which is currently underway in the Commission. I think it needs to be made clear however that the inspection checklist on cross-compliance is not a document for completion by the farmer but is for the inspector of my own Department.

It is important also to bear in mind that the controls under the various direct payment schemes are set out in EU Regulations. Failure to ensure a satisfactory control environment leaves a member State open to serious financial penalty — a fact that cannot be lightly dismissed given the magnitude of annual payments of €1.9 billion to Irish farmers under the Single Payment Scheme, the Disadvantaged Areas Scheme and REPS. Nonetheless, I believe that the cross-compliance inspection requirements are overly demanding on farmers. It is my clearly held view that some practical amendments can be secured without in any way undermining the objectives of cross-compliance or putting accountability in the disbursement of EU and national funds at risk.

As I have made clear already, I have raised my concerns about the Single Payment Scheme — particularly the inspection arrangements and the need for advance notice — with Commissioner Fischer Boel on a number of occasions. I have also discussed the problems with Minister Seehofer, the German President of the Agriculture Council and I am assured of his commitment to dealing with the issues over the next few months.

The Commission is at an advanced stage in finalising a review document on cross-compliance. I expect this to be cleared through the Commission before the end of March and it will then go to the Agriculture Council for discussion in April. With the commitment of the Presidency to progressing the dossier speedily, I am hopeful that changes can be agreed in time to apply to the 2007 inspection arrangements.

In tandem with this, my Department is carrying out a full review of the inspection arrangements and checklists for the Single Payment Scheme with a view to simplification of the arrangements (including paperwork) where possible while, at the same time, ensuring compliance with the regulatory requirements. The review of the inspection report forms together with the outcome of the Commission's review of the cross-compliance arrangements generally, will be fully discussed with the farming organisations before the Single Payment Scheme inspections for 2007 get under way.

Tree Felling Licences.

697. **Mr. Hogan** asked the Minister for Agriculture and Food when a tree felling licence will be granted to an organisation (details supplied) in County Carlow; and if she will make a statement on the matter. [9573/07]

Minister for Agriculture and Food (Mary Coughlan): Following an inspection of the proposed felling site by the Forest Inspector for the area the application has been referred, on his recommendation, to the National Parks and Wildlife Service for their consideration of the environmental impact of the proposed felling. It is understood that NPWS have recently inspected the site and their report is expected shortly. Following receipt of same the Forest Service of my Department will be in a position to make a decision on the granting of a tree felling licence for this site.

Grant Payments.

698. **Mr. McGinley** asked the Minister for Agriculture and Food her views on the possibility of twice yearly payments of the single farm payment; and if she will make a statement on the matter. [9577/07]

Minister for Agriculture and Food (Mary Coughlan): Under the provisions of Council Regulation 1782/2003 governing the implementation of the Single Payment Scheme it is laid down that payments shall be made once a year between 1st December and 30th June of the following year. In exceptional circumstances, where farmers face severe financial difficulties, the Commission may, taking account of the budgetary situation, authorize advance payments of up to 50% prior to 1 December. In 2006 the Commission, following representations from me, agreed to allow an advance payment of 50% on

16th October. Commencing on 1st December balancing payments were issued to farmers.

I have now approached the European Commission again seeking an amendment to the EU Regulations, which would provide for the full payment under the Single Payment Scheme from 16th October of each year.

Farm Retirement Scheme.

699. **Mr. Wall** asked the Minister for Agriculture and Food his plans to improve the benefits of the early farm retirement scheme; the time scale of such proposals; the basis for such proposals; the number of farmers who have accepted the scheme over each of the past five years nationally and the number in County Kildare; and if she will make a statement on the matter. [9586/07]

Minister for Agriculture and Food (Mary Coughlan): Proposals for a new Early Retirement Scheme, with a maximum pension payment rate of €15,000, have been included in the draft Rural Development Programme for the period 2007–2013. The draft Programme was sent to the Commission in late December to begin the approval process. I cannot be definite as to how long this process will take but I continue to pursue early approval and my officials are in ongoing contact with their counterparts in the Commission services.

Details of the number of successful applications under the 2000 Scheme of Early Retirement from Farming, which closed to new applications on 31 December 2006, and details of such applications from County Kildare, are set out in the table for each of the years 2002 to 2007.

Year ended	Successful Applications (2000-06 Scheme)	Successful Applications (Co. Kildare)
31 December 2002	809	15
31 December 2003	528	4
31 December 2004	307	4
31 December 2005	296	1
31 December 2006	341	2

Grant Payments.

700. **Mr. Crawford** asked the Minister for Agriculture and Food when a person (details supplied) in County Monaghan will receive their single farm payment; and if she will make a statement on the matter. [9607/07]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for Single Payment to my Department on 15 May 2006. He ceased to be a registered herdowner on 3 June 2006 as the herd-number was transferred to a third party from that

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date. Consequently, the 10-month land availability rule of the Scheme was not fulfilled and payment could not issue.

To enable the application to be further processed, my Department has issued the appropriate Trading /Transfer and Declaration of Undertaking forms to the person named. As soon as these forms are completed and returned to my Department, the application can then be further processed.

Farm Waste Management.

701. **Mr. Healy-Rae** asked the Minister for Agriculture and Food if she will extend the closing date for at least six months for the completion of the sheds and slurry tanks which are grant aided. [9678/07]

Minister for Agriculture and Food (Mary Coughlan): I am pleased to confirm that I recently extended the deadline for submission of drawings and other details outstanding from grant applications lodged under the Farm Waste Management Scheme by three months to end-June 2007. Under the terms of the EU state aid approval governing the Farm Waste Management Scheme, investment works must be completed and a payment claim submitted to my Department by end-December 2008.

702. **Mr. Crawford** asked the Minister for Agriculture and Food the number of tonnes of meat and bone meal exported each year for the past ten years; the amount it cost the taxpayer to dispose of same for each of those years; her views on whether it should be used as an alternative to peat in power stations here rather than Germany; and if she will make a statement on the matter. [9679/07]

Minister for Agriculture and Food (Mary Coughlan): Compilation of statistics by my Department on the production and disposal of meat and bone meal (MBM) commenced in 1999. The amounts produced each year since 1999 (the bulk of which has been exported) and the disposal costs which were incurred by the State during the years 2002 to 2006 are set out in the table below. In the wake of MBM being banned as an animal feed, and in line with the practice across most EU Member States, the Exchequer supported the livestock and meat sectors by subsidizing the disposal of MBM for a period. The costs of dealing with MBM have since been passed back to industry. During that period, my Department established and chaired an Inter-departmental Committee on possible uses of MBM, the conclusion of which was that its most suitable use would be in energy co-generation and cement production area.

Year	MBM produced	Disposal costs incurred by State
	'000s tonnes	€m
1999	149	—
2000	137	—
2001	166	—
2002	108	8.8
2003	138	17.7
2004	139	12.3
2005	143	11.7
2006	152	5.2

There is a growing interest in using biomass including MBM as a co-fuel in peat-burning electricity plants. Promoting the increased use of MBM in peat stations would deliver financial benefits for the industries involved, reduce disposal costs and represent a significant bioenergy contribution from agriculture. In the recent 'National Bioenergy Action Plan' the Government has targeted 30% co-firing in peat stations by 2015.

The Government is open to proposals to expand the REFIT (Renewable Energy Feed In Tariff) Scheme, as necessary, to facilitate the delivery of co-firing in peat stations of 30% by 2015. The REFIT Scheme was launched in 2006 as a new renewable energy support mechanism, to provide a fixed feed-in-tariff mechanism for electricity produced from renewable energy sources at new electricity generating stations. The guaranteed prices allow project developers to attract investors or access bank debt to source and fund the required capital investments.

Grant Payments.

703. **Mr. McGuinness** asked the Minister for Agriculture and Food her views on a submission from a person (details supplied) in County Kilkenny regarding the inclusion of their deer enterprise in calculations for farm entitlements based on the promotion of this type of enterprise by Teagasc as a realistic alternative; and her further views on the facts of their case and if she will expedite a response relative to their entitlements. [9685/07]

Minister for Agriculture and Food (Mary Coughlan): Single Payment Entitlements were generally established for farmers who were farming during the three Reference years 2000 — 2002 and in receipt of Direct Payments under one or more of the Livestock Premia and/or Arable Aid Schemes. In other cases, farmers could obtain entitlements by way of purchase, lease, gift, inheritance or from the National Reserve.

There was no provision in EU Regulations to establish Single Payment Entitlements for people engaged in farming enterprises such as deer farming for which premia had not been payable.

Farm Waste Management.

704. **Mr. Hayes** asked the Minister for Agriculture and Food her view on extending the deadline for the farm waste management scheme for a further two months in view of the shortage of consultants. [9719/07]

Minister for Agriculture and Food (Mary Coughlan): I am pleased to confirm that I recently extended the deadline for submission of drawings and other details outstanding from grant applications lodged under the Farm Waste Management Scheme by three months to end-June 2007. Under the terms of the EU state aid approval governing the Farm Waste Management Scheme, investment works must be completed and a payment claim submitted to my Department by end-December 2008.

Grant Payments.

705. **Mr. Neville** asked the Minister for Agriculture and Food when payment will be made to a person (details supplied) in County Limerick. [9721/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the 2006 Single Payment Scheme to the person named was submitted on the 1st February 2007. The application was accepted even though the closing date for completed applications to transfer entitlements was the 16th May 2006.

During processing of the Transfer application, it was necessary for an official of my Department to write to the person named to seek clarification on certain matters relating to the application. The requested documentation was received and the application is now fully processed. Payment in respect of 18.02 transferred entitlements will issue shortly.

706. **Mr. G. Murphy** asked the Minister for Agriculture and Food if she will make a statement on a matter (details supplied); and the schemes, assistance or grants available to the person. [9742/07]

Minister for Agriculture and Food (Mary Coughlan): Details of schemes operated by my Department are available in the publication Schemes and Services 2006-2007.

Departmental Expenditure.

707. **Mr. Eamon Ryan** asked the Minister for Agriculture and Food the amount her Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if she will make a statement on the matter. [9767/07]

Minister for Agriculture and Food (Mary Coughlan): During the calendar year 2006, my Department paid out car expenses totalling €10,100,252.51 and a total of €57,735.49 on train and bus ticket expenses. All entitlements are paid in accordance with the relevant Department of Finance regulations.

Grant Payments.

708. **Mr. McGuinness** asked the Minister for Agriculture and Food the reason an appeal lodged in 2006 by a person (details supplied) in County Kilkenny has not been responded to; if their original application and subsequent appeal will be re-examined with a view to issuing a positive response; and if she will make a statement on the matter. [9796/07]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the 2005 Single Payment Scheme National Reserve under Category B.

Category B caters for farmers who, between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under Livestock Premia and/or Arable Aid schemes would have been payable during the reference period 2000-2002. Investments can include purchase or long term lease of land, purchase of suckler and/or ewe quota or other investments in buildings etc leading to an increase in production.

The person named applied under Category B(iv) (investment in buildings). He was deemed unsuccessful as the investment made did not result in an increase in production for which a direct payment under the Livestock and/or Arable Aid Schemes would have been payable during the reference period 2000 to 2002. The evidence provided suggested that the investment in question related to the provisions of a slurry tank and cattle crush which are not deemed as a qualifying investment. A formal letter outlining my Department's decision issued to the person named.

The person named subsequently appealed this decision. In all such cases, the procedure is that all contentions put forward in support of an appeal are first of all reviewed within my Department to see whether there is sufficient evidence to warrant any change to the original decision. In this case the documentation was examined by my Department but did not provide grounds for a change to the original decision. This process took some time to complete. The case has since been forwarded to the Independent Single Payments Appeals Committee for their consideration. The case is scheduled to be presented for decision at the Single Payment Appeals Committee meeting on the 5th April 2007. The Committee will correspond directly with the person named following the outcome of their review.

Departmental Staff.

709. **Mr. Kehoe** asked the Minister for Agriculture and Food if there are clerical positions available in her Department (details supplied); if so, when they will become available; and if she will make a statement on the matter. [9802/07]

Minister for Agriculture and Food (Mary Coughlan): There are no clerical officer vacancies in Johnstown Castle, Wexford.

Grant Payments.

710. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Galway has not received their total single farm payment; and if she will make a statement on the matter. [9811/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the 2006 Single Payment Scheme to the person named was submitted on the 30th January 2007. The application was accepted even though the closing date for receipt of completed applications to transfer entitlements was the 16th May 2006.

During processing of the Transfer application it was necessary for an official of my Department to request specific documentation relating to the application. The requested information was received and the application is now fully processed. Payment of €6,546.97 in respect of 30.2 transferred entitlements issued to the person named on the 13th March 2007.

Departmental Expenditure.

711. **Mr. G. Mitchell** asked the Minister for Agriculture and Food the cost of energy used running her Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and her plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9816/07]

Minister for Agriculture and Food (Mary Coughlan): The total cost of energy for my Department in 2002 was €1.57 million. In 2006 the total cost was €3.78 million. It has not been possible in the time available to compile the quantity of energy used in these years. My Department is examining the question of renewable fuels and a new woodchip heating system has been installed in my Departments office in Wexford.

Departmental Staff.

712. **Mr. Sargent** asked the Minister for Agriculture and Food if she will report on gender balance at each grade in her Department and in

agencies that come under the aegis of her Department. [9844/07]

Minister for Agriculture and Food (Mary Coughlan): My Department is committed to implementing the Civil Service policy on equality of opportunity, including gender equality. This commitment is reflected in my Department's Human Resource Strategy, which sets out specific actions for implementing equality measures in a proactive and progressive manner. The table identifies the gender balance for each grade in my Department.

There are seven statutory bodies under the aegis of my Department: An Bord Bia; Coford; Coillte; Irish National Stud; National Milk Agency, Teagasc and Veterinary Council. There are currently a total of 87 persons serving on the Boards of these bodies (including Chairpersons), of which 17 are women. I do not have full discretion in relation to appointments to some boards since some appointments are made on the basis of nominations by relevant organisations, in accordance with legislation. While appointments to the boards are made on the basis of technical competence and experience, it is my aim to achieve a reasonable gender balance in this regard.

The appointment of staff to the agencies is an organisational matter for the agencies themselves.

Grade	Female	Male
	%	%
Administrative Officer	57	43
Agricultural Inspector	18	82
Area Superintendent	0	100
Assistant Agricultural Inspector	30	70
Assistant Librarian	100	0
Assistant Principal	32	68
Assistant Secretary	0	100
Chemist	33	67
Chief Inspector/Agricultural Inspector	0	100
Chief Technologist	0	100
Chief Veterinary Officer	0	100
Civilian Driver	0	100
Cleaner	79	21
Clerical Officer	87	13
Dairy Produce Officer	0	100
Deputy Chief Inspector	0	100
Deputy Chief Technologist	0	100
Deputy Chief Veterinary Off	0	100
Deputy Dir Vet Research Lab	0	100
Director Vet Research Lab	0	100
District Superintendent	3	97
Executive Officer	71	29
First Assistant Solicitor	0	100
Forestry Inspector Grade 1	0	100

Grade	Female	Male
	%	%
Forestry Inspector Grade 2	8	92
Forestry Inspector Grade 3	12	88
General Operative	50	50
Head Laboratory Attendant	0	100
Head Of Legal Services	0	100
Head Services Officer	0	100
Higher Executive Officer	48	52
Higher Seed Analyst	67	33
Inspector Grade 1	0	100
Inspector Grade 2	0	100
Laboratory Attendant	9	91
Laboratory Technician	71	29
Librarian	100	0
Personal Assistant	100	0
Personal Secretary	100	0
Poultry Officer	100	0
Press And Publicity Officer	0	100
Principal	15	85
Professional Accountant Grade 1	100	0
Research Officer	35	65
Secretary General	0	100
Seed Analyst	57	43
Senior Dairy Produce Officer	0	100
Senior Inspector	0	100
Senior Laboratory Technician	38	62
Senior Legal Clerk	0	100
Senior Research Officer	13	88
Senior Seed Analyst	0	100
Senior Serological Assistant	100	0
Senior Superintending Veterinary Inspector	17	83
Senior Surveyor	0	100
Serological Assistant	76	24
Services Attendant	0	100
Services Officer	10	90
Staff Officer	81	19
Storekeeper	0	100
Superintendent Surveyor	0	100
Superintending Senior Research Officer	0	100
Superintending Veterinary Inspector	8	92
Supervising Instructor Poultry	100	0
Supervising Poultry Officer	100	0
Supervising Serological Asst	90	10
Supervisory Agricultural Officer	3	97
Technical Agricultural Officer	3	97
Veterinary Inspector	21	79
Visually Impaired Telephonist	100	0
Total	48	52

Departmental Properties.

713. **Mr. English** asked the Minister for Agriculture and Food when her Department's office in Navan, County Meath will be reopened fully; the location where files concerning her Department's work at this office are currently held; if normal access is available for these files when requested by farmers; and if she will make a statement on the matter. [9871/07]

Minister for Agriculture and Food (Mary Coughlan): The reopening in full of the Offices in Kells Road in Navan is dependent on the results of tests being carried out at the request of my Department. In the interim temporary offices in Trim have been provided by the Office of Public Works for my staff. Staff have access to all files in the Navan and Trim offices.

Animal Welfare.

714. **Mr. Sargent** asked the Minister for Agriculture and Food if she will afford cats the same protection in law as dogs and require incidents of cruelty to be recorded and humane neutering of feral cats to be undertaken in the interest of animal welfare. [9879/07]

Minister for Agriculture and Food (Mary Coughlan): My Department has statutory responsibility for the welfare and protection of farmed animals under the Protection of Animals Kept for Farming Purposes Act 1984, and the European Communities (Protection of Animals Kept for Farming Purposes) Regulations 2006 (SI No 705 of 2006). It does not have statutory responsibility for the care and welfare of other animals such as cats.

The Protection of Animals Act 1911 and the Protection of Animals (Amendment) Act 1965 are the principal statutes governing cruelty to animals in this country. Responsibility for pursuing complaints under that legislation rests with An Garda Síochána. On receipt of such complaints, the Gardai have a statutory basis on which to investigate and bring a prosecution against any person alleged to have committed an act of cruelty against an animal.

Afforestation Programme.

715. **Mr. G. Murphy** asked the Minister for Agriculture and Food when her Department through the forest services will reply to a request for an afforestation grant from a person (details supplied) in County Cork. [9886/07]

Minister for Agriculture and Food (Mary Coughlan): The site in question is in an area which the Department of Environmental, Heritage and Local Government has identified as one of a number of areas around the country which are important for the survival of the Hen Harrier, which is a protected species. The European Com-

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mission has expressed the gravest concern at any further planting within these areas until it is possible to fully assess the impact of forestry on the species.

In order to do that, it is necessary to work out what type of management regime needs to be put in place to accommodate both forestry and the hen harrier in the areas being proposed as Special Protection Areas.

The Department of Environment, Heritage and Local Government has established a working group, on which the forestry and farming interests are represented, as well as my Department, to help with the development of such a management regime. Good progress is being made and I hope that matters can be brought to an early resolution.

Grant Payments.

716. **Mr. J. O’Keeffe** asked the Minister for Agriculture and Food if her Department will finalise its consideration of a case involving a transfer of entitlements (details supplied). [9892/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the 2006 Single Payment Scheme from the first person named was submitted on the 31st March 2006.

The Regulations governing the transfer of entitlements provide that Single Payment entitlements may be transferred without land only if the transferor has used at least 80% of his payment entitlements in one calendar year. This application for the transfer of entitlements from the first person named was rejected as he did not use 80% of his entitlements in 2005. A formal letter outlining this decision was issued in this case on the 14th March 2007.

717. **Mr. J. O’Keeffe** asked the Minister for Agriculture and Food if her Department will expedite its deliberations on a single farm payment entitlement under *force majeure* (details supplied). [9893/07]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for consideration of his circumstances under the Force Majeure/Exceptional Circumstances measure of the Single Payment Scheme. Having assessed the application, my Department informed the person named that the circumstances outlined did not fulfill the Force Majeure criteria laid down in Article 40 of Council Regulation (EC) No 1782/2003. The person named appealed this decision to the Independent Single Payment Appeals Committee who recommended that the decision of my Department be upheld.

The person named also applied for the New Entrant measure of the Single Payment Scheme.

This application was successful with the reference years 2000 and 2001 excluded and the year 2002 utilised for the purposes of calculating his Single Payment. Payment in respect of the 2005 and 2006 Single Payment Schemes have been issued in full to the person named.

718. **Mr. Lowry** asked the Minister for Agriculture and Food the reason a payment has been withheld from a person (details supplied) in County Tipperary; if she will ensure full payment is made as soon as possible; and if she will make a statement on the matter. [9920/07]

Minister for Agriculture and Food (Mary Coughlan): My Department’s records have revealed that the farming enterprise of the person named produced considerably in excess of the REPS upper limit of 170 kgs organic nitrogen per hectare in 2005. This is a serious breach of the Scheme conditions. He was informed of this breach by letter on 4 September 2006 and was asked for an explanation. He provided an unsatisfactory explanation and my Department will be writing to him again shortly.

719. **Mr. Kehoe** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Wexford is not entitled to receive single farm payment; and if they are entitled to apply through the national reserve. [9928/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that Single Payment entitlements were generally established for farmers who were farming and in receipt of direct payments under the Livestock Premia and/or Arable Aid Schemes during the reference years 2000, 2001 and 2002 and who continued to farm in 2005. The person named did not receive payments under the Livestock Premia and/or Arable Aid Schemes during the reference years and therefore no Single Payment entitlements were established for him.

Farmers who commenced farming after 31 December 2002 or who were farming during 2002 but did not receive any direct payments in respect of that year were eligible to apply for entitlements from the 2005 National Reserve. A similar category was included under the 2006 National Reserve. The closing date for receipt of applications under the 2006 National Reserve was 22 October 2006.

The person named did not submit an application under the 2005 or 2006 National Reserve measures of the Single Payment Scheme. However, my Department will now send him an application for the 2006 National Reserve in case he qualifies as a new entrant to farming under Category B.

720. **Mr. McEllistrim** asked the Minister for Agriculture and Food the reason a farmer (details

supplied) in County Kerry has not been awarded their brucellosis grant for the years 1995 to 1997, inclusive. [9936/07]

Minister for Agriculture and Food (Mary Coughlan): My Department has been informed by the Office of the Chief State Solicitor that, while there have been no developments in the case in the past two years, they have not been informed by the legal representatives of the person concerned that the case has been withdrawn. If it is the intention of the person concerned to withdraw the case, he or his legal representatives should notify the State Solicitor immediately.

721. **Ms Harkin** asked the Minister for Agriculture and Food the moneys paid out and to whom in respect of a commonage (details supplied); and the written proof of entitlement to payment each of the payees submitted to her Department. [9959/07]

Minister for Agriculture and Food (Mary Coughlan): Under EU legislation in order to draw down Single Payment, an applicant must declare an eligible hectare to accompany each entitlement.

As stated in the terms and conditions of the Scheme, in all cases where commonage shares/grazing rights are declared for the purposes of using entitlements, one of the conditions of eligibility is the existence of documentary evidence of entitlement to the shares/rights declared. In general this condition can be satisfied by submitting a copy of the Land Registry Folio showing registered commonage shares, or copy of Land Registry Folio showing grazing rights held, Land Commission Vesting Order, certified copy of relevant estate papers from Land Commission records, grant by the freehold legal owner, grazing trust deed, or grant of deed by the original estate landlord.

These documents may be requested in one or all years that the land is being claimed, particularly in cases where commonage is in dispute or where the applicants on the same commonage change from one year to the next.

In circumstances where no documentary evidence as listed above exists, my Department may for the purposes of claiming the EU Single Payment/Disadvantaged Areas Scheme, accept a joint affidavit signed by all shareholders setting out the total number of commonage shares, each shareholder's share entitlement, an undertaking that if at any future date a person, other than the deponents or their successors, establishes a claim to existing share, such person would be accommodated by a proportionate reduction in the existing shares as set out in the affidavit, and the statement that the affidavit will not be used for purposes other than those for which it was prepared. Any such affidavit shall be accompanied by a map of the Commonage, showing the total area, and

documentation showing that the deponents have made every reasonable effort to establish a definitive list of shareholders relative to the entire area to which the affidavit refers.

In the case of the commonage in question, the above documentation has been requested as proof of entitlement to payment for each of the applicants applying for Single Payment and also area aid payments from 2000-2006. However, as the information requested by the Deputy is not specifically on behalf of one applicant, and relates to a number of applicants over a number of years, such third party information which is of a confidential and commercially sensitive nature cannot be disclosed without prior consultation and approval by the people in question.

722. **Mr. McEllistrim** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Kerry, has not received their single farm payment despite being assured by her transfer of entitlements section that it would be expedited some months ago. [9989/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the 2006 Single Payment Scheme from the first person named was received on the 30th March 2006. The application is now fully processed and payment in respect of 12.58 transferred entitlements will issue shortly.

Afforestation Programme.

723. **Mr. Kehoe** asked the Minister for Agriculture and Food when a decision will be made by Coillte regarding tree planting for a person (details supplied) in County Wexford; and the reason for the delay in informing applicant of same. [9990/07]

Minister for Agriculture and Food (Mary Coughlan): I am happy to let the Deputy know that afforestation grant aid approval has issued to the person in question. I should point out, however, that such grants are made by the Forest Service of my Department, and not by Coillte Teoranta.

EU Directives.

724. **Mr. Allen** asked the Minister for Agriculture and Food the number of EU directives awaiting transposition in her Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if she will make a statement on the matter. [10045/07]

Minister for Agriculture and Food (Mary Coughlan): The 13 directives to be transposed into national law for which my Department has

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responsibility are set out in the schedule. None are overdue for transposition. I intend to have the

directives implemented by the due date in each case.

Schedule

Directives to be implemented by the Department of Agriculture and Food: 13

Title of Directive	Date by which Directive is to be implemented
Council Directive 2005/24/EC of 14 March 2005 with regard to the use of ova and embryos and storage centres for semen from pure-bred breeding animals of the bovine species. (OJL 78, 24/03/05, p43)	23 March 2007
Commission Directive 2006/56/EC of 12 June 2006 amending the Annexes to Council Directive 93/85/EEC on the control of potato ring rot. (OJL 182, 04/06/2006, p1)	31 March 2007
Commission Directive 2006/63/CE of 14 July 2006 amending Annexes II to VII to Council Directive 98/57/EC on the control of <i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al. (OJL 206, 27/07/06, p.27)	31 March 2007
Commission Directive 2006/124/EC of 5 December 2006 amending Council Directive 92/33/EEC on the marketing of vegetable propagating and planting material other than seed and Council Directive 2002/55/EC on the marketing of vegetable seed. (OJL 339 6/12/2006, p12)	30 June 2007
Commission Directive 2006/127/EC of 7 December 2006 amending Directive 2003/91/EC setting out implementing measures for the purposes of Article 7 of Council Directive 2002/55/EC as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of vegetable species. (OJL 343 8/12/2006, p.82)	30 June 2007
Commission Directive 2007/6/EC of 14 February 2007 amending Council Directive 91/414/EEC to include metrafenone, <i>Bacillus subtilis</i> , spinosad and thiamethoxam as active substances. (OJL 43 15.2.2007, p. 13)	31 July 2007
Commission Directive 2007/8/EC of 20 February 2007 amending Annexes to Council Directives 76/895/EEC, 86/362/EEC and 90/642/EEC as regards maximum residue levels for phosphamidon and mevinphos. (OJL 63, 1/3/2007, p.9)	1 September 2007
Commission Directive 2007/9/EC of 20 February 2007 amending the Annexe to Council Directive 90/642/EEC as regards maximum residue levels for aldicarb. (OJL 63, 1/3/2007, p.17)	1 September 2007
Commission Directive 2007/11/EC of 21 February 2007 amending certain Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC as regards maximum residue levels for acetamiprid, thiacloprid, imazosulfuron, methoxyfenozide, S-metholachlor, milbemectin and tribenuron. (OJL 63, 1/3/2007, p26)	1 September 2007
Commission Directive 2006/130/EC of 11 December 2006 implementing Directive 2001/82/EC of the European Parliament and of the Council as regards the establishment of criteria for exempting certain veterinary medicinal products for food-producing animals from the requirement of a veterinary prescription. (OJL 349 12/12/2006 p.15)	30 September 2007
Commission Directive 2006/77/EC of 29 September 2006 amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council as regards maximum levels for organochlorine compounds in animal feed. (OJL 271, 30/09/2006, p53)	19 October 2007
Commission Directive 2007/10/EC of 21 February 2007 amending Annex II to Council Directive 92/119/EEC as regards the measures to be taken within a protection zone following an outbreak of swine vesicular disease. (OJL 63, 1/3/2007, p24)	1 January 2008
Commission Directive 2007/5/EC of 7 February 2007 amending Council Directive 91/414/EEC to include captan, folpet, formetanate and methiocarb as active substances. (OJL 35 8/2/2007, p. 11)	31 March 2008

Grant Payments.

725. **Mr. Naughten** asked the Minister for Agriculture and Food if she will provide a response to correspondence (details supplied); when the person in question will be issued with the remainder of their 2006 single farm payment; and if she will make a statement on the matter. [10146/07]

Minister for Agriculture and Food (Mary Coughlan): The 2006 Single Payment application and amendment form for the person named have been fully processed by the Single Payment Unit. The balance of payment due to him will issue as soon as possible.

Farm Inspections.

726. **Mr. Kehoe** asked the Minister for Agriculture and Food the cost of inspections by her Department held on 9 November 2006 in the Connemara and south Mayo region; the number of personnel involved in these inspections, their costs and the cost of the provision of helicopter transport used in these inspections; the number of farm inspectors involved and where applicable the cost of their overnight subsistence; and if she will make a statement on the matter. [10254/07]

Minister for Agriculture and Food (Mary Coughlan): The inspection referred to was an exercise to monitor compliance with the de-stock-

ing requirements of Commonage Framework Plans and was a requirement of the European Commission. On the date in question, by arrangement, the flock owners gathered their sheep flocks off the commonages for counting by a number of officials of my Department, while other officials inspected the commonages to confirm that all sheep were removed. An area of some 8,100 hectares was involved, including some very difficult terrain; 18,600 sheep belonging to 129 flock-owners were subject to the inspection. The number of Department staff involved was 51 and the cost of travel and subsistence was approx €9,250.

My officials made use of a helicopter in the course of this exercise, but my Department did not provide it; it was provided by another Department and was primarily in the area for another purpose.

Grant Payments.

727. **Mr. Ring** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Mayo has not been granted a single farm payment. [10270/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the Single Payment Scheme to the person named was submitted on the 24th April 2006.

During processing of the Transfer application it was necessary for an official of my Department to write to the person named to seek clarification on certain matters relating to the application. Further documentation was received on the 8th February 2007. The application is now fully processed and payment in respect of 28.03 standard entitlements, transferred by way of inheritance will issue shortly.

Turbary Rights.

728. **Dr. Cowley** asked the Minister for Agriculture and Food if a person with ten shares of turbary rights is entitled to keep these rights even if all the land around the bog, including the bog in question, is sold; if the new owner has rights to dig away a bog positioned beside a river; and if she will make a statement on the matter. [10271/07]

Minister for Agriculture and Food (Mary Coughlan): This person appears to have turbary rights appurtenant to his folio, over other lands in the same townland. The interests of the various parties, fee simple and turbary right owners are protected by both statute and common law. Disputes arising between the various interest holders are matters for resolution between the parties either by negotiation or by way of application to

court. Disputes of this nature are not matters for my Department to resolve.

Single Payment Scheme.

729. **Mr. Timmins** asked the Minister for Agriculture and Food if she will streamline the cross-compliance inspection document which currently contains 1,450 questions; if she will re-examine the tone of the questions contained in it; if her attention has been drawn to the fact that it takes several hours to complete the document; and if she will make a statement on the matter. [10284/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that the introduction of the Single Payment Scheme and my Department's commitment in the Charter of Rights for farmers to ensure maximum integration of inspections has resulted in a drop in annual on-farm inspection levels from 18,000 under the coupled regime to less than 8,000 in 2006. I agree that the inspection requirements linked to cross-compliance are complex and I am committed to negotiating significant changes in the context of the simplification exercise, which is currently underway in the Commission. I think it needs to be made clear however that the inspection checklist on cross-compliance is not a document for completion by the farmer but for completion by my Department's inspector.

It is important also to bear in mind that the controls under the various direct payment schemes are set out in EU Regulations. Failure to ensure a satisfactory control environment leaves a member State open to serious financial penalty — a fact that cannot be lightly dismissed given the magnitude of annual payments of €1.9 billion to Irish farmers under the Single Payment Scheme, the Disadvantaged Areas Scheme and REPS. Nonetheless, I believe that the cross-compliance inspection requirements are overly demanding on farmers. It is my clearly held view that some practical amendments can be secured without in any way undermining the objectives of cross-compliance or putting accountability in the disbursement of EU and national funds at risk.

As I have made clear already, I have raised my concerns about the Single Payment Scheme — particularly the inspection arrangements and the need for advance notice — with Commissioner Fischer Boel on a number of occasions. I have also discussed the problems with Minister Seehofer, the German President of the Agriculture Council and I am assured of his commitment to dealing with the issues over the next few months.

The Commission is at an advanced stage in finalising a review document on cross-compliance. I expect this to be cleared through the Commission before the end of March and it will then go to the Agriculture Council for discussion

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in April. With the commitment of the Presidency to progressing the dossier speedily, I am hopeful that changes can be agreed in time to apply to the 2007 inspection arrangements.

In tandem with this, my Department is carrying out a full review of the inspection arrangements and checklists for the Single Payment Scheme with a view to simplification of the arrangements (including paperwork) where possible while, at the same time, ensuring compliance with the regulatory requirements. The review of the inspection report forms together with the outcome of the Commission's review of the cross-compliance arrangements generally, will be fully discussed with the farming organisations before the Single Payment Scheme inspections for 2007 get underway.

Farm Inspections.

730. **Mr. Timmins** asked the Minister for Agriculture and Food if she will ensure that no farm inspection will take place without at least 48 hours prior notice; and if she will make a statement on the matter. [10285/07]

Minister for Agriculture and Food (Mary Coughlan): The policy towards on-farm inspection has been to give advance notification of up to 48 hours in all cases. This policy of systematic pre-announcement of inspections was questioned by the European Commission in July 2006 and its unacceptability was conveyed to my Department in a formal communication in August. As a result my Department was obliged to agree to a proportion of Single Payment Scheme inspections being carried out in 2006 without prior notification. Some 650 farms out of 130,000 involved in the Single Payment Scheme were subsequently selected for unannounced inspection. The balance of inspection cases, representing some 92% of the 7,514 farms selected for Single Payment Scheme/Disadvantaged Areas Scheme inspection in 2006, were all pre-notified to the farmer.

The EU regulations governing the Single Payment Scheme would allow my Department to give pre-notification of inspection in all cases where certain elements of cross-compliance are involved e.g. the Nitrates Regulations. However, my Department is committed, in the Charter of Rights for Farmers 2005-2007 to carrying out all Single Payment Scheme and Disadvantaged Area Scheme checks during one single farm visit in most cases. This then obliges my Department to respect the advance notice requirements applicable to the most stringent element of the inspection regime viz. maximum of 48 hours notice but with no advance notice in a proportion of cases.

My Department believes that pre-notification of Single Payment Scheme/Disadvantaged Areas

Scheme inspections fits in with the practicalities of Irish agriculture where increasingly, farmers are also engaged in off-farm employment. In a decoupled Single Payment Scheme system, the provision of advance notification of inspection to the farmer should not negatively impact on the effectiveness of the control. However, as the EU regulations stand, my Department is obliged to carry out a proportion of inspections without prior notification and this is what was done in 2006. My Department is seeking authority to allow advance notification in all inspection cases and I will continue to press this point in the CAP simplification process.

The Commission is at an advanced stage in finalising a review document on cross-compliance. The review will include the question of advance notice of inspections. In tandem with this, my Department is carrying out a full review of the inspection arrangements and checklists for the Single Payment Scheme with a view to simplification of the arrangements (including paperwork) where possible while, at the same time, ensuring compliance with the regulatory requirements. The review of the inspection report forms together with the outcome of the Commission's review of the cross-compliance arrangements generally, will be fully discussed with the farming organisations before the Single Payment Scheme inspections for 2007 get underway.

731. **Mr. Timmins** asked the Minister for Agriculture and Food if she will re-examine the method of dairy farm inspection and rebalance the inspection emphasis on the quality of the milk received at the co-operative as opposed to the current regime which involves many hours on the farm; and if she will make a statement on the matter. [10286/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that my Department is carrying out a full review of the inspection arrangements (including those in the dairying area) and checklists for the Single Payment Scheme with a view to simplification of the arrangements (including paperwork) where possible while, at the same time, ensuring compliance with the regulatory requirements. The review of the inspection report forms together with the outcome of the Commission's review of the cross-compliance arrangements generally, will be fully discussed with the farming organisations before the Single Payment Scheme inspections for 2007 get underway.

732. **Mr. Timmins** asked the Minister for Agriculture and Food if she will place a time limit on the time spent by her officials on a farm to half a day; and if she will make a statement on the matter. [10287/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that my Department, in the context of delivering the Single Payment Scheme, is required to carry out on-the-spot inspections on a number of farms covering such issues as eligibility under the Scheme, compliance with EU legislation in the areas of the environment, food safety, animal health and welfare and plant health and ensuring that the farm is maintained in good agricultural and environmental condition (GAEC).

A minimum of 5% of Single Payment Scheme applicants are required to be inspected under the eligibility rule. Up to two-thirds of these inspections are carried out without a farm visit and using the technique of remote sensing.

The rate of on-farm inspection required for cross-compliance is 1% of those farmers to whom the Statutory Management Requirements (including the Nitrates Directive) or GAEC apply. However at least 5% of producers must be inspected under the Bovine Animal Identification and Registration requirements as this level is prescribed under the relevant Regulations.

The position is that under the Charter of Rights for Farmers, my Department is committed to ensuring the maximum level of integration of inspections across all areas including inspections under the Single Payment Scheme and the Disadvantaged Areas Scheme. This integration means that control checks are carried out in relation to eligibility of land declared, identification and registration of animals on the holding, and compliance with the other 18 Statutory Management Requirements (SMRs) under cross-compliance in one farm visit. On this basis, the overall number of annual inspections associated with the Single Payment Scheme is unlikely to exceed 7,200. This is a very significant reduction from the 18,000 inspections annually under the old coupled regime.

This approach minimises the level of inconvenience to farmers. However, because of the integration of all inspections associated with the Single Payment Scheme, it is not possible to prescribe specific time limits for the completion of such inspections as the number of issues to be checked varies from farm to farm.

Bovine Diseases.

733. **Mr. Timmins** asked the Minister for Agriculture and Food if she will extend the 30 months BSE testing time to 36 months; and if she will make a statement on the matter. [10288/07]

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, lay-

ing down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (The TSE Regulation). Accordingly I do not have the discretion to raise this age threshold as I would wish to do in view of the major progress achieved here in relation to BSE.

I have been making repeated efforts to have the age thresholds for the various categories of animals changed, based on the results of surveillance carried out here. Under the recently amended TSE regulation there is provision for a revision to Member States' monitoring programmes (including changes to the age at which healthy slaughtered animals for human consumption must be tested for BSE) on the basis of applications by Member States in response to their improved BSE situation. Such applications will have to be assessed according to criteria for evaluating the improvement of the epidemiological situation that have yet to be laid down. The matter is currently under discussion at TSE working group level in Brussels and will take some time to finalise.

Any request for such changes would require to be approved by the European Commission and the other Member States within the framework of the Standing Committee on Animal Health and the Food Chain. I will, of course continue to press for a change in the age threshold at every opportunity.

734. **Mr. Timmins** asked the Minister for Agriculture and Food her plans to extend the 30-day brucellosis testing time; and if she will make a statement on the matter. [10289/07]

Minister for Agriculture and Food (Mary Coughlan): The 30-day pre-movement test was introduced in 1998 to curtail the spread of Brucellosis following an upsurge in the disease. A range of other measures was also introduced in the late 1990s with the same objective. These included the early removal of reactors, the rapid depopulation of herds, the taking of blood samples from cows at slaughter plants, the Milk Ring Test (MRT) (subsequently replaced by the Milk ELISA test), and the lime treatment of slurry on infected farms on all Brucellosis depopulated farms.

The veterinary advice at the time, which continues to apply, was that the movement/buying-in of cattle was a major contributory factor in the spread of the disease and the 30 day test has contributed significantly to the effort in reducing the incidence of the disease, particularly in that it reduces the movement of brucellosis susceptible animals.

The impact of these measures has been very positive and very substantial progress has been made since 1998 in reducing disease levels. While there has been a significant reduction in the incid-

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ence of Brucellosis, we cannot become complacent about this highly contagious disease and the essential elements of the programme must be retained for the time being. Otherwise, we run the risk of losing the progress made in recent years. I am however keeping the various control measures under review taking account of the current low disease levels and the risks involved.

735. **Mr. Timmins** asked the Minister for Agriculture and Food her plans to extend the 12-month TB testing time; and if she will make a statement on the matter. [10290/07]

Minister for Agriculture and Food (Mary Coughlan): Under the EU Directive 64/432/EEC, which sets down the rules for trade in live animals, the testing requirements for TB in the case of Member States which have disease levels similar to Ireland are that all animals over 6 weeks of age being moved out of a holding or other land must be from a clear herd and must have a valid TB test which, in general, means that the animal has been tested during the 12 months immediately preceding the date of movement. There are no proposals at EU level to change these rules.

The 12 month testing regime forms part of our overall national strategy for the eradication of TB, which provides for a comprehensive range of measures, including the early removal of reactors, a wildlife programme involving the targeted removal of badgers where they are implicated in a TB outbreak, the use of the gamma Interferon test in problem herds as an adjunct to the tuberculin test and the depopulation of infected herds where the level or duration of infection indicates that this is necessary to clear the herd and/or protect the neighbourhood.

Grant Payments.

736. **Mr. Hayes** asked the Minister for Agriculture and Food the situation regarding a person (details supplied) in County Tipperary in respect of their application under the single payment scheme; if she will confirm that all relevant information has been submitted; and if so, when payment will issue. [10317/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the Single Payment Scheme from the person named was submitted on the 3rd November 2006. The application was accepted even though the closing date for completed applications to transfer entitlements was the 16th May 2006.

During processing of the Transfer application it was necessary for an official of my Department to request specific documentation relating to the

application. The requested information was received and the application is now fully processed. Payment in respect of 40.68 transferred entitlements will issue shortly.

737. **Mr. Ring** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Mayo has not received their single farm payment. [10340/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the Single Payment Scheme to the person named was submitted on the 28th September 2006.

During processing of the Transfer application it was necessary for an official of my Department to request specific documentation relating to the application. The requested information was received and the application is now fully processed. Payment in respect of 16.20 standard entitlements, transferred by way of inheritance will issue shortly.

Rural Environment Protection Scheme.

738. **Mr. Kehoe** asked the Minister for Agriculture and Food if she will reverse the decision not to reclassify spent mushroom compost as an industrial waste under REP scheme 4 rather than as it has always been classified with the chicken and pig manure due to the huge effects it will have on mushroom producers who will incur the significant additional expense of disposing of it when it should continue to be recycled; and if she will make a statement on the matter. [10344/07]

Minister for Agriculture and Food (Mary Coughlan): Currently REPS farmers may import spent mushroom compost to be used to replace some or all of the chemical nitrogen requirements on the farm. I have no plans to change these arrangements in REPS 4.

Farm Inspections.

739. **Mr. Ring** asked the Minister for Agriculture and Food the number of inspections that have taken place regarding the nitrates directive in County Mayo and nationally on a county basis. [10355/07]

740. **Mr. Ring** asked the Minister for Agriculture and Food the person who is carrying out the inspections in relation to the nitrates directive; and if she will make a statement on the matter. [10356/07]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 739 and 740 together.

The rate of on-farm inspection required for cross-compliance is 1% of those farmers to whom

certain Statutory Management Requirements (including the Nitrates Directive) or good agricultural and environmental condition (GAEC) apply. In 2006 this resulted in some 1330 Cross Compliance inspections under the Nitrates SMR.

33 of these inspections were in County Mayo. The figures nationally on a County basis are as in the table. In all cases the inspections are carried out by Technical Agricultural Officers of my Department.

County	Inspections
Carlow	18
Cavan	30
Clare	5
Cork	232
Donegal	27
Dublin	1
Galway	75
Kerry	145
Kildare	9
Kilkenny	88
Laois	53
Leitrim	11
Limerick	131
Longford	7
Louth	12
Mayo	33
Meath	47
Monaghan	19
Offaly	17
Roscommon	25
Sligo	13
Tipperary	116
Waterford	70
Westmeath	9
Wexford	56
Wicklow	81

Decentralisation Programme.

741. **Ms Shortall** asked the Minister for Agriculture and Food the number of civil servants in her Department who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if she will make a statement on the matter. [10523/07]

Minister for Agriculture and Food (Mary Coughlan): To date, 200 civil servants have transferred to Portlaoise under my Department's decentralisation programme. 79 (or 40%) of these transferred to my Department via the Central

Applications Facility (CAF), while the remainder were mainly internal transfers. To date, it has been my Department's practice to transfer non-Dublin based people directly to Portlaoise.

Services for People with Disabilities.

742. **Mr. Kehoe** asked the Minister for Agriculture and Food the services and facilities available to persons with a hearing disability who wish to phone her Department; and if she will make a statement on the matter. [10945/07]

Minister for Agriculture and Food (Mary Coughlan): My Department is mindful of its commitment under the Disability Act, 2005 and regularly reviews its facilities and services. While no request has been received for such services and facilities of the type described my Department has, on request, provided Minicomms for people with a hearing disability in the Department to facilitate communication.

Special Educational Needs.

743. **Ms Lynch** asked the Minister for Education and Science if, having regard to the recommendation at paragraph 436 of the second shadow report to the United Nations Committee on the Rights of the Child, published by the Children's Rights Alliance, she will review the omission of her ministry from the list of Ministers obliged by section 31 of the Disability Act 2005 to draw up a sectorial plan; if such a review will take place earlier than the five year deadline provided for by section 6 of that Act; and if she will make a statement on the matter. [9765/07]

808. **Ms Lynch** asked the Minister for Education and Science her views having regard to the recommendation at paragraph 436 of the second shadow report to the United Nations Committee on the Rights of the Child, published by the Children's Rights Alliance, on whether her omission from the list of Ministers obliged by section 31 of the Disability Act 2005 to draw up a sectorial plan should be reviewed; if, pending such a review and amendment to the Act, she will draw up such a plan on a non-statutory basis; and if she will make a statement on the matter. [9766/07]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 743 and 808 together.

My Department is not required to produce a sectorial plan as the Education for Persons with Special Educational Needs Act, 2004 (EPSN Act) specifically deals with the education sector.

The National Council for Special Education recently submitted its implementation report which sets out its views and recommendations on a plan for the implementation of the EPSN Act over a period of 5 years and this is currently being considered by my Department.

Dormant Accounts Fund.

744. **Mr. Connaughton** asked the Minister for Education and Science the position of an application for funding under the dormant accounts fund by a school (details supplied) in County Galway for a school library; and if she will make a statement on the matter. [9812/07]

Minister for Education and Science (Ms Hanafin): The closing date for receipt of applications under the Dormant Accounts/RAPID Leverage Fund Small Scale Capital Grants Scheme was 1 March 2007. The Midland Regional Office of my Department received over 1,000 applications for the scheme including applications from both of the schools referred to by the Deputies.

These applications are currently being logged and acknowledged. Once this process is complete my officials will start the process of assessing and ranking the applications. In keeping with the requirements of the Dormant Accounts Fund legislation the assessed applications will be considered by the Interdepartmental Committee on Educational Disadvantage, who will make recommendations to the Minister for Community, Rural and Gaeltacht Affairs.

Minister Ó Cuív will then submit the list of recommendations to the Government for approval. Funding for approved projects will be channelled through my Department's Vote.

I cannot give an exact date of when the list of successful applicants will be announced, however, I hope to be able to make this announcement before the schools break for the summer holidays.

Schools Building Projects.

745. **Mr. F. McGrath** asked the Minister for Education and Science if a school (details supplied) in Dublin 3 will be assisted with funding. [9400/07]

Minister for Education and Science (Ms Hanafin): I wish to advise the Deputy that as a result of a recent planning appeal, the Department has been informed that direction was received by An Bord Pleanála that the contribution charge referred to be omitted from the conditions of planning permission.

Residential Institutions Redress Scheme.

746. **Mr. Deasy** asked the Minister for Education and Science the way moneys from the Education Finance Board (details supplied) for survivors of residential care abuse is being disbursed; and the way a person can apply for funding under this scheme. [9405/07]

Minister for Education and Science (Ms Hanafin): The Indemnity Agreement concluded between the State and religious congregations in June 2002 provided a fund of €12.7 million for

educational programmes for former residents of institutions and their families. Pending the establishment of this fund on a statutory basis, my Department introduced an ad-hoc grants scheme, which was administered by the National Office for Victims of Abuse (NOVA) between 2003 and 2006. Some €2.5 million was paid in education grants under this scheme to former residents and their families.

The scheme was put on a statutory basis last year following the establishment of the Education Finance Board under the Commission to Inquire into Child Abuse (Amendment) Act 2005. The Board was formally established on 17th February 2006 and I appointed Mr Dick Langford, former CEO of City Of Cork VEC, as Chairperson along with eight other Board members, four of whom are former residents.

After deducting some €2.5 million expenditure incurred under the ad-hoc scheme and allowing for interest of €0.75 million accruing on the €12.7 million fund, the Board had a net fund of almost €11 million at its disposal on establishment. This fund is being managed by the National Treasury Management Agency and monies are drawn down from the fund to meet the ongoing costs of the Board in administering the grants scheme.

The functions of the Education Finance Board are laid down in Section 25 of the Commission to Inquire into Child Abuse (Amendment) Act 2005. The principal functions are:

- to pay grants to former residents of institutions and their relatives to assist them in availing of educational services
- to determine and publish the criteria by reference to which it will make decisions on applications for the payment of such grants, and
- to provide information in relation to educational services in respect of which grants are payable.

In November 2006, the Board published new criteria for the provision of grants to former residents and their families. Eligible claimants can obtain grant assistance to support themselves in both formal and non-formal educational and personal development activities. While the level of grant payable in each case will depend on the particular educational service being accessed, it will be possible for a former resident to receive up to €12,500 overall in assistance and for eligible family members to receive up to a further €12,500 in aggregate. The Adult Education Guidance service, located throughout the country, is available to eligible applicants to assist them in exploring possible educational/personal development opportunities under the scheme.

The Board's offices are located at Frederick Court, 24/27 North Frederick Street, Dublin. Application forms and the grant criteria can be downloaded from their website www.educationfi

nanceboard.com or by contacting the Education Finance Board at the following numbers: Phone No: 01-8745708, Fax No: 01-8745709, E-mail: info@educationfinanceboard.com

Vocational Training Opportunities Scheme.

747. **Mr. Deasy** asked the Minister for Education and Science if her attention has been drawn to the fact that participation in a VTOS course, is resulting in Waterford County Council disallowing persons from participating in the refuse charges waiver scheme; and if she will make a statement on the matter. [9406/07]

Minister of State at the Department of Education and Science (Mr. Haughey): The Vocational Training Opportunities Scheme is a second chance education initiative for unemployed persons which is funded by my Department. It is operated through the Vocational Education Committees.

The aims of the Scheme are to give unemployed people education and training opportunities which will develop and prepare them to go into paid employment or on to further opportunities leading to paid employment.

A VTOS allowance is paid by the VECs to students who previously drew unemployment benefit or assistance. The student ceases to receive an unemployment payment and instead receives a VTOS training allowance at a rate equivalent to the maximum rate of unemployment benefit, plus a payment for an adult or child dependant if appropriate. VTOS students also retain their social welfare secondary benefits.

I have become aware of the case referred to in the question. However, the operation of the refuse charge waiver scheme is for individual local authorities. My Department has made enquiries with Waterford County Council about the matter and been informed that only certain means-tested social welfare payments, which do not include VTOS, are accepted by the Council.

State Examinations.

748. **Ms C. Murphy** asked the Minister for Education and Science if she will extend the exemption scheme for examination fees to general practitioners only medical cards; if this can be done by way of ministerial order; if such an extension has been costed; and if she will make a statement on the matter. [9422/07]

Minister for Education and Science (Ms Hanafin): At present, there is an alleviation scheme in place whereby current medical card holders and their dependents are exempt from the payment of examination fees. This exemption applies to approximately 30% of all examination candidates each year. This alleviation scheme also applies in the case of repeat candidates in respect

of both the course fee and the repeat examination fee.

This alleviation scheme does not apply to holders of GP Visit Cards as these new cards do not generally bestow an entitlement to the range of alleviations conferred by the traditional medical cards.

Adult Education.

749. **Mr. Crowe** asked the Minister for Education and Science if she will review the criteria to qualify for the back to education initiative and deliver on the demand from AONTAS to ensure that people earning less than €35,000 per annum will be eligible for a BTEI course fee waiver. [8004/07]

Minister of State at the Department of Education and Science (Mr. Haughey): The recommendation that people earning less than €35,000 should not have to pay any course fees to participate in the Back to Education Initiative (BTEI) is being considered as part of a review of the eligibility criteria for the part-time BTEI programme.

Higher Education Grants.

750. **Mr. Wall** asked the Minister for Education and Science the proposals she has to overcome the stated problems in a submission (details supplied); the reason that the trainee teacher has to meet such costs; when such payments commenced; and if she will make a statement on the matter. [9424/07]

789. **Mr. McGinley** asked the Minister for Education and Science if her attention has been drawn to the campaign by a union (details supplied) to be granted expenses to cover the high costs they incur during mandatory teaching practice placements; if their claim to have expenses approved is being considered; and if she will make a statement on the matter. [9671/07]

825. **Mr. M. Higgins** asked the Minister for Education and Science if her attention has been drawn to a campaign by a college (details supplied) in Dublin 9 regarding the situation whereby trainee teachers are asked to provide all materials which they need while on teaching practice; the reason for which the State depends on trainee teachers to resource their classrooms without reimbursement for these costs; the changes which it is proposed to make to this system; and if she will make a statement on the matter. [9896/07]

829. **Mr. Lowry** asked the Minister for Education and Science her views on the issues raised in correspondence (details supplied); if she will consider granting the requests; the estimated annual cost of such a measure; and if she will make a statement on the matter. [9921/07]

859. **Dr. Cowley** asked the Minister for Education and Science if she will provide basic expenses for trainee teachers to cover the high costs they incur during mandatory teaching practice placement; and if she will make a statement on the matter. [10078/07]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 750, 789, 825, 829 and 859 together.

Teacher education programmes, provided in approved third level institutions, are recognised for the purposes of the Higher Education Grants Scheme. Under the terms of the Scheme, grant holders who are required to participate in off-campus placement, including teaching practice, as part of their course of study continue to receive their entitlements during this period.

My Department funds four maintenance grant schemes for third level and further education students which are administered by the Local Authorities and the Vocational Education Committees. The Higher Education Grant Scheme operates under the Local Authorities (Higher Education Grants) Acts, 1968 to 1992. Generally speaking, students who are entering approved courses for the first time are eligible for maintenance grants where they satisfy the relevant conditions as to age, residence, means and nationality.

An approved third level course for the purpose of the HEG and the VEC Scholarship Schemes means a full-time undergraduate course of not less than two years duration and a full-time post-graduate course of not less than one year's duration pursued in an approved institution. The Schemes outline the respective courses which are approved for grant purposes.

In addition, my Department allocates funding each year to third level institutions under the Student Assistance Fund. This fund is available in order to assist students who may be experiencing difficulties in continuing their studies because of financial hardship. The disbursement of this funding is a matter for individual institutions in line with guidelines issued by my Department.

My Department has no plans to introduce an additional scheme of financial assistance, over and above the current provision, in relation to the training of teachers.

However, my Department reviews the amount of grant payable under the schemes each year, taking into account the cost of living index and related factors.

Computerisation Programme.

751. **Mr. Wall** asked the Minister for Education and Science her views on a submission (details supplied); if her Department has any information or policy document in regard to such problems; if she has had meetings or consultations with the Department of Communications, Marine and Natural Resources or the Department of Health

and Children on the matter; and if she will make a statement on the matter. [9425/07]

Minister for Education and Science (Ms Hanafin): The Schools Broadband Programme provides broadband internet access to Primary and Post Primary schools and includes Content Filtering as an integral part of the service. The Content Filtering service is designed to control the level of access from schools, via the broadband network, to the wider internet. It does this by categorising websites under various categories and providing content filtering 'options' to schools which allow or block a combination of these website categories. Based on information and advice provided by the National Centre for Technology in Education (NCTE), the schools themselves decide on which content filtering option is most appropriate to school needs and confirm this to the NCTE. This option is then set up for the school. Currently two options have been implemented for schools. However, this may change based on the feedback from schools and responding to schools requirements.

No school is connected to the internet via the schools broadband network unless it has confirmed in writing: a) an Internet Acceptable Usage Policy in place and b) its Content Filtering option to the NCTE. Content Filtering is a technology based service that assists in the management of websites for schools. Along with education/awareness and supervision it forms the basis of implementing a safe environment for pupils in schools.

The NCTE actively provides support and guidelines to schools regarding the use of the Information and Communication Technologies. Through its internet safety initiative the NCTE launched the "Webwise" website (www.webwise.ie), which creates awareness about new technologies and possible risks associated with their use by young people. The site offers advice and guidance to schools, pupils and parents.

The Internet Advisory Board is also working in this area.

It is noted that the submission furnished by the Deputy does not reference any specific websites or indicate whether the websites in question were accessed via the schools broadband network.

Any person who has concerns in relation to a website which has been accessed via the schools broadband network may contact the Schools Broadband Helpdesk of the NCTE at 1800 33 44 66.

Departmental Correspondence.

752. **Ms Enright** asked the Minister for Education and Science the response given to correspondence (details supplied); if assistance was given; her views on the situation outlined; and if she will make a statement on the matter. [9426/07]

Minister for Education and Science (Ms Hanafin): The Teaching Council is the statutory body in this country for the recognition of teaching qualifications. The qualifications held by the person referred to by the Deputy were assessed by the Teaching Council and, subject to conditions, were found to meet the requirements to teach at primary level in Ireland. This person was granted conditional recognition by the Teaching Council on 20th December 2006.

My Department is in communication with the person concerned in relation to payment of salary.

Special Educational Needs.

753. **Ms Enright** asked the Minister for Education and Science the appropriate educational and therapy services available to a person (details supplied) diagnosed as developmentally delayed; her views on the situation; and if she will make a statement on the matter. [9427/07]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that the National Council for Special Education (NCSE), through the local special educational needs organiser (SENO), is responsible for processing applications from schools for special needs supports such as resource teaching and special needs assistant (SNA) support in respect of individual pupils.

I can confirm for the Deputy that the local SENO has provided the family with information regarding the education resources for special needs pupils in Ireland. I understand that the parents are pursuing enrolment with a particular school and that the SENO has met with this school authority in recent days to discuss the special educational needs of the child in question.

The provision of therapy supports are a matter for the Health Service Executive (HSE). Reports have been made available to the SENO and, with the family's consent, these have been forwarded to the Disability Manager of the relevant HSE area.

State Examinations.

754. **Ms Enright** asked the Minister for Education and Science if her Department allows the amalgamation of different leaving certificate results onto one script; if mature students can do this; her views on same; and if she will make a statement on the matter. [9428/07]

Minister for Education and Science (Ms Hanafin): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations, including organising the holding of examinations and issuing the results of examinations.

I have made enquiries with the Commission in relation to the issue raised by the Deputy and the position is as follows:

A certificate of the results achieved in the Leaving Certificate is issued to each candidate in respect of the subjects taken in any year. These results are also forwarded to the Central Applications Office when the provisional Leaving Certificate results are issued each August. Any subsequent changes of grades arising as a consequence of the appeals process are also forwarded to the CAO.

It is not possible for the results achieved by a candidate across more than one sitting of the Leaving Certificate examination, whether they are entered by a school or as an external applicant, to be amalgamated into one certificate.

In the case of the Links Modules subject in the Leaving Certificate Vocational Programme, the marks obtained by a candidate in the portfolio component are carried forward to the next year where the candidate is repeating that subject as it is not permissible to submit a second portfolio. These portfolio marks are then added to the marks obtained by the repeat candidate in the written examination in the subject.

National Drugs Strategy.

755. **Ms Shortall** asked the Minister for Education and Science if she will give positive consideration to the application for funding under the local drugs task force mainstreaming fund by a project (details supplied) to enable it to operate a fourth project in the area, in view of the considerable success of the first three projects; and if she will make a statement on the matter. [9429/07]

858. **Mr. J. Higgins** asked the Minister for Education and Science if funding will be provided for a project (details supplied) in Dublin 11 to keep children in the education system. [10077/07]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 755 and 858 together.

The Aisling Project is a mainstreamed Local Drugs Task Force project in the Ballymun area which is funded by my Department. The main aim of the project is to target children most at risk of early school leaving and children who are experiencing difficulties within their home and community. This mainstreamed project is divided into three units or programmes. Each unit of the project has one full time and two part time workers and caters for up to 35 young people ranging in age from eight to twelve. This project has been allocated €330k in 2007 compared to an original allocation in 2004 of €256k, an increase of €74k or 29% in just three years. The deputy should note that as there is no scope within my Department's Mainstreamed Local Drugs Task

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Force Grant-In-Aid allocation to facilitate requests for additionality in 2007, applications for additional resources should be made to relevant line sections of my Department for consideration.

Schools Building Projects.

756. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science when is it proposed to carry out the technical investigation of the existing building and site for suitability for a new school (details supplied) in County Kerry. [9446/07]

Minister for Education and Science (Ms Hanafin): During the consideration of the project the school confirmed to the Department that it was their wish to have their application treated as a new school project rather than an extension to the existing school. Before progressing the project further and to ensure that any capital funding allocated to the provision of a new school building represents optimal use of resources and is appropriate to meet the school's long-term accommodation needs it will be necessary to give consideration to the possibility of the utilising the existing building and/or site before pursuing a greenfield site for a new build project.

In order to progress the project a technical investigation of the existing building and site to determine their suitability is required. This project is being considered in the context of the School Building and Modernisation programme.

757. **Mr. Gilmore** asked the Minister for Education and Science the position regarding the planned redevelopment of a school (details supplied) in County Dublin; and if she will make a statement on the matter. [9447/07]

Minister for Education and Science (Ms Hanafin): The proposed refurbishment and extension project for the School referred to by the Deputy is at an early stage of architectural planning.

The project was approved to proceed to Stage 3 (Developed Sketch Scheme) of Architectural Planning in September 2006. Officials from my Department will be in further contact with the school authorities when the Stage 3 documentation has been received and evaluated.

I am pleased to inform the Deputy that this project is one of 22 major post-primary school building projects that I recently announced to proceed, following completion of the architectural design process, to tender and construction.

School Staffing.

758. **Mr. Gogarty** asked the Minister for Education and Science the reasons the years spent working as a teacher in the private sector are not

provided for in the pay scale when a teacher gains employment paid for by her Department; if there are plans to change this situation; and if she will make a statement on the matter. [9454/07]

Minister for Education and Science (Ms Hanafin): The scheme for the award of incremental credit to teachers was agreed at the Conciliation Council for Teachers which is comprised of representatives of the teacher unions, school management, the Department of Finance and the Department of Education and Science. The scheme, as agreed, makes no provision for the award of incremental credit in respect of teaching service in educational establishments other than those recognised by competent State authorities. There are no plans to change this position.

759. **Mr. Gogarty** asked the Minister for Education and Science the recognition given to the qualifications of a teacher working in the private sector such as in a grind school when applying for positions within the State-funded system. [9455/07]

Minister for Education and Science (Ms Hanafin): The position is that all candidates applying for state funded teaching positions in schools must be registered teachers under the terms of the Teaching Council Acts 2001, 2006. In addition, a school authority may specify that an applicant holds specific qualifications relevant to the requirements of the post to be filled.

Closed Circuit Television Systems.

760. **Dr. Upton** asked the Minister for Education and Science if there are grants available to provide closed circuit television cameras for a school (details supplied) where ongoing damage is being caused to the property and to teachers' cars; and if she will make a statement on the matter. [9460/07]

Minister for Education and Science (Ms Hanafin): Individual school authorities are responsible in the first instance for health and safety issues, including making adequate security arrangements, at schools. School authorities should liaise with their local Gardaí who are best placed to provide practical advice and support and to make recommendations on how best to mitigate the potential risk to the school.

Primary school authorities may use their minor works grant in conjunction with any insurance policy payments arising from damage claims to deal with urgent issues relating to security matters. In November last I increased funding for the minor works grant by 44% on the previous year and around €27m was paid out to primary schools throughout the country to enable thousands of small scale works to be completed without the need to interact with my Department.

Other avenues for grant-aid from my Department to provide improved security measures include the Summer Works Scheme and Emergency Works Grants. In 2007, of the €306 million available to improve infrastructure in primary schools, close to €58million is allocated to the Summer Works Scheme.

The Building Unit of my Department has no record of any application for funding for security cameras from this school under the Emergency Works Grant or Summer Works Scheme. However, I have arranged for an application form to be issued to the school for completion and return.

Students' Medication.

761. **Dr. Upton** asked the Minister for Education and Science the guidelines in place for teachers when dealing with children who might need medication to be delivered or administered during school hours; and if she will make a statement on the matter. [9461/07]

Minister for Education and Science (Ms Hanafin): Under the provisions of the Education Act 1998 and the regulations of the Department of Education and Science, the Board of Management is the body charged with the direct governance of a school.

It is important that the management authorities of primary and post-primary schools request parents to ensure that the school is made aware of any medical condition suffered by any pupil attending. Where the school is aware of potential difficulties that may arise as a consequence of a medical condition suffered by one or more pupils, it may be possible for the management authorities, working in conjunction with the parents, teachers and children to put preventative measures in place to lessen the possibility of any difficulties arising or to ensure that, if a pupil suffers from an illness requiring medication, that appropriate treatment is available. As the Deputy may be aware, the administration of medicines in the school is the subject of an agreement between the Irish National Teachers Organisation and the organisations representing school management at primary level. While this agreement specifies that no teacher can be required to administer medicine or drugs to pupils, it also sets out procedures that must be followed where a teacher or teachers agree to do so.

It is my Department's experience that once the matter has been discussed in detail with the Board of Management and teachers of a school, and once all parties are clear as to the procedures to be followed, arrangements can normally be made to administer the type of medicine which may be required.

Schools Building Projects.

762. **Mr. Hogan** asked the Minister for Edu-

cation and Science when an extension will be granted to a school (details supplied) in County Kilkenny; and if she will make a statement on the matter. [9464/07]

Minister for Education and Science (Ms Hanafin): I can confirm that 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.

This application has been assessed in accordance with the published prioritisation criteria for large scale works and has been assigned a band 2 rating. Progress on the proposed project is being considered in the context of the multi annual School Building and Modernisation Programme.

Adult Education.

763. **Mr. Hogan** asked the Minister for Education and Science if her attention has been drawn to the campaign by AONTAS regarding a number of demands to improve adult education; her views on these demands; and if she will make a statement on the matter. [9465/07]

Minister of State at the Department of Education and Science (Mr. Haughey): I refer the House to my reply to question Number 8973/07 answered on 7 March 2007.

Youth Services.

764. **Mr. Carey** asked the Minister for Education and Science if an application has been received by her Department on behalf of a club (details supplied) in Dublin 11 regarding the provision of funding for a dedicated centre for the club; and if she will make a statement on the matter. [9469/07]

Minister of State at the Department of Education and Science (Mr. Haughey): The Youth Affairs Section of my Department has received an application for funding on behalf of the project in question. This application was submitted for consideration in the 2007 round of grants under the Special Projects for Youth Scheme.

Funding allocations for 2007 are currently being examined by my Department and consideration will be given to this application in light of available financial resources, existing commitments in the youth sector and other applications. My Department's objective is to finalise decisions on such applications before the end of Spring.

Schools Amalgamation.

765. **Ms Enright** asked the Minister for Education and Science if her attention has been drawn to an application for amalgamation by a school (details supplied) in County Laois; the position at which the application is currently; if

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there is an update on the application; and if she will make a statement on the matter. [9470/07]

Minister for Education and Science (Ms Hanafin): I can confirm that the Department is in correspondence with the management authorities of the schools to which the Deputy refers regarding amalgamation proposals. When formal agreement to the amalgamation is received from both Boards of Management, the Department will carry out an assessment of the long term projected staffing of the proposed new school and following that will also arrange a technical assessment of the existing school sites to determine which, if either, can host the amalgamated school.

The project will then be considered for progression in the context of the multi-annual School Building and Modernisation programme.

School Placement.

766. **Dr. Cowley** asked the Minister for Education and Science the reason the parents of a person (details supplied) in County Mayo have been given no option by her but to keep the person at home, a practice that is no good for the person or the parents; the reason her Department has recommended that this person attend a school even though the patrons of the school do not advise this and have informed her of same; when a suitable placement will be available; and if she will make a statement on the matter. [9485/07]

Minister for Education and Science (Ms Hanafin): I am aware of the circumstances of the person to whom the Deputy refers and as the Deputy is aware the matters referred to are the subject of ongoing High Court proceedings against my Department as well as the Department of Health and Children and the Health Services Executive. In those circumstances it would be inappropriate for me to comment in any detail on the particulars of the situation.

However I wish to advise the Deputy that his assertion that my officials have recommended a school placement for the person referred to which the patron of that school does not support is incorrect. The Patron of the school has informed my Department that he considers the school in question to be the provider of excellent education which is totally appropriate to the particular student needs.

The Patron also advised my Department that he recognises that the physical alterations to the school are intended to provide safe and appropriate facilities to accommodate this students' admission, that the differentiated curriculum available in that school is particularly appropriate having regard to this student's needs and that the introduction of additional staffing resources which have been agreed with the Board of Man-

agement support the appropriate educational placement on offer.

For that reason my officials and I remain of the view that the school which has been identified is an appropriate educational placement for the person concerned.

Schools Building Projects.

767. **Mr. J. Higgins** asked the Minister for Education and Science if the VEC is to be the patron of a primary school in Dublin 15; if so, the location of the school and the date of opening; the location where this proposal originated; her views on same; if she will intervene to maintain this school for the local community; and if she will make a statement on the matter. [9486/07]

Minister for Education and Science (Ms Hanafin): The existing models of school patronage have served the education sector well over many decades. However, it can happen in a small number of rapidly developing areas that a traditional patron is not readily available. In view of same, I announced on the 17 February 2007, that a new additional model of Primary school patronage would be introduced on a pilot basis at a school to be built in Diswellstown, Co Dublin. The proposed school will be community based and that the administrative framework of the County Dublin Vocational Education Committee would be used for the new model. The Department will begin a process of consultation with the relevant education partners to explore the detailed implementation measures that will be needed to be put in place prior to the opening of the proposed new school. This model will provide an additional patronage option and is not intended to serve as a replacement of the existing patron models.

Adult Education.

768. **Mr. McCormack** asked the Minister for Education and Science her plans to put in place an overarching national structure for adult and community education co-ordinating structures at local level to be led by the VECs; and if she will make a statement on the matter. [9487/07]

Minister of State at the Department of Education and Science (Mr. Haughey): The Adult Education, Community Education and Further Education services are funded by my Department and delivered locally by the 33 VECs.

The Irish Vocational Education Association, which is the representative body of VECs, performs a coordinating role in the formulation and implementation of policy in relation to these services. The Association is in constant communication with me and officials of my Department.

The White Paper on Adult Education, "Learning for Life" proposed the establishment of a

National Adult Learning Council, for which a coordinating role was envisaged.

The Council was formed in March 2002 on an ad hoc basis with the intention that it would be established as a statutory body in due course. However, concerns emerged that the functions envisaged for it were too wide-ranging and were not sufficiently focused. Additionally, a number of developments had occurred which would impact on the work of the Council.

A strategic review of the role and functions of the Council was undertaken to address these concerns. The outcome of the review has been under consideration in my Department. This consideration must take account of existing provision and structures.

Third Level Fees.

769. **Mr. McCormack** asked the Minister for Education and Science her plans to abolish fees for part-time learners in higher education; and if she will make a statement on the matter. [9488/07]

Minister for Education and Science (Ms Hanafin): The Government's recently published National Development Plan 2007-2013 highlights the importance of higher education skills in the economy in order to maintain competitiveness into the future. To increase the levels of workplace learning and upskilling, the Government agreed under Towards 2016 to establish a targeted fund to alleviate the fees in public institutions for part-time courses at third level by those at work who have not previously pursued a third level qualification. The development of proposals under this fund is now being advanced. It is intended that this targeted fund will be linked with a Modular Accreditation Programme (MAP) which is being developed by the Higher Education Authority. Modularisation is a key factor in higher education institutions meeting the education needs of part-time students with work commitments. Substantial progress has been made in developing the MAP and it is intended to bring forward proposals in relation to the targeted fund provided under Towards 2016 in the near future.

Special Educational Needs.

770. **Mr. McCormack** asked the Minister for Education and Science the steps she proposes to take to establish a national forum for all parties involved in education and training of adults with special educational needs. [9490/07]

Minister of State at the Department of Education and Science (Mr. Haughey): My Department's policy is to seek to encourage and facilitate the participation of people with disabilities on programmes offered in the Further Education Sector by making available the supports required

to enable them to access Further Education. While a forum has not been established, my Department hosted a conference on "Developing an Overall Strategic Approach to Disability in Further Education" in November 2006. The conference provided insight as to possible ways forward and will help inform the Department regarding future policy for persons with disabilities in Adult and Further Education.

The Vocational Training Opportunities Scheme (VTOS) is primarily for unemployed people but people with disabilities are also a target-group. Under VTOS, full-time courses of one or two years' duration are provided to participants to enhance their employability.

The Back to Education Initiative (BTEI) provides part-time Further Education programmes for adults to give them an opportunity to combine a return to learning with family, work and other responsibilities. People with disabilities are one of the target-groups of the programme. People with disabilities may also avail of adult literacy courses provided by the VECs around the country. A grant has also been provided to the Irish Deaf Society to train tutors to give literacy tuition.

A grant is awarded annually to the Dyslexia Association of Ireland as a contribution towards assessments.

An action research pilot project was developed in a number of Further Education Colleges in the Dublin area. This pilot project was and continues to be supported by two Disability Support Officers, support from the National Training and Development Institute and flexible additional funds for transport, equipment, interpreters, etc. This service identifies and offers supports to students and staff around the area of disability. The provision of awareness-raising sessions and participation in college open and recruitment days is also an integral element of the role of the Support Officers.

The Department is currently working with the National Office for Equity of Access to Higher Education and AHEAD to address special education needs of adults in further education. The Department has recently launched an initiative in Youthreach to determine the most appropriate way to deal with the particular needs of this cohort.

771. **Mr. Hayes** asked the Minister for Education and Science when learning support will be provided for a person (details supplied) in a County Tipperary school. [9498/07]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that the general allocation system was implemented with effect from September 2005.

The new system means that rather than schools having to make individual applications to this Department for resources for pupils with high incidence special educational needs, that is, pupils

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with borderline mild and mild general learning disability and specific learning disability, resources are provided in advance to the school.

The school in question has 22.5 hours under the general allocation system to provide for the educational needs of the pupils with high incidence special needs and those with learning support needs, such as the pupil in question. It is a matter for each school to determine the pupils with high incidence special education and learning support needs that will receive this support. The school can use its professional judgement to decide how these hours are divided among the pupils in the school, to ensure that all their needs are met. As the pupil in question is within the high incidence disability category this pupil's needs should be catered for within the general allocation granted to the school.

My Department issued a comprehensive circular, SP ED 02/05 to schools which provides guidelines on the manner in which they should use the resources that have been allocated to them to best effect. It is intended that a review of the system will take place within three years of operation.

Schools Building Projects.

772. **Mr. F. McGrath** asked the Minister for Education and Science the position regarding the new school premises for a school (details supplied) in Dublin 9; and if they will be given the maximum support. [9502/07]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the Department has appointed an architect directly to carry out the necessary refurbishment works for the school to which the Deputy refers. The architect will be in direct contact with the school to discuss the delivery of the project.

School Staffing.

773. **Mr. Sargent** asked the Minister for Education and Science her views on allowing older and retired persons a role in the educational system, including teaching English as a second language, in exchange for pensions bonuses, where appropriate. [9514/07]

Minister for Education and Science (Ms Hanafin): The recruitment and appointment of personnel to fill teaching posts, including language support posts, is a matter for the Board of Management of each individual school. Agreed procedures with regard to the filling of posts (e.g. compliance with any redeployment panel arrangements in place, composition of selection boards, advertising etc) must be followed. It is the policy of my Department that only qualified personnel should be employed. Unqualified personnel should not be appointed except in exceptional

circumstances and then only when all avenues for recruiting qualified personnel have been exhausted.

Teaching posts that arise are normally advertised by the relevant school Board of Management in the national press. It is a matter for persons wishing to be considered for appointment to submit their applications direct to the Board of Management.

If a teacher who has retired and is in receipt of pension subsequently resumes teaching in a temporary or permanent capacity, payment of pension is suspended for the duration of that appointment. Payment of pension will resume from the date after the appointment has been terminated. In some cases, subject to certain conditions, superannuation benefits may be revised to take into account the additional service.

The forum for dealing with claims for improvements in the conditions of service for teachers is the Teachers' Conciliation Council. Such claims are processed through the Teachers Conciliation Council in accordance with the terms of the revised Conciliation and Arbitration Scheme for Teachers.

State Examinations.

774. **Mr. Gogarty** asked the Minister for Education and Science if students taking their leaving certificate outside the school system can submit practical course work related to the examination independently of the school system; and if she will make a statement on the matter. [9555/07]

Minister for Education and Science (Ms Hanafin): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations. I have made enquiries with the Commission in relation to the issue raised by the Deputy and the position is as follows.

Practical coursework is accepted for assessment by the State Examinations Commission only where it has been completed by candidates under specified conditions.

The subject must be formally timetabled (with timetable available to Commission personnel). The school/centre in which the coursework is completed must be available for monitoring by Commission personnel. The Practical Coursework must be completed under the required conditions as set out for individual subjects. Practical coursework must be conducted under the supervision of a class teacher with the work authenticated by the teacher and Principal.

These conditions have been put in place by the State Examinations Commission in order to maintain the integrity of the examinations process and to ensure inter-candidate equity.

School Staffing.

775. **Ms Enright** asked the Minister for Edu-

cation and Science the opportunities available to teachers who wish to job share; her Department's policy on same; the number of teachers at primary level and at post-primary level who are job sharing at the moment; the restrictions placed on job sharing; and if she will make a statement on the matter. [9570/07]

Minister for Education and Science (Ms Hanafin): The job sharing scheme for Primary Teachers was first implemented by the Minister for Education and Science for the 1997/98 school year and has continued to apply since then.

Boards of Management of Primary Schools are required to develop a policy on job-sharing specific to the needs of the particular school so that staff may be fully aware of the Board's position on the matter. Board's of Management are required to ensure that the welfare and educational needs of pupils take precedence over all other considerations.

The following are the conditions at primary level that a teacher must fulfil before a job-sharing application received from a school will be approved:

- The teachers must be fully qualified and probated primary school teachers
- They must have two years service as a permanent or temporary (Fixed-term) teacher

Principal teachers, Home School Liaison teachers, Supply teachers are not permitted to job-share. However, a Supply teacher may move temporarily from the Supply Scheme to job share with another teacher. In addition teachers who are currently on secondment or are going on secondment cannot job share for the duration of the secondment.

There are 662 primary teachers job-sharing in the 2006/2007 school year. The job sharing scheme at second level is operated in accordance with the terms of Circular Letter 18/98 which is available on my Department's website www.education.ie

There are 934 teachers job sharing in the voluntary secondary and community and comprehensive sectors in the current year. The number of teachers job sharing in VEC schools in the current year is not readily available in my Department.

Special Educational Needs.

776. **Ms Enright** asked the Minister for Education and Science the reason she has not provided the Irish Autism Action Group with a copy of the National Council for Special Education report which she referred to at a meeting with the group on 10 January 2007; the reason this report has not been published; the further reason a commitment was made to make the report available to the group by 14 February 2007; the reason this did not happen; and if she will make a statement on the matter. [9571/07]

Minister for Education and Science (Ms Hanafin): I wish to advise the Deputy that the report to which she refers is an internal report prepared for my Department by the National Council for Special Education. This report was not intended for publication.

Schools Building Projects.

777. **Mr. McGinley** asked the Minister for Education and Science when a final decision will be made for approval of an extension to a school (details supplied) in County Donegal; when the work will commence; and if she will make a statement on the matter. [9578/07]

Minister for Education and Science (Ms Hanafin): The building project for the school referred to by the deputy is at an early stage of architectural planning.

My Department recently wrote to the school authorities regarding their Stage 1 submission (site suitability and design options) and a reply has now been received. My Department will be in contact with the school authorities shortly regarding further progression of their project. Progression of all projects to tender and construction will be considered in the context of my Department's multi-annual School Building and Modernisation Programme.

Special Educational Needs.

778. **Mr. McGinley** asked the Minister for Education and Science the reason a person (details supplied) in County Donegal who has been diagnosed with a specific learning difficulty cannot be acknowledged as such by her Department due to criteria put in place by her Department; and if she will make a statement on the matter. [9579/07]

Minister for Education and Science (Ms Hanafin): My Department's criteria for allocating additional supports in respect of pupils with a specific learning disability (SLD) are that such pupils have been assessed by a psychologist as being of average intelligence or higher and having a degree of learning disability specific to basic skills in reading, writing or mathematics which places them at or below the 2nd percentile on suitable, standardised, norm-referenced tests.

It is generally accepted that the child with a specific learning disability has otherwise normal levels of ability, and the specific learning disability is not attributable to general learning disabilities. The pupil referred to by the Deputy attends a special school for pupils with a mild general learning disability. Such schools operate at an enhanced pupil/teacher ratio of 11:1 and the education provided in the schools is specifically focussed on assisting pupils who have mild general learning disabilities.

The difficulties described in the details supplied are typical of those shared by most children

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with general learning disabilities. These pupils require more concrete presentation of material, smaller steps, greater repetition and practice, use of a variety of materials, frequent revision and practical application. All of these teaching approaches are features of the work with pupils who have general learning disabilities, in special schools, special classes or in supported mainstream classes.

School Transport.

779. **Mr. Wall** asked the Minister for Education and Science if she will investigate the provision of a school bus route to ensure all children in an area of high population can obtain a primary school place in view of the fact that up to 17 children of various ages are without a school place at present (details supplied); and if she will make a statement on the matter. [9587/07]

Minister of State at the Department of Education and Science (Mr. Haughey): My Department assists school promoters in a given area to ensure that, between them, they can provide sufficient places to meet the education needs of all the children from that area. School transport is provided to eligible pupils to support that policy approach.

With regard to the circumstances referred to by the Deputy, it is open to the parents of children who may have been refused a school place to appeal that decision under Section 29 of the Education Act.

I should add that my Department has approved the establishment of a new primary school for the area in question and officials are in communication with the promoters in relation to the necessary arrangements to deliver the new school at the earliest possible date.

School Catchment Areas.

780. **Mr. McCormack** asked the Minister for Education and Science the criteria necessary for the changing of a school boundary area (details supplied); if the school catering for an area does not have the required number of subjects, will the school boundary area of the adjoining school which would have facilities for teaching extra subjects be changed to accommodate children to qualify for school transport. [9601/07]

Minister for Education and Science (Ms Hanafin): Catchment boundaries have their origins in the establishment of free post-primary education in the late 1960's and were determined following consultation with local educational interests. For planning purposes the country was divided into geographic districts each with several primary schools feeding into a post-primary centre with one or more post-primary schools. The intention was and continues to be that these

defined districts facilitate the orderly planning of school provision and accommodation needs.

A number of reviews have been carried out over the years where, for example, a new post-primary school is established in an area where previously there was none or, conversely, where a "sole provider" school closes due to declining enrolments. The Area Development Planning initiative, involving an extensive consultative process carried out by the Commission on School Accommodation, will also inform future revisions to catchment areas. An Area Development Plan takes account of demographic changes and projects future enrolments for existing schools and new schools if required. Catchment boundary changes will be made where the implementation of the recommendations in an Area Development Plan requires such adjustments.

Under the terms of my Department's Post Primary School Transport Scheme pupils who are eligible for transport to the education centre in the catchment area in which they reside may avail of 'catchment boundary' transport to an education centre in another catchment area provided spare seats are available on the school bus. Eligibility for school transport is not determined by way of subject choice. In the circumstances, it is not proposed to change the catchment boundary in question.

Schools Building Projects.

781. **Mr. Kenny** asked the Minister for Education and Science the position with regard to the provision of a new building for a school (details supplied); if her attention has been drawn to the fact that the school is currently housed in a football club in Santry; the timescale for the development of new school buildings for the 230 pupils and teachers currently working at the school; and if she will make a statement on the matter. [9608/07]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that officials from the Department and a consultant architect met with the school authorities concerned in recent days to discuss the delivery of the building project in question.

782. **Mr. Naughten** asked the Minister for Education and Science if she will approve funding for an application by a school (details supplied) in County Roscommon under the dormant accounts small scale capital grant scheme; when she will announce her Department's decision on the successful projects; and if she will make a statement on the matter. [9624/07]

Minister for Education and Science (Ms Hanafin): The closing date for receipt of applications under the Dormant Accounts / RAPID Leverage Fund Small Scale Capital Grants Scheme was 1 March 2007. The Midland Regional

Office of my Department received over 1,000 applications for the scheme, including applications from both of the schools referred to by the Deputies.

These applications are currently being logged and acknowledged. Once this process is complete, my officials will start the process of assessing the applications. In keeping with the requirements of the Dormant Accounts Fund legislation the assessed applications will then be considered by the Inter-departmental Committee on Educational Disadvantage, who will make recommendations to the Minister for Community, Rural and Gaeltacht Affairs. Minister Ó Cuív will then submit the list of recommendations to the Government for approval. Funding for approved projects will be channelled through my Department's Vote.

I cannot give an exact date of when the list of successful applicants will be announced, however, I hope to be able to make this announcement before the schools break for the summer holidays.

783. **Mr. McGuinness** asked the Minister for Education and Science if a school (details supplied) in County Kilkenny will be included in the devolved grant scheme; and if she will make a statement on the matter. [9625/07]

Minister for Education and Science (Ms Hanafin): I can confirm to the Deputy that the school to which he refers applied for capital funding under the Department's Small Schools Scheme (SSS) for 2007. The school's application was unsuccessful at this time because the school's inspector recommended that the issue of amalgamation with another school in the area be investigated before any investment in capital works is made.

The school have been requested to report the outcome of discussions in this regard to the Department.

Site Acquisitions.

784. **Mr. McCormack** asked the Minister for Education and Science the position regarding the provision of a school (details supplied) in County Galway; if a site has been acquired by her Department on lands in the ownership of GMIT, Galway; and if she will make a statement on the matter. [9626/07]

Minister for Education and Science (Ms Hanafin): The Department is actively engaged in sourcing a suitable site to facilitate the construction of a new school building for the school referred to by the Deputy and to that end is in discussions with the GMIT. The Deputy can be assured that the permanent accommodation needs of the school in question is being addressed as expeditiously as possible and the provision of a permanent building for the school will be pro-

gressed in the context of the multi-annual School Building and Modernisation Programme.

Special Educational Needs.

785. **Mr. Howlin** asked the Minister for Education and Science if her attention has been drawn to the fact that a psychological assessment report undertaken by an educational assessment and counselling psychologist in relation to a person (details supplied) in County Wexford recommended that they be provided with access to a reader when sitting their leaving certificate examination owing to the degree of their specific learning difficulty; if, in view of this report, she will indicate the basis for her Department's assertion that the evidence did not support the granting of the accommodation sought; if she will review this case in view of the psychologist's recommendation; and if she will make a statement on the matter. [9627/07]

Minister for Education and Science (Ms Hanafin): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations, including organising the holding of examinations and determining procedures in places where examinations are conducted.

In view of this, I have forwarded your query to the State Examinations Commission for direct reply to you.

786. **Mr. Carey** asked the Minister for Education and Science if she will review the decision of her Department to refuse July programme provision for a person (details supplied) in Dublin 11; and if she will make a statement on the matter. [9660/07]

Minister for Education and Science (Ms Hanafin): The July Education Programme is available to pupils with a severe or profound general learning disability or those on the Autism Spectrum. The programme has not been extended to include children with other disabilities. The pupil referred to by the Deputy is therefore not eligible for the programme.

School Staffing.

787. **Mr. M. Higgins** asked the Minister for Education and Science further to recent questions on the difficulties experienced by persons of a non-Catholic ethos seeking employment in Catholic schools, who can be rejected from such posts due to the exemption these schools enjoy from the Equality Act 2004 despite the fact that the person's religion may have nothing to do with the position sought, her views on whether it is time to revisit or address this anomaly; the positive steps she has taken, or proposes to take, with regard to this discrepancy; if her attention has been drawn to the difficulties this has caused a

[Mr. M. Higgins.]

number of people, for example a person (details supplied) in County Galway seeking employment; the advice she can offer such persons; and if she will make a statement on the matter. [9667/07]

Minister for Education and Science (Ms Hanafin): In accordance with the Education Act, schools are managed by the Patron and the Patron is responsible for the direct governance of a school. The Patron nominates a Board of Management to manage a school on its behalf.

Section 24 (1) of the Education Act 1998 provides that the Board of Management “may appoint such and so many persons as teachers and other staff of a school as the board from time to time thinks necessary for the performance of its powers and functions under this Act”. Section 24(3) of the Act also states that “A board shall appoint teachers and other staff, who are to be paid from monies provided by the Oireachtas, and may suspend or dismiss such teachers and staff, in accordance with procedures agreed from time to time between the Minister, the patron, recognised school management organisations and any recognised trade union and staff association representing teachers or other staff as appropriate”. There are no plans to change the position in this regard.

Schools Building Projects.

788. **Mr. McGinley** asked the Minister for Education and Science if she will reconsider her refusal to sanction the summer works scheme 2007 for a project (details supplied) in County Donegal; and if she will make a statement on the matter. [9670/07]

Minister for Education and Science (Ms Hanafin): Due to the volume of applications received it was not possible to allocate funding to all proposed projects. The Department has received an appeal on this decision from County Donegal VEC which will be considered further by the Department.

Question No. 789 answered with Question No. 750.

790. **Mr. Ferris** asked the Minister for Education and Science if a school (details supplied) in County Limerick is unsuccessful in its application for funding, will it qualify for emergency funding under health and safety. [9690/07]

Minister for Education and Science (Ms Hanafin): An application was received in the Department, under the Small Schools Scheme 2007, from the school referred to by the Deputy. On 5 March 2007, I announced details of the schools to receive funding under this Scheme. Due to the volume of applications received in the

Department it was not possible to allocate funding to all proposed projects and the school referred to by the Deputy was not successful in this instance. However, it is open to the school authority to apply for funding under the 2008 scheme, details of which will be announced later this year.

However, if the school were to make an application for funding under the Emergency Works Grant it will be considered in accordance with the criteria for that particular scheme. I have arranged for the relevant application form to be forwarded to the school authorities

791. **Mr. Ferris** asked the Minister for Education and Science if a school (details supplied) in County Limerick will qualify for the small schools allocation applied for in October 2006. [9691/07]

Minister for Education and Science (Ms Hanafin): An application was received in the Department, under the Small Schools Scheme 2007, from the school referred to by the Deputy. On 5 March 2007, I announced details of the schools to receive funding under this Scheme. Due to the volume of applications received in the Department it was not possible to allocate funding to all proposed projects and the school referred to by the Deputy was not successful in this instance. However, it is open to the school authority to apply for funding under the 2008 scheme, details of which will be announced later this year.

Teacher Training.

792. **Mr. Quinn** asked the Minister for Education and Science the annual budget allocated to her Department’s teacher education section in 2004, 2005 and 2006; the professional development services included in the budget of this section; if the cost of substitution or supervision arising from participation in national professional development programmes is covered by her Department; if so, the cost in the years cited; and if she will make a statement on the matter. [9692/07]

Minister for Education and Science (Ms Hanafin): In 2006, Teacher Education Section of my Department had an allocation of €51.208 m, of which €36.932m was allocated to support services involved in continuous professional development.

In 2005, Teacher Education Section had an allocation of €46.711m, of which €30.653m was dedicated to the continuous professional development subhead within the overall allocation.

In 2004, Teacher Education Section had an allocation of €40.656m, of which €23.779m was dedicated to the continuous professional development subhead within the overall allocation.

The cost of substitution or supervision arising from participation in national professional

development programmes is covered by my Department. In 2006 Teacher Education Section paid €10.601m in respect of secondments. In 2005 Teacher Education Section paid €4.112m in respect of secondments. In 2004 Teacher Education Section paid €6.251m in respect of secondments.

School Curriculum.

793. **Mr. Quinn** asked the Minister for Education and Science the number of second level pupils who participated in transition year in the academic year 2006 to 2007; the number of pupils who participated in transition year in 2006 to 2007 according to type of school; the overall number of additional teaching hours required to service the transition year programme in participating schools; and if she will make a statement on the matter. [9693/07]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is not yet available for the school year 2006/07. However, teacher allocations at second level are approved by my Department on an annual basis in accordance with generally applied rules based on recognised pupil enrolments on the 30th of September of the preceding school year.

In general, a ratio of 18:1 is applied in respect of recognised pupils on established Junior Certificate, Leaving Certificate, repeat Leaving Certificate and Transition Year Programmes.

Teacher Training.

794. **Mr. Quinn** asked the Minister for Education and Science the number of teachers whose tuition fees for accredited continuous professional development were refunded by her Department under the teacher fee refund scheme; the amount her Department refunded to teachers under the scheme in the last financial year; and if she will make a statement on the matter. [9694/07]

Minister for Education and Science (Ms Hanafin): As the Refund of Fees scheme is retrospective, the funding paid in 2006 relates to study undertaken in the academic year 2004/2005.

Funding was available for up to 53% of the fees incurred. Funding provided in 2006 amounted to €546,280 and this amount was allocated to 481 successful applicants.

795. **Mr. Quinn** asked the Minister for Education and Science the amount spent by her Department on support services relating to professional development of teachers and principals in the last financial year; and if she will make a statement on the matter. [9695/07]

Minister for Education and Science (Ms Hanafin): In 2006 my Department paid €37.146m

on support services relating to professional development of teachers and principals.

796. **Mr. Quinn** asked the Minister for Education and Science the funding allocated by her Department for continuous professional development for teachers and principals in education centres; the number of teachers who participated in courses run by education centres in the academic year 2005 to 2006; and if she will make a statement on the matter. [9696/07]

Minister for Education and Science (Ms Hanafin): In 2006 my Department provided funding of over €1m for a range of local courses in Education Centres across the country. There were 1,237 courses attended by 22,537 teachers. In addition there were 240 summer courses attended by 4,575 teachers. The funding for these courses formed part of the overall allocation for each Education Centre.

797. **Mr. Quinn** asked the Minister for Education and Science the funding allocated by her Department for continuous professional development for teachers administered by third level institutions in the academic years 2005 to 2006 and 2006 to 2007; and if she will make a statement on the matter. [9697/07]

Minister for Education and Science (Ms Hanafin): My Department's Teacher Education Section has provided €1.7 m in the year 2005 and €1.2m in the year 2006 in respect of continuous professional development courses and programmes for teachers which are administered by third level institutions. To date, my Department's Teacher Education has paid a total of €266,000 to third level institutions for the year 2007 in respect of continuous professional development courses in third level institutions. The level of funding for the year 2007 for continuous professional development courses and programmes to third level institutions will be in the region of over €1m.

Pupil-Teacher Ratios.

798. **Mr. Ring** asked the Minister for Education and Science her plans to reduce class sizes (details supplied) in County Mayo. [9713/07]

799. **Mr. Ring** asked the Minister for Education and Science her plans to reduce the pupil-teacher ratio. [9716/07]

800. **Mr. Ring** asked the Minister for Education and Science her plans to increase the number of primary school teachers. [9717/07]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 798 to 800, inclusive, together.

[Ms Hanafin.]

Major improvements have been made in staffing at primary level in recent years. There are now 5,000 more primary teachers than there were in 2002. The average class size in our primary schools is 24 and there is now one teacher for 17 pupils at primary level, including resource teachers etc. Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school. Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher numbers since the expansion of free education. Furthermore, the Government is committed to providing even more primary teachers next year to reduce class sizes.

As you know all primary schools are staffed on a general rule of at least one classroom teacher for every 28 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 28 children in the school. Next September this will reduce to 27 children per classroom teacher. School authorities are requested to ensure that the number of pupils in any class is kept as low as possible, taking all relevant contextual factors into account (e.g. classroom accommodation, fluctuating enrolment).

In particular, school authorities should ensure that there is an equitable distribution of pupils in mainstream classes and that the differential between the largest and smallest classes is kept to a minimum. A further initiative that has been of direct benefit to primary schools has been the change in the criteria for developing schools. For the current school year the threshold for getting a developing school post was reduced specifically to help schools that are seeing large increases in enrolments each year. Over 280 such posts were sanctioned in the 2006/07 school year compared to 170 in 2005/06. The improvements we have made in school staffing in recent years are absolutely unparalleled. But we are determined to go even further, and so the 2007 Estimates include provision for another 800 primary teachers.

About 500 of these will be classroom teachers, which includes our commitment to reduce class sizes. I assure the Deputy that we will continue to prioritise further improvements in school staffing going forward. We will also continue our focus on measures to improve the quality of education in our primary schools to ensure that increased resources lead to better outcomes for our children.

Departmental Correspondence.

801. **Mr. Ring** asked the Minister for Education and Science when she will publish a report (details supplied); and if she will make a statement on the matter. [9718/07]

Minister for Education and Science (Ms Hanafin): As previously explained to the Deputy, clarification was sought from the single manager on the report that he submitted. This clarification is now being considered in my Department. Pending completion of the consideration of that clarification, and a decision on the action, if any, to be taken in relation to it, I am sure the Deputy will appreciate that it would not be appropriate for me to comment further at this juncture.

Schools Building Projects.

802. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science the status with regard to the proposed construction of a new school at a school (details supplied) in County Cork; when she expects work to commence; and if she will make a statement on the matter. [9738/07]

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 question. A suitable site has been identified and the OPW are currently in negotiations for its acquisition. When a site has been secured the building project required to deliver the new school will be progressed in the context of the multiannual School Building and Modernisation Programme.

Special Educational Needs.

803. **Mr. Bruton** asked the Minister for Education and Science the reason her Department has failed to respond to a direct request on behalf of persons (details supplied) in Dublin 6W regarding the right of a pupil to special needs assistant support within the schools which they attended; and if she will make a statement on the matter. [9744/07]

Minister for Education and Science (Ms Hanafin): I wish to inform the Deputy that a response has issued to the letter concerned. The Deputy will be aware that the National Council for Special Education (NCSE) has taken over responsibility for processing resource applications for children with special educational needs since 1 January 2005 and a copy of the correspondence in question has been referred to the NCSE for attention.

Psychological Service.

804. **Ms O. Mitchell** asked the Minister for Education and Science the number of and the specific schools in the Dublin South constituency that have had their National Educational Psychological Service cover withdrawn in recent days; and if she will make a statement on the matter. [9746/07]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that all primary and post-primary schools have access to psychological assessments either directly through the National Educational Psychological Service (NEPS) or through the Scheme for Commissioning Psychological Assessments (SCPA). Schools that do not currently have NEPS psychologists assigned to them may avail of the SCPA, whereby the school can have an assessment carried out by a member of the panel of private psychologists approved by NEPS, and NEPS will pay the psychologist the fees for this assessment directly.

NEPS operates a regionally based service with eight regional directorates each responsible for the primary and post-primary schools within that region. Additionally each region bears national responsibility for specific cross-cutting operational areas within the organisation (e.g. Special Education Liaison, Litigation, Research, etc.). NEPS service coverage within each regional is therefore governed by number of NEPS psychologists assigned, the number of schools in that region and the specific national responsibilities.

I can inform the Deputy that there has recently been some reordering of national responsibilities in the Eastern Regional Area, which includes parts of South Dublin and Co. Wicklow, which has resulted in some changes in school coverage from 1 March last. In addition a number of schools designated under the DEIS scheme not heretofore assigned to a NEPS psychologist were so assigned in this period. I attach for your infor-

mation a list of schools in this region setting the position *vis-à-vis* NEPS service and an additional listing for the schools whose position has changed in this regard following this reorganisation.

I reiterate that schools which do not have a NEPs psychologist assigned to them have access to the SCPA process to service their assessment needs. In addition to psychological assessment NEPS provides assistance to all schools and school communities that experience critical incidents regardless of whether or not they have a NEPS psychologist assigned to them and processes applications for Reasonable Accommodation in Certificate Examinations. NEPS also provides a service to children with visual impairment irrespective of the school which they attend. Nonetheless should any school, not receiving coverage under the NEPS service have particular difficulties in accessing assessment I would advise that they contact the relevant NEPs Regional Director to discuss their issues.

Finally you will be aware that I have, building on the existing complement of 127 NEPS psychologists, announced an increase of 31 posts in 2007 of NEPS psychologist staff. My Department is currently in discussions with the Public Appointments Service in an effort to recruiting of these individuals as soon as possible in this regard. It is envisaged that these appointments will allow for further expansion of coverage by NEPS psychologists across all regions. Additionally under the Towards 2016 Agreement commitments I have further announced that Neps psychologist number shall expand by some 35 posts in the following two years.

Roll No.	County	School	Address	Pupils 05-06	NEPS Psychologist Assigned To School Jan 07	NEPS Psychologist Assigned To School Mar 07
00977B	Carlow	Ballyconnell N S	Ballyconnell, Tullow, Co. Carlow	154	No	No
02872U	Dublin	Sandyford Mxd N S	Sandyford, Co. Dublin	109	Yes	No
06200O	Dublin	Boosterstown Boys	Boosterstown, Blackrock, Co. Dublin	211	Yes	No
09760V	Wicklow	Powerscourt N S	Powerscourt, Enniskerry, Co. Wicklow	58	Yes	No
10494K	Dublin	All Saints N S	Carysfort Ave, Blackrock, Co. Dublin	56	No	No
11638N	Dublin	Whitechurch Nat School	Whitechurch, Rathfarnham, Dublin 16	149	Yes	No
11649S	Wicklow	Nuns Cross N S	Nuns Cross, Ashford, Co. Wicklow	76	No	No
11894I	Dublin	Scoil Mhuire	Dumhach Tragh, Dublin 4	274	No	No
14398L	Wicklow	Wicklow 2 N S	Wicklow, Co. Wicklow	182	Yes	No
14586M	Dublin	Carysfort Ns	Convent Road, Blackrock, Co. Dublin	499	No	No
14647G	Dublin	Dalkey N S (2)	Dalkey, Co. Dublin	97	Yes	No
14717B	Dublin	Rathgar N S	Rathgar, Dublin 6	93	Yes	No
14917J	Dublin	Zion Parish Primary School	Bushy Park Road, Rathgar, Dublin 6	93	Yes	No
14939T	Dublin	Rathfarnham Parish N S	Washington Lane, Templeogue, Dublin 14	236	Yes	No
15132B	Dublin	Harold Boys N S	Dalkey, Co. Dublin	79	Yes	No
15995L	Dublin	Canon O Hanlon Memorial N S	Sandymount, Dublin 4	312	No	No
16352U	Dublin	St Brigids Boys N S	Foxrock, Dublin 18	455	No	No
16353W	Dublin	St Brigids Girls N S	Foxrock, Dublin 18	516	No	No

[Ms Hanafin.]

Roll No.	County	School	Address	Pupils 05-06	NEPS Psychologist Assigned To School Jan 07	NEPS Psychologist Assigned To School Mar 07
16629O	Dublin	Kilternan Church Of Ireland NS	Kilternan, Co. Dublin	146	Yes	No
16794G	Dublin	St Brigids N S	Merville Rd, Stillorgan, Blackrock. Co. Dublin	93	No	No
16872A	Wicklow	Cronan Naofa N S	Bray, Co. Wicklow	449	No	No
17470I	Dublin	St Raphaelas N S	Upper Kilmacud Road, Stillorgan, Co. Dublin	218	Yes	No
17500O	Wicklow	S N Muire Mxd	Barndarrig, Co. Wicklow	95	Yes	No
17507F	Dublin	S N Padraig Naofa	Gleann Cuillin, Cilltighearnain, Co. Atha Cliath	92	Yes	No
17576B	Wicklow	Scoil An Choroin Mhuire	Wicklow Town, Co. Wicklow	443	No	No
17826V	Wicklow	Na Coroine Muire Mxd	Ashford, Co. Wicklow	273	No	No
17907V	Wicklow	Crossbridge N S	Crossbridge, Tinahely, Co. Wicklow	58	No	No
17953F	Dublin	S N Bhaile Eamonn	Rathfarnham, Dublin 14	91	Yes	No
17954H	Dublin	Scoil Caoimhin Naofa	Mount Merrion, Blackrock, Co. Dublin	296	No	No
17970F	Dublin	Cl Scoil M Na Trocaire	Baile An Bhothair, Co. Baile Atha Cliath	226	No	No
17979A	Dublin	S N Cnoc Ainbhil	Lr Kilmacud Rd, Stillorgan/Blackrock, Co. Dublin.	388	Yes	No
18281K	Wicklow	Marino School N.S.	Church Road, Bray, Co. Wicklow	31	No	No
18282M	Dublin	Sn Paroiste Maitiu Nfa	Cranfield Place, Sandymount, Dublin 4	102	No	No
18357R	Wicklow	S N Padraig Naofa	Curtlestown, Enniskerry, Co. Wicklow	61	Yes	No
18408I	Wicklow	Newcourt Special School	Newcourt Road, Bray, County Wicklow	82	No	No
18499O	Dublin	St Augustines School	Obelisk Park, Blackrock, Co. Dublin	164	No	No
18569J	Dublin	St Declans Special Sch	35 Northumberland Road, Ballsbridge, Dublin 4	47	No	No
18671A	Dublin	St Michaels Hse Spec Sc	17 Grosvenor Road, Rathgar, Dublin 6	79	No	No
18806U	Dublin	Kilternan N S 1	Kilternan, Co. Dublin	313	Yes	No
18815V	Dublin	Our Lady Of Lourdes School	Rochestown Ave, Dún Laoghaire, Co. Dublin	8	No	No
18817C	Dublin	S N Brighde	Cullenswood House, Br Feadha Cuillin, Raghmallach	332	Yes	No
18863J	Dublin	Benincasa Special School	1 Mount Merrion Ave, Blackrock, Co. Dublin	47	No	No
18886V	Dublin	Kill O The Grange N S	Kill O The Grange, Co. Dublin	240	Yes	No
18904U	Dublin	St Peters Special Sch	Lucena Clinic, 59 Orwell Road, Dublin 6	56	No	No
19066L	Dublin	Loreto National School, Dalkey, Co. Dublin		309	Yes	No
19258U	Dublin	Scoil Padraig Naofa B	Hollypark, Foxrock, Dublin 18	718	No	No
19259W	Dublin	St Patricks Gns	Foxrock Ave, Foxrock, Dublin 18	579	No	No
19314E	Dublin	Scoil Na Maighdine Mhuire Boy	Broadford Rise, Balinteer, Dublin 16	156	No	No
19320W	Dublin	Our Lady Of Good Counsel Boys N S	Johnstown, Dún Laoghaire, Co. Dublin	441	No	No
19321B	Dublin	Our Lady Good Counsel Gns	Johnstown, Dún Laoghaire, Co. Dublin	449	No	No
19335M	Dublin	Scoil Na Aingeal	Newtownpark Ave, Blackrock, Co. Dublin	442	No	No
19355S	Dublin	Ballyowen Meadows	C/O Mary Immac Sch For Hearing, Impaired Boys, Beech Park Stillorgan	29	No	No
19374W	Dublin	Garran Mhuire	Goatstown, Dublin 14	312	Yes	No
19396J	Dublin	Na Maighdine Muire Girl	Ballinteer, Dublin 16	169	No	No
19474D	Dublin	Scoil Colmcille Naofa	Knocklyon, Templeogue, Dublin 16	714	No	No
19522L	Wicklow	St Catherines Spec Sch	Newcastle, Greystones, Co. Wicklow	80	No	No
19574H	Dublin	Marley Grange NS	Divine Word NS, Marley Grange, Rathfarnham	457	Yes	No

Roll No.	County	School	Address	Pupils 05-06	NEPS Psychologist Assigned To School Jan 07	NEPS Psychologist Assigned To School Mar 07
19584K	Wicklow	Scoil Chualann	Bothar Vevay, Bre, Co. Chill Mhantain	250	No	No
19612M	Dublin	Dalkey School Project	Glenageary Lodge, Glenageary, Co. Dublin	239	Yes	No
19734D	Wicklow	St Francis N S, Newcastle, Co. Wicklow		100	Yes	No
19742C	Dublin	St Colmcille Senior N S	Knocklyon, Dublin 16	726	No	No
19888H	Dublin	St Annes Mxd N S	Stonebridge Road, Shankill, Co. Dublin	502	No	No
19901T	Dublin	Boosterstown N S	Cross Ave, Blackrock, Co. Dublin	92	Yes	No
19945Q	Dublin	Rathfarnham Educate Together	Loreto Avenue, Rathfarnham, Dublin 14	225	Yes	No
20020R	Dublin	Gaelscoil Thaobh Na Coille	Cill Tiarnain, B.A.C. 18	214	Yes	No
20028K	Dublin	Setanta Special School	Beechpark, Stillorgan, Co. Dublin	38	No	No
20056P	Dublin	Gaelscoil Phadraig	Ascaill Shileann, Baile Breac, Co. Atha Cliath	117	Yes	No
20121A	Dublin	St John of God Special School	Glenageary, Co. Dublin	35	No	No
20178G	Wicklow	Wicklow Educate Together Ns	C/O Wicklow Bay Hostel, Marine House, The Murrrough	87	No	No
20190T	Dublin	Holy Trinity N.S.	C/O Parochial House, St. Mary's, Sandyford, Dublin 18	20	No	No
60092U	Dublin	Clonkeen College	Clonkeen Road, Blackrock, Co. Dublin	487	No	No
60160L	Dublin	Notre Dame Des Missions	Upper Churchtown Road, Dublin 14	205	No	No
60180R	Dublin	Christian Brothers College	Monkstown Park, Dún Laoghaire, Co. Dublin	541	No	No
60250M	Dublin	Holy Child Secondary School	Military Road, Killiney, Co. Dublin	368	No	No
60261R	Dublin	St Benildus College	Upper Kilmacud Rd, Stillorgan, Blackrock	671	No	No
60310E	Dublin	Da La Salle College	Upper Churchtown Road, Churchtown, Dublin 14	317	No	No
60320H	Dublin	St Columba's College	Whitechurch, Dublin 16	282	No	No
60342R	Dublin	Colaiste Eanna Cbs	Ballyroan, Rathfarnham, Dublin 16	411	No	No
60361V	Dublin	St Raphaela's Secondary School	Upper Kilmacud Road, Stillorgan, Co. Dublin	394	No	No
60530S	Dublin	Gonzaga College	Sandford Road, Ranelagh, Dublin 6	534	No	No
60540V	Dublin	Catholic University School	89 Lower Leeson Street, Dublin 2	440	No	No
60590N	Dublin	St Conleths College	28 Clyde Road, Ballsbridge, Dublin 4	237	No	No
60630W	Dublin	St Killian's Deutsche Schule	Roebuck Road, Clonskeagh, Dublin 14	288	No	No
60710U	Dublin	Muckcross Park College	Donnybrook, Dublin 4	670	No	No
60820E	Dublin	Loreto College	53 St Stephens Green, Dublin 2	558	No	No
61020A	Dublin	Stratford College	1 Zion Road, Rathgar, Dublin 6	153	No	No
61770U	Wicklow	St Kevin's CBS	Coolgreaney Road, Arklow, Co. Wicklow	286	No	No
61790D	Wicklow	St Brendan's College	Woodbrook, Bray, Co. Wicklow	382	No	No
61811I	Wicklow	St Gerard's	Thornhill Road, Bray, Co. Wicklow	426	No	No
61820J	Wicklow	Loreto Secondary School	Vevay Rd, Bray, Co. Wicklow	846	No	No
61830M	Wicklow	St David's Secondary	Co-Educational School, Greystones, Co. Wicklow	475	No	No
81016V	Wicklow	East Glendalough School	Station Road, Wicklow Town, Co. Wicklow	361	No	No
00729F	Dublin	Clochar Loreto N S	Grange Road, Rathfarnham, Dublin 14	528	Yes	Yes
01782O	Wicklow	S N Naomh Padraig	Bearna Chle, Arklow, Co. Wicklow	67	Yes	Yes
03359N	Dublin	Ballyroan B N S	Ballyroan, Rathfarnham, Dublin 16	264	Yes	Yes
09750S	Dublin	St Josephs Boys N S	Terenure, Dublin 6	500	Yes	Yes
11372B	Wicklow	Brittas Bay Mxd N S	Brittas Bay, Co. Wicklow	117	Yes	Yes
11873A	Dublin	Rathmichael N S	Rathmichael, Shankill, Co. Dublin	224	Yes	Yes
12529N	Wicklow	St Saviours N S	Rathdrum, Co. Wicklow	63	Yes	Yes

[Ms Hanafin.]

Roll No.	County	School	Address	Pupils 05-06	NEPS Psychologist Assigned To School Jan 07	NEPS Psychologist Assigned To School Mar 07
12554M	Wicklow	Greystones 2 N S	Greystones, Co. Wicklow	219	Yes	Yes
12755W	Dublin	Kildare Place N S	96 Upper Rathmines Rd, Dublin 6	218	Yes	Yes
13224T	Wicklow	Ballintemple N S	Ballintemple, Avoca, Co. Wicklow	24	Yes	Yes
13246G	Wicklow	Moneystown N S	Moneystown, Bray, Co. Wicklow	95	Yes	Yes
13597M	Wicklow	St Andrews N S	Bray, Co. Wicklow	193	Yes	Yes
13679O	Wicklow	Delgany N S	Delgany, Co. Wicklow	224	Yes	Yes
13932A	Wicklow	S N Naomh Michael	Arklow, Co. Wicklow	352	No	Yes
14045B	Wicklow	Carysfort Mxd N S	Carysfort, Arklow, Co. Wicklow	158	Yes	Yes
14829M	Wicklow	Redcross 1 N S	Redcross, Co. Wicklow	45	Yes	Yes
14972R	Wicklow	Main Street N S	Carnew, Co. Wicklow	18	Yes	Yes
15284B	Dublin	Taney N S	Sydenham Villas, Dundrum, Dublin 14	472	Yes	Yes
15359G	Wicklow	Shillelagh No 1 N S	Shillelagh, Co. Wicklow	29	Yes	Yes
15383D	Wicklow	St Peters Infts	Arklow, Co. Wicklow	108	Yes	Yes
15618E	Dublin	Sandford N S	Ranelagh, Dublin 6	224	Yes	Yes
15676S	Wicklow	Padraig Naofa B N S	De La Salle, Wicklow	449	Yes	Yes
16573N	Wicklow	St Brigids School	Greystones, Co. Wicklow	311	Yes	Yes
16590N	Wicklow	St Brigids Convent	Kilcoole, Co. Wicklow	198	Yes	Yes
16634H	Wicklow	St Laurences N S	Roundwood, Co. Wicklow	182	Yes	Yes
16893I	Dublin	S N Naomh Lorcan	Stillorgan, Kilmacud, Co. Dublin	418	Yes	Yes
16924Q	Wicklow	Caoimhin Naofa N S	Gleann Da Loch, Bri Cualann, Co. Cill Mhantain	102	Yes	Yes
16966J	Dublin	Scoil Naisiunta Stratford	1 Zion Road, Rathgar, Dublin 6	95	Yes	Yes
17181B	Wicklow	St Josephs N S	Templeraíne, Arklow, Co. Wicklow	509	Yes	Yes
17210F	Dublin	Clochar Lughaidh Cailin	Williams Park, Rathmines, Dublin 6	357	Yes	Yes
17211H	Dublin	Clochar Lughaidh Naoidh	Williams Park, Rathmines, Dublin 6	271	Yes	Yes
17223O	Wicklow	S N Muire Is Gearard	Enniskerry, Co. Wicklow	239	Yes	Yes
17228B	Wicklow	Clochar Muire N S	Rathdrum, Co. Wicklow	126	Yes	Yes
17265H	Wicklow	Rathdrum Boys N S	Rathdrum, Co. Wicklow	133	Yes	Yes
17304O	Wicklow	Annacurra N S	Annacurra, Aughrim, Co. Wicklow	89	Yes	Yes
17537O	Wicklow	Scoil Padraig Naofa	Bray, Co. Wicklow	772	Yes	Yes
17720F	Wicklow	Scoil Naomh Caoimhghin	Greystones, Co. Wicklow	461	Yes	Yes
18033O	Wicklow	Kilcommon N S	Kilcommon, Tinahely, Co. Wicklow	55	Yes	Yes
18118W	Wicklow	Coolfancy N S	Cul Fhasaigh, Tinahely, Co. Wicklow	103	Yes	Yes
18198A	Wicklow	Padraig Naofa N S	Avoca, Co. Wicklow	168	Yes	Yes
18242A	Wicklow	Carnew N S	Carnew, Co. Wicklow	199	Yes	Yes
18365Q	Wicklow	Kilmacanogue N S	Kilmacanogue, Bray, Co. Wicklow	249	Yes	Yes
18370J	Dublin	Ioclainn Na Pailirise	Inchinne, Sandymount Avenue, Dublin 4	53	Yes	Yes
18451J	Dublin	Scoil Lorcaín	Cearnog Eaton, Baile Na Manach, Co. Atha Cliath	436	Yes	Yes
18452L	Wicklow	St Anthony's Boys NS	Kilcoole, Greystones, Co. Wicklow	161	Yes	Yes
18470N	Wicklow	Naomh Brid N S	Cnoc An Eanaigh, Ballinglen, Co. Wicklow	77	Yes	Yes
18473T	Wicklow	An Chroi Ro Naofa N S	Aughrim, Co. Wicklow	151	Yes	Yes
18489L	Wicklow	Tinahely N S	Tinahely, Co. Wicklow	91	Yes	Yes
18647D	Dublin	S N San Treasa	The Rise, Mt Merrion, Co. Dublin	462	Yes	Yes
19114T	Dublin	St Patrick Gns	Ballyroan, Rathfarnham, Dublin 16	407	Yes	Yes
19319O	Dublin	St Olafs N S	Balally Drive, Dundrum, Dublin 16	342	Yes	Yes
19400U	Dublin	Sn Glen Na Gcaorach	Wyvern, Killiney Rd, Killiney	241	Yes	Yes
19437U	Dublin	Scoil Naithi	Baile An Tsaoir, Dum Droma, Baile Atha Cliath 16	232	Yes	Yes
19446V	Dublin	Scoil Mhuire Boys	Grange Road, Rathfarnham, Dublin 14	423	Yes	Yes
19499T	Dublin	St Oliver Punkett Sp Sc	Alma Place, Carrigbreannan, Blackrock	53	Yes	Yes
19537B	Dublin	St Attractas Junior N S	Meadowbrook, Dundrum, Dublin 16	362	Yes	Yes

Roll No.	County	School	Address	Pupils 05-06	NEPS Psychologist Assigned To School Jan 07	NEPS Psychologist Assigned To School Mar 07
19573F	Wicklow	St Laurences N S	St Laurences N S, Kindlestown, Greystones	509	Yes	Yes
19599A	Wicklow	St Kierans Spec School	Old Conna, Bray, Co. Wicklow	61	Yes	Yes
19705T	Dublin	Catherine McAuley N Sc	59 Lower Baggot Street, Dublin 2	81	Yes	Yes
19716B	Dublin	St Attractas Senior N S	Meadowbrook, Dundrum, Dublin 14	383	Yes	Yes
19727G	Dublin	St Marys Central N S	Belmont Ave, Donnybrook, Dublin 4	249	Yes	Yes
19748O	Wicklow	Scoil Mhuire Na Naird	Shillelagh, Co. Wicklow	62	Yes	Yes
19754J	Wicklow	Bray School Project N S	Killarney Rd, Ballywaltrim, Bray	238	Yes	Yes
19904C	Dublin	Holy Cross N S	Upper Kilmacud Road, Dundrum, Dublin 14	235	Yes	Yes
19928Q	Dublin	Ranelagh Multi Denom NS	Ranelagh Road, Dublin 6	244	Yes	Yes
19949B	Dublin	Islamic National School	19 Roebuck Road, Clonskeagh, Dublin 14	272	Yes	Yes
20016D	Wicklow	Gaelscoil Ui Cheadaigh	Bre, Co. Chill Mhantain	174	Yes	Yes
20043G	Dublin	Gaelscoil Chnoc Liamhna	Halla Na Ngasoga, Bothar Cnoc Liamhna, Baile Atha Cliath 16	235	Yes	Yes
20045K	Wicklow	Gaelscoil Chill Mhantain	Bothar Marlton, Baile Chill Mhantain, Co. Chill Mhantain	166	Yes	Yes
20048Q	Dublin	Gaelscoil Lios Na Nog	Teach Fhiodh Cuilinn, 21a Bothar Oakley, Raghmallach	196	Yes	Yes
20060G	Dublin	Monkstown Educate Together Ns	Monkstown Grove, Blackrock, Co. Dublin	230	Yes	Yes
20080M	Wicklow	Gaelscoil An Inbhir Mhoir	Fernbank Park, Cemetary Road, An Tinbhear Mhoir	211	Yes	Yes
20103V	Dublin	John Scottus NS	Northumberland Road, Dublin 4	275	Yes	Yes
20141G	Dublin	The Harold School	Eden Road, Glasthule, Co. Dublin	491	Yes	Yes
60030V	Dublin	Blackrock College	Blackrock, Co. Dublin	969	Yes	Yes
60040B	Dublin	Willow Park School	Rock Road, Blackrock, Co. Dublin	196	Yes	Yes
60041D	Dublin	Coláiste Eoin	Baile An Bhóthair, Bóthair Stigh Lorgan, Co. Atha Cliath	438	Yes	Yes
60042F	Dublin	Coláiste Iosagáin	Bóthar Stigh Lorgan, Baile An Bhóthair, Co. Atha Cliath	461	No	Yes
60050E	Dublin	Oatlands College	Mount Merrion, Blackrock, Co. Dublin	394	Yes	Yes
60070K	Dublin	Dominican College	Sion Hill, Blackrock, Co. Dublin	263	Yes	Yes
60081P	Dublin	Rockford Manor Secondary Schoo	Stradbroke Rd, Blackrock, Co. Dublin	360	Yes	Yes
60090Q	Dublin	Rathdown School	Glenageary, Dún Laoghaire, Co. Dublin	403	Yes	Yes
60130C	Dublin	Loreto Abbey Secondary School	Dalkey, Co. Dublin	596	Yes	Yes
60140F	Dublin	Mount Anville Secondary School	Mount Anville Rd, Dublin 14	634	Yes	Yes
60200U	Dublin	Presentation Brothers	Glasthule, Co. Dublin	60	Yes	Yes
60240J	Dublin	Loreto College	Foxrock, Dublin 18	708	Yes	Yes
60260P	Dublin	St Joseph Of Cluny	Bellevue Park, Ballinclea Rd, Killiney	454	Yes	Yes
60321J	Dublin	Rockbrook Park School	Edmondstown Road, Rathfarnham, Dublin 16	143	Yes	Yes
60340N	Dublin	Loreto High School	Beaufort, Grange Rd, Rathfarnham	612	No	Yes
60341P	Dublin	Sancta Maria College	Ballyroan, Rathfarnham, Dublin 16	556	Yes	Yes
60560E	Dublin	St Marys College	Rathmines, Dublin 6	461	Yes	Yes
60561G	Dublin	St Michaels College	Ailesbury Road, Dublin 4	581	Yes	Yes
60640C	Dublin	Sandford Park School Ltd	Sandford Road, Ranelagh, Dublin 6	260	Yes	Yes
60650F	Dublin	St Andrews College	Boosterstown Ave, Blackrock, Co. Dublin	929	Yes	Yes
60670L	Dublin	The High School	Danum, Zion Road, Rathgar	788	Yes	Yes
60890C	Dublin	St Louis High School	Charleville Road, Rathmines, Dublin 6	612	Yes	Yes
60891E	Dublin	Our Ladys Grove	Goatstown Road, Dublin 14	420	Yes	Yes
60892G	Dublin	The Teresian School	12 Stillorgan Road, Donnybrook, Dublin 4	176	Yes	Yes

[Ms Hanafin.]

Roll No.	County	School	Address	Pupils 05-06	NEPS Psychologist Assigned To School Jan 07	NEPS Psychologist Assigned To School Mar 07
60910F	Dublin	Alexandra College	Milltown, Dublin 6	627	Yes	Yes
60930L	Dublin	Rosemont School	Temple Road, Blackrock, Co. Dublin	108	Yes	Yes
61010U	Dublin	Wesley College	Ballinteer, Dublin 16	871	Yes	Yes
61780A	Wicklow	St Marys College	St Mary's Rd, Arklow, Co. Wicklow	557	Yes	Yes
61800D	Wicklow	Presentation College	Putland Road, Bray, Co. Wicklow	650	Yes	Yes
61850S	Wicklow	De La Salle College	St. Mantan's Road, Wicklow, Co. Wicklow	305	Yes	Yes
61860V	Wicklow	Dominican College	Wicklow, Co. Wicklow	489	Yes	Yes
68071G	Dublin	John Scottus Secondary School	74/76 Morehampton Rd, Donnybrook, Dublin 4	133	Yes	Yes
70030E	Dublin	Senior College Dunlaoghaire	Eblana Avenue, Dún Laoghaire, Co. Dublin	1,023	Yes**	Yes
70050K	Dublin	Dún Laoghaire College of Further Education	Cumberland St, Dún Laoghaire	614	Yes**	Yes
70070Q	Dublin	College of Further Education	Dundrum, Main St, Dundrum, Dublin 14	223	Yes**	Yes
70090W	Dublin	Sallynoggin College of Further Education	Pearse St, Sallynoggin, Co. Dublin	530	Yes**	Yes
70110C	Dublin	Stillorgan College of Further Education	Old Dublin Rd, Stillorgan	204	Yes**	Yes
70280E	Dublin	Rathmines College	Town Hall, Rathmines, Dublin 6	574	Yes**	Yes
70290H	Dublin	Ballsbridge College of Busines	Shelbourne Road, Ballsbridge, Dublin 4	328	Yes**	Yes
70790E	Wicklow	Carnew Community College	Carnew, Co. Wicklow	535	Yes	Yes
70821M	Wicklow	Coláiste Raithín	Bóthar Florence, Bré, Co. Chill Mhantain	292	Yes	Yes
76076M	Wicklow	Colaiste Chraobh Abhann	Creowen, Kilcoole	304	Yes	Yes
81001I	Dublin	Newpark Comprehensive School	Newtown Park Avenue, Blackrock, Co. Dublin	787	No	Yes
91510M	Dublin	Pobail Scoil Naomh Coilm Cille	Scholarstown Rd, Knocklyon, Dublin 16	677	Yes	Yes
60490J	Dublin	C.B.S. Westland Row	Westland Row, Dublin 2	130	No	Yes
70740M	Wicklow	Arklow Community College	Coolgreaney Rd, Arklow, Co. Wicklow	396	No	Yes
91305L	Dublin	Ballinteer Community School	Ballinteer, Dublin 16	358	No	Yes
91310E	Dublin	Cabinteely Community School	Cabinteely, Dublin 18	609	No	Yes
91343T	Dublin	St. Tiernan's Community School	Parkvale, Balally, Dublin 16	359	No	Yes
18962L	Wicklow	St Ernans B N S	Rathnew, Co. Wicklow	123	No	Yes
11578V	Dublin	City Quay Boys N S	City Quay, Dublin 2	149	No	Yes
19896G	Dublin	Scoil Caitriona Na Mbraithre	Baggot St, Dublin 2	73	No	Yes
60262T	Dublin	St Laurence College	Loughlinstown, Dublin 18	508	Yes	Yes
60500J	Dublin	Marian College	Ballsbridge, Dublin 4	401	Yes	Yes
70770V	Wicklow	St Thomas' Community College	Novara Avenue, Bray, Co. Wicklow	1,068	Yes	Yes
70810H	Wicklow	Avondale Community College	Rathdrum, Co. Wicklow	419	Yes	Yes
70820K	Wicklow	Abbey Community College	Wicklow, Co. Wicklow	382	Yes	Yes
91330K	Dublin	Holy Child Community School	Pearse St, Sallynoggin, Co. Dublin	292	Yes	Yes
91376L	Wicklow	St. Killian's Community School	Ballywaltrim, Bray, Co. Wicklow	564	Yes	Yes
00984V	Wicklow	Glenealy 1 N S	Glenealy, Co. Wicklow	56	Yes	Yes
16874E	Wicklow	S N Naomh Iosef G	Rathnew, Co. Wicklow	91	Yes	Yes
03917V	Dublin	Naomh Padraig Boys	Cambridge Road, Ringsend, Dublin 4	88	Yes	Yes
18464S	Wicklow	Naomh Peadar N S	Bray, Co. Wicklow	86	Yes	Yes
19438W	Dublin	Scoil Colmcille Senior	Wyattville, Ballybrack, Co. Dublin	187	Yes	Yes

Roll No.	County	School	Address	Pupils 05-06	NEPS Psychologist Assigned To School Jan 07	NEPS Psychologist Assigned To School Mar 07
19490B	Dublin	Scoil Mhuire	Ballyboden, Dublin 16	228	Yes	Yes
19641T	Dublin	St Colmcille Jun Ns	Wyattville, Ballybrack, Co. Dublin	187	Yes	Yes
19840C	Dublin	Holy Family School	Dunedin Park, Monkstown, Co. Dublin	120	Yes	Yes
20218P	Dublin	Archbishop Mcquaid Jnr & Snr Ns	Loughlinstown, Co. Dublin	162	Yes	Yes
02276E	Wicklow	An T Inbhear Mor B N S	Arklow, Co. Wicklow	159	Yes	Yes
05600C	Dublin	Clochar San Dominic	Dún Laoghaire, Co. Dublin	198	Yes	Yes
07246U	Wicklow	Sisters of Charity N S	Ravenswell, Bray, Co. Wicklow	244	Yes	Yes
15253N	Dublin	St Patricks Girls NS	Cambridge Road, Dublin 4	127	Yes	Yes
16567S	Dublin	St Brigids Convent N S	Haddington Road, Dublin 4	224	Yes	Yes
16591P	Wicklow	Newtownmountkennedy Con	Netownmountkennedy, Wicklow	114	Yes	Yes
17279S	Dublin	Scoil Muire	Haddington Road, Dublin 4	132	Yes	Yes
18732R	Wicklow	Naomh Seosamh B N S	Newtownmountkennedy, Greystones, Co. Wicklow	134	Yes	Yes
19497P	Dublin	Scoil Mhuire, Shankill, Co. Dublin		302	Yes	Yes
19508R	Wicklow	St Fergals Junior National School	Ballywaltrim, Bray, Co. Wicklow	296	Yes	Yes
19654F	Wicklow	St Fergals Senior NS	Ballywaltrim, Bray, Co. Wicklow	304	Yes	Yes
19723V	Dublin	Queen of Angels Primary School	Wedgewood, Dundrum, Dublin 16	329	Yes	Yes
19922E	Dublin	Our Ladys N S	St Columbanus Road, Milltown, Dublin 14	69	Yes	Yes
19938T	Dublin	St Josephs	Tivoli Road, Dún Laoghaire, Co. Dublin	134	Yes	Yes
19939V	Dublin	Scoil Naisiunta An Dea Aoire	Whitehall Road, Churchtown, Dublin 14	256	Yes	Yes
19960M	Dublin	St Johns N S	Ballybrack, Co. Dublin	127	Yes	Yes
19979K	Dublin	St Kevins N S	Sallynoggin, Co. Dublin	132	Yes	Yes
70060N	Dublin	Dundrum College	Sydenham Road, Dundrum, Dublin 14	171	Yes**	Yes
70200D	Dublin	Technical Institute	Cambridge Road, Ringsend, Dublin 4	169	Yes**	Yes

** Coverage Delivered by the City & Co. Dublin VEC Psychology Service

East Coast Region

Changes in NEPS Service Coverage w.e.f. 1/3/07

School added to NEPS Coverage

County	School Type	Roll No.	School	Address	Pupils
Dublin	Primary	11578V	City Quay Boys N S	City Quay, Dublin 2	149
Wicklow	Primary	13932A	S N Naomh Michael	Arklow, Co. Wicklow	352
Wicklow	Primary	16591P	Newtownmountkennedy Con	Netownmountkennedy, Wicklow	114
Wicklow	Primary	18962L	St Ernans B N S	Rathnew, Co. Wicklow	123
Dublin	Primary	19896G	Scoil Caitriona Na mBraithre	Baggot St, Dublin 2	73
Dublin	Secondary	60042F	Colaiste Iosagain	Bothar Stigh Lorgan, Baile An Bhothair, Co. Atha Cliath	461
Dublin	Secondary	60340N	Loreto High School	Beaufort, Grange Rd, Rathfarnham, Dublin 14	612
Dublin	Secondary	60490J	C.B.S. Westland Row	Westland Row, Dublin 2	130
Wicklow	Vocational	70740M	Arklow Community College	Coolgreaney Rd, Arklow, Co. Wicklow	399
Dublin	Comprehensive	81001I	Newpark Comprehensive School	Newtownpark Avenue, Blackrock, Co. Dublin	787
Dublin	Community	91305L	Ballinteer Community School	Ballinteer, Dublin 16	363
Dublin	Community	91310E	Cabinteely Community School	Cabinteely, Dublin 18	608
Dublin	Community	91343T	St. Tiernan'S Community School,	Parkvale, Balally, Dublin 16	360

[Ms Hanafin.]

Schools Moved to SCPA Provision

County	School Type	Roll No.	School	Address	Pupils
Dublin	Primary	02872U	Sandyford Mxd N S	Sandyford, Co. Dublin	109
Dublin	Primary	06200O	Boosterstown Boys	Boosterstown, Blackrock, Co. Dublin	211
Wicklow	Primary	09760V	Powerscourt N S	Powerscourt, Enniskerry, Co. Wicklow	58
Dublin	Primary	11638N	Whitechurch Nat School	Whitechurch, Rathfarnham, Dublin 16	149
Wicklow	Primary	14398L	Wicklow 2 N S	Wicklow, Co. Wicklow	182
Dublin	Primary	14647G	Dalkey N S (2)	Dalkey, Co. Dublin	97
Dublin	Primary	14717B	Rathgar N S	Rathgar, Dublin 6	93
Dublin	Primary	14917J	Zion Parish Primary School	Bushy Park Road, Rathgar, Dublin 6	93
Dublin	Primary	14939T	Rathfarnham Parish N S	Washington Lane, Templeogue, Dublin 14	236
Dublin	Primary	15132B	Harold Boys N S	Dalkey, Co. Dublin	79
Dublin	Primary	16629O	Kilternan Church of Ireland NS	Kilternan, Co. Dublin	146
Dublin	Primary	17470I	St Raphaelas N S	Upper Kilmacud Road, Stillorgan, Co. Dublin	218
Wicklow	Primary	17500O	S N Muire Mxd	Barndarrig, Co. Wicklow	95
Dublin	Primary	17507F	S N Padraig Naofa	Gleann Cuillin, Cilltighearnain, Co. Atha Cliath	92
Dublin	Primary	17953F	S N Bhaile Eamonn	Rathfarnham, Dublin 14	91
Dublin	Primary	17979A	S N Cnoc Ainbhil	Lr Kilmacud Rd, Stillorgan/Blackrock Co. Dublin	388
Wicklow	Primary	18357R	S N Padraig Naofa	Curtlestown, Enniskerry, Co. Wicklow	61
Dublin	Primary	18806U	Kilternan N S 1	Kilternan, Co. Dublin	313
Dublin	Primary	18817C	S N Brighde	Cullenswood House, Br Feadha Cuilinn, Raghmallach, B A C 6	332
Dublin	Primary	18886V	Kill O The Grange N S	Kill O The Grange, Co. Dublin	240
Dublin	Primary	19066L	Loreto National School	Dalkey, Co. Dublin	309
Dublin	Primary	19374W	Garran Mhuire	Goatstown, Dublin 14	312
Dublin	Primary	19574H	Marley Grange NS	Divine Word NS, Marley Grange, Rathfarnham, Dublin 16	457
Dublin	Primary	19612M	Dalkey School Project	Glenageary Lodge, Glenageary, Co. Dublin	239
Wicklow	Primary	19734D	St Francis N S	Newcastle, Co. Wicklow	100
Dublin	Primary	19901T	Boosterstown N S	Cross Ave, Blackrock, Co. Dublin	92
Dublin	Primary	19945Q	Rathfarnham Educate Together	Loreto Avenue, Rathfarnham, Dublin 14	225
Dublin	Primary	20020R	Gaelscoil Thaobh Na Coille	Cill Tiarnain, B.A.C. 18	214
Dublin	Primary	20056P	Gaelscoil Phadraig	Ascaill Shileann, Baile Breac, Co. Atha Cliath	117

Special Educational Needs.

805. **Mr. Noonan** asked the Minister for Education and Science if she will provide the assistance which is normally provided to students with a disability taking State examinations to a person (details supplied) in County Clare sitting the leaving certificate in June 2007, who has been refused such assistance by her Department despite the fact that they received it at the junior certificate; and if she will make a statement on the matter. [9747/07]

Minister for Education and Science (Ms Hanafin): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations, including organising the holding of examinations and determining procedures in places where

examinations are conducted including the supervision of examinations. In view of this, I have forwarded your query to the State Examinations Commission for direct reply to you.

Schools Building Projects.

806. **Ms Enright** asked the Minister for Education and Science if her attention has been drawn to an application for the building of a school (details supplied) in County Dublin; the situation with regard to the school; and if she will make a statement on the matter. [9748/07]

Minister for Education and Science (Ms Hanafin): This Project is currently at an early stage of architectural planning. A stage 3 (Developed Sketch Scheme) review meeting was held recently in the Department. Following this meeting additional information was requested from the Design Team. When a response to this

has been received, officials in the Department will evaluate the documentation. It is envisaged that unless there are very exceptional circumstances involved, the project will progress to the next stages of architectural planning. This project was included in my announcement of 25 April 2006 to progress to Tender and Construction.

Grant Payments.

807. **Mr. G. Murphy** asked the Minister for Education and Science the type of grant being awarded to a school (details supplied) in County Cork; and the purpose of and the amount being allocated. [9749/07]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has been approved for grant aid under the Small schools Scheme. The purpose of this Scheme is to empower schools to carry out refurbishment/extension works with minimum interaction with my Department. I do not propose to comment on the level of grant-aid approved for individual schools as to do so might compromise the tender process. Devolving funding to school management authorities allows them to have control of their projects, assists in moving projects more quickly to tender and construction and can also deliver better value for money.

The two Devolved Schemes, the Small Schools Scheme and the Permanent Accommodation Scheme, were originally introduced in 2003 on a pilot basis and due to the positive feedback from schools and were extended to cover more schools in subsequent years. The Schemes are not structured on the basis that the Department funding must be supplemented by local fund-raising. They do however allow a school to supplement the funding from local resources if they so wish. The critical element is that with devolved authority the school must set the scope of works to match the funding allocated. The Department does not define the precise works to be carried out. A school can make choices within the budget allocated.

Setting the scope of works is the critical first step. Clearly where a school has a known level of resources apart from the Department funding or knows its capacity to raise additional resources it is open to that school to extend the scope of works to include additional facilities. However if the scope of works is not set appropriately from the outset based on the budget available there is a risk that the school will be faced with a funding gap when the project is at construction. The choices to be made within these devolved schemes rest with the school and that is the cornerstone of any policy of devolution. The school authority knows the budget and must decide what it is capable of building with that budget. The

time to identify a problem is at the outset before entering any contract.

Schools can raise with my Department any site specific problems or unusual planning stipulations that impose additional costs and these will be examined. Otherwise schools must reduce the scope of intended works so as to remain within budget. A school does not have to accept the invitation to participate in a devolved scheme and instead be considered for inclusion in the mainstream school building programme in line with the project's priority band rating. I increased funding for the schemes in 2006 by an average of 20% for the Permanent Accommodation Scheme and by an average of 10% for the Small Schools Scheme. These increases follow-on from increases of up to 25% in 2005.

The feedback has in general been very positive, the number of schools participating has increased year on year and many schools are anxious to be included. In order to maintain this momentum I recently approved over 250 additional schools to participate in these schemes in 2007.

Question No. 808 answered with Question No. 743.

Departmental Expenditure.

809. **Mr. Eamon Ryan** asked the Minister for Education and Science the amount her Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if she will make a statement on the matter. [9772/07]

Minister for Education and Science (Ms Hanafin): The travel expenses paid by my Department for the period 2006 can be broken down as follows:

- Car Mileage Expenses €1,313,191.58
- Train Expenses €88,908.65
- Bus Expenses €993.80
- Taxi Expenses €83,906.63
- Other Expenses €3,989.71
- Overall Total €1,490,990.37

A substantial amount of the travel expenses paid by my Department relate to the work of the Schools Inspectorate.

Local Service Charges.

810. **Mr. Gogarty** asked the Minister for Education and Science the guidelines in place regarding the charging of services payments to community schools by local authorities in proportion to the site value, in view of the fact that primary schools do not apparently have to pay such a charge; if discussions have been held with local authorities regarding same including South

[Mr. Gogarty.]

Dublin County Council regarding a school (details supplied); and if she will make a statement on the matter. [9783/07]

Minister for Education and Science (Ms Hanafin): The Department is engaging with the relevant Authorities in relation to service charges generally. The Department will always engage with a Local Authority if it proposes to impose a services charge on a school. In most cases the Department will negotiate with the Local Authority to either waive or reduce the charge being imposed. The Department usually pays the charges imposed and this responsibility does not fall to the individual schools.

Schools Building Projects.

811. **Mr. Ó Fearghail** asked the Minister for Education and Science if the board of management of a school (details supplied) in County Kildare will be allowed to proceed to tender and construction of its new school in view of the granting of planning permission in this case by Kildare County Council; and if she will make a statement on the matter. [9784/07]

Minister for Education and Science (Ms Hanafin): My Department gave devolved authority for the project in question to proceed to planning permission and preparation of tender documentation. The school management and its Design Team will be authorised shortly to commence the pre-qualification process and it is envisaged that the project should proceed to tender and construction in the coming months.

Student Exchange Programmes.

812. **Ms O'Sullivan** asked the Minister for Education and Science the guidelines given to schools and the responsibility schools have regarding student exchange programmes organised through the school whereby young people travel to other countries; if the schools are obliged to ensure that they are accompanied by an adult or adults during their journey; and if she will make a statement on the matter. [9785/07]

Minister for Education and Science (Ms Hanafin): In 2004, my Department issued a Circular (M20/04) on Educational Tours both inside and outside the State to all second level schools. Authorisation to grant approval for educational tours by school groups was devolved to the school board of management subject to certain criteria including, consultation with parents and the provision of adequate insurance cover. The objective of an educational tour should be that it should provide a significant benefit in the educational, intellectual, cultural and social development of the maximum number of pupils in the particular

grade(s) taking part in the tour and which benefit cannot be provided by in-school activities alone. Responsibility for the appropriate supervision of students on school tours is a matter for the Board of Management. A "Tour Template" is included in the Circular which prompts the Board to consider issues relating to insurance, numbers of adults accompanying the students, parental permission etc.

School Management.

813. **Mr. Nolan** asked the Minister for Education and Science when a decision will be made regarding the board of management of a school (details supplied) in County Carlow for a new school; and if she will make a statement on the matter. [9791/07]

Minister for Education and Science (Ms Hanafin): I can confirm that the management authority of the school to which the Deputy refers has applied to the Department for funding for major capital works. This 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 multiannual School Building and Modernisation Programme.

Schools Building Projects.

814. **Mr. Collins** asked the Minister for Education and Science the position with regard to the upgrading and improvement of a school (details supplied) in County Limerick; if the technical assessment has been completed; and when it is expected the work will begin. [9794/07]

Minister for Education and Science (Ms Hanafin): An application for capital funding has been received from the school authority referred to by the Deputy. A technical assessment of the proposed new site has now taken place and the project will be progressed in the context of the School Building and Modernisation Programme.

Special Educational Needs.

815. **Mr. Nolan** asked the Minister for Education and Science if her Department will assist in having a child (details supplied) assessed for ADHD; and if she will make a statement on the matter. [9809/07]

Minister for Education and Science (Ms Hanafin): I can inform the Deputy that assessment or diagnosis of ADHD is a matter in the first instance for a clinician and I understand that a referral has already been made in respect of this child to the relevant authority within the Child & Family Service of the HSE. I can inform the Deputy also that the child has been assessed as

recently as 12 March by a psychologist from my Department's National educational Psychological Service who will be communicating with the school authorities in relation to the best way in which to support the child within the school.

Departmental Expenditure.

816. **Mr. G. Mitchell** asked the Minister for Education and Science the cost of energy used running her Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and her plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9821/07]

Minister for Education and Science (Ms Hanafin): The information requested by the deputy is detailed in the attached spreadsheet. The 2006 figures include electricity and gas costs for my Department's ten Regional Offices which were not established until 2003. These costs were €33,673.30 and €28,325.30 respectively. Energy saving lighting (using passive infra red fittings) has been installed in my Athlone offices. OPW are to investigate the suitability of using these fittings in the Dublin and Tullamore offices in the near future. In addition energy efficient lighting (CFL lamps) is used throughout my Department where possible.

School Enrolment.

817. **Mr. Kehoe** asked the Minister for Education and Science if the boards of management of secondary schools have the right to levy non-refundable application fees on families in the event that a child does not get or accept a place in a secondary school; and if she will make a statement on the matter. [9837/07]

Minister for Education and Science (Ms Hanafin): It is a fundamental principle of the Free Post-Primary Education Scheme that schools participating in the scheme do not charge parents in respect of:

- instruction in any subject of my Department's programme for Secondary Schools;

- recreation or study facilities where all the pupils are expected to avail themselves of these as part of the school programme;
- any other activities in which all pupils are required to take part.

Voluntary contributions by parents or charges for optional extras over and above what is provided for in the general school programme are permissible under the scheme, provided it is made absolutely clear to parents that there is no question of compulsion to pay, and, that in making a contribution, they are doing so of their own volition. Schools are allowed to charge a booking fee when considering applicants for enrolment, provided this is refundable following a decision on enrolment. Booking fees are sometimes required by schools in order to avoid "double booking" of pupils in schools that could result in the loss of teachers.

Departmental Staff.

818. **Mr. Sargent** asked the Minister for Education and Science if she will report on gender balance at each grade in her Department and in agencies that come under the aegis of her Department. [9849/07]

Minister for Education and Science (Ms Hanafin): The overall gender breakdown across all grades in my Department is 66% female and 34% male. The recently published Civil Service Equality Initiatives Report made recommendations in relation to the setting of new targets for gender equality in Principal and Assistant Principal Officer grades in Government departments. In my department the target of 27% of Principal Officer posts to be filled by women has already been exceeded. At Assistant Principal level the previous target of 33% of posts to be filled by women had been exceeded by 9% at the end of the target period.

The recommendations in this report include setting a new target that representation of women at APO level should be relevant to overall representation of women in each department. This recommendation will be examined to see what further improvements in this context can be made in my department. Information in relation to gender balance at each grade in my department and in agencies under the aegis of my department is set out in the table.

Department of Education and Science Gender Statistics

	Male	%	Female	%	Total
Total Admin	282	30	672	70	954
Total Non-Admin	158	46	188	54	346
Total All Grades	440	34	860	66	1300

[Ms Hanafin.]

Administration Grades

	Male	%	Female	%	Total
CO	56	17	266	83	322
SO	5	10	44	90	49
EO	76	27	209	73	285
AO	2	40	3	60	5
HEO	62	39	99	61	161
AP	49	58	36	42	85
PO	24	69	11	31	35
Assistant Secretary	5	83	1	0	6
Secretary General	0	0	1	100	1
Ministerial Staff	3	75	1	25	4
Employee Assistance	0	0	1	100	1
Total Admin	282	30	672	70	954

Non-Admin Grades

	Male	%	Female	%	Total
<i>Inspectorate</i>					
Chief Inspector	1	100	0	0	1
Deputy Chief Inspector	2	100	0	0	2
Asst Chief Inspector	7	64	4	36	11
Divisional Inspector	25	66	13	34	38
District Inspector	12	34	23	66	35
Senior Inspector PP	11	55	9	45	20
Post Primary Inspector	16	35	30	65	46
<i>NEPS</i>					
Acting Director	1	100	0	0	1
Regional Director	2	25	6	75	8
Senior Psychologist	14	27	37	73	51
Psychologists	10	16	53	84	63
<i>Building Unit</i>					
Manager	3	100	0	0	3
Project Planner	3	100	0	0	3
Senior Architect	5	83	1	17	6
Architect	2	50	2	50	4
Arch Asst	10	100	0	0	10
Engineer G1	3	100	0	0	3
<i>Service Grades</i>					
Head Service Officer	1	100	0	0	1
Service Officer in charge	4	100	0	0	4
Service Officer	13	87	2	13	15
Service Attendant	1	100	0	0	1
Nightwatchmen	2	100	0	0	2
General Operative	1	100	0	0	1
Supervisor of Cleaners	0	0	1	100	1
Cleaners	3	43	4	57	7
Telephonists	1	100	0	0	1

	Male	%	Female	%	Total
<i>Other</i>					
Civilian Driver	2	100	0	0	2
Senior Statistician	1	100	0	0	1
Statistician	0	0	2	100	2
Accountant	1	100	0	0	1
Assessor of Youth Work	1	100	0	0	1
Temp Barrister at Law	0	0	1	100	1
Total Non-Admin	158	46	188	54	346

Gender Balance Statistics — Bodies under the Aegis of the Department of Education and Science — March 2007

State Examinations Commission

Grade	Total	Male	Female
CEO	1	1	0
Director	1	1	0
PO	1	1	0
APO	7	5	2
HEO	16	6	10
EO	28	9	19
SO	14	1	13
CO	55	12	43
Head Service Officer	1	1	0
Service Officers	8	8	0
Head of EAM	1	1	0
Deputy HEAD EAM	3	2	1
EAM	31	20	11
Superintendent of Cleaners	1	0	1
Cleaners	12	3	9
Night Watchman	3	3	0
Total	183	74	109

National Council for Curriculum and Assessment

Grade	Total	Male	Female
CEO	1	0	1
Deputy CEO	2	1	1
Director Curriculum & Assessment	5	2	3
AP	1	1	0
Education Officer	12	4	8
HEO	0	0	0
EO	1	0	1
CO	5	4	1
Service Officer	2	1	1
Total	29	13	16

[Ms Hanafin.]

National Centre for Guidance in Education

Grade	Total	Male	Female
Director	1	0	1
AP	2	0	2
Admin Officer	2	0	2
SO	2	0	2
CO	1	0	1
Total	8	0	8

An Chomhairle um Oideachas Gaeltachta & Gaelscolaíochta

Staff	Total	Male	Female
CEO	1	0	1
EO	2	0	2
Research Assistant	1	1	0
Sub Total	4	1	3
<i>Council</i>			
Chairperson	1	1	0
Council Members	21	9	12
Sub Total	22	10	12
Total	26	11	15

National Qualifications Authority of Ireland

Grade	Total	Male	Female
CEO	1	1	0
Director (Senior Lecturer III)	2	0	2
Development Officer (Lecturer II)	4	3	1
Assistant Principal	1	1	0
Grade VII	3	0	3
Grade V	2	0	2
Grade IV	2	0	1
Grade III	2	0	1
Total	17	5	10

Higher Education and Training Awards Council

Grade	Total	Male	Female
Chief Executive	1	1	0
Director (Senior Lecturer III)	2	2	0
Head of Function (Senior Lecturer II)	6	2	3
Administration Manager (AP)	1	1	0
Grade VII (IoT scale)	2	0	2
Grade VI	3.5	1	2.5

Grade	Total	Male	Female
Grade V	6	0	6
Grade IV	3.5	0	3.5
Grade III	8	3	5
Total	33	10	22

Further Education and Training Awards Council

Grade	Total	Male	Female
CEO	1	1	0
Director of Services	1	1	0
Director of Awards	1	0	1
Development Officers	10	3	7
APO	1	0	1
VII	2	2	0
VI	2	1	1
V	6	1	5
IV	9	2	7
III	11	1	10
Total	43	12	32

Centre for Early Childhood Development & Education

Grade	Total	Male	Female
Director	1	1	
Assistant Director	1		1
Development Officers	3	1	2
Administrative staff	3	1	2
Total	8	3	5

Advisory Council for English Language Schools

Grade	Total	Male	Female
APO	1	1	
HEO	2		2
Total	3	1	2

International Education Board Ireland

Grade	Total	Male	Female
PO	1	1	
AP	1		1
HEO	2		2
Total	4	1	3

[Ms Hanafin.]

Gender Balance in Leargas 2007

Grade	Total	Male	Female
PO Higher	1	1	
AP Higher	5	3	2
AP Standard	1		1
AO Standard	2		2
HEO Higher	2	1	1
HEO Standard	5		5
EO Higher	4	1	3
EO Standard	10	3	7
SO	9		9
COS	4	1	3
Senior Lecturer	1		1
Head Services Officer	1	1	
Total	45	11	34

National Council for Special Education

Grade	Total	Male	Female
Chief Executive Officer	1	1	
Principal (1 Vacancy)	2	2	
Assistant Principal	3	1	2
Higher Executive Officer	4	3	1
Executive Officer	3.5	1	2.5
Staff Officer	1		1
Clerical Officer	2		2
<i>(Local Office Staff)</i>			
Special Educational Needs Organisers	78	14	64
Total	94.5	22	72.5

National Centre for Technology in Education

Grade	Total	Male	Female
Director/Principal Officer	1	1	0
National Co-ordinator/APO grade	5	2	3
Project Officer/Innovative Project Co-ordinators	8	6	2
Accountant, Grade IV	1	0	1
Senior Analyst Programmer III	2	1	1
Systems Administrator	1	1	0
Secretary Grade III	3	0	3
Senior Administrative Assistant	1	0	1
ICT Advisers	20	17	3
Total	42	28	14

Teaching Council

Grade	Total	Male	Female
Principal Officer (H)	1	—	1
Principal Officer (Std)	1	1	—
Asst. Principal Officers (H)	2	1	1
Higher Executive Officers	1	1	0
Executive Officer	3	1	2
Clerical Officers	14	0	14
Total	22	4	18

Gaisce — The President's Award

Grade	Total	Male	Female
CEO	1	1	0
Director of Development	1	1	0
Office Administrator	1	0	1
Assistant Office Administrator	1	0	1
Youth Worker	5	3	2
Total	9	5	4

Special Educational Needs.

819. **Mr. English** asked the Minister for Education and Science the classroom based assistance available from her Department for a person (details supplied) in County Meath whose speech is highly unintelligible to listeners; if her Department will provide this assistance; if her Department will secure a place for this person in a school with a special language unit for the next school year; and if she will make a statement on the matter. [9870/07]

Minister for Education and Science (Ms Hanafin): The National Council for Special Education (NCSE) has taken over responsibility for processing resource applications for children with special educational needs since 1 January 2005. The NCSE has a key role in the delivery of services for persons with special educational needs and operates through a network of special educational needs organisers (SENOs). The SENOs have been appointed throughout the country and are a focal point of contact for schools and parents. The NCSE, through the local SENO, processes the relevant applications for resources and convey decisions directly to the schools. My officials have been advised that the SENO was in contact with the parent of the pupil in question on 22 February 2007 and is awaiting further contact with the parent to progress the issue.

820. **Mr. Noonan** asked the Minister for Education and Science if she will sanction a reader to assist a student (details supplied) in County Limerick in their leaving certificate as recom-

mended in a report from the National Educational Psychological Service forwarded to her Department; and if she will make a statement on the matter. [9876/07]

Minister for Education and Science (Ms Hanafin): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations, including organising the holding of examinations and determining procedures in places where examinations are conducted including the supervision of examinations. In view of this, I have forwarded your query to the State Examinations Commission for direct reply to you.

821. **Mr. Noonan** asked the Minister for Education and Science if 20 hours home tuition per week will be sanctioned for a child (details supplied) in County Kilkenny; if her Department will pay a rebate of private tuition fees incurred since September 2006; and if she will make a statement on the matter. [9877/07]

838. **Ms O. Mitchell** asked the Minister for Education and Science if she will make a favourable decision for funding for home tuition, backdated to the date of application, for a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [9997/07]

861. **Mr. Penrose** asked the Minister for Education and Science the steps she will take, in view of the circumstances which are well known to her Department, to provide 20 hours tuition to a person (details supplied) in County Kilkenny; if she

[Mr. Penrose.]

will ensure that same is backdated to the date of application in September 2006; if this matter will be addressed without further delay; and if she will make a statement on the matter. [10080/07]

875. **Mr. Hogan** asked the Minister for Education and Science the reason for the delay in the provision of home tuition for a person (details supplied) in County Kilkenny. [10136/07]

882. **Mr. Morgan** asked the Minister for Education and Science the situation regarding the application by persons (details supplied) in County Kilkenny for 20 hours home support per week; her views on whether the provision of 20 hours home support from the special education section of her Department is essential to the person's development and well-being; and if she will make a statement on the matter. [10274/07]

907. **Mr. Durkan** asked the Minister for Education and Science when funding will be made available for home tuition for a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [10547/07]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 821, 838, 861, 875, 882 and 907 together.

I am pleased to advise that my Department recently sanctioned home tuition for the pupil in question and a letter to this effect has issued to the family. The issue of retrospective funding has been raised with my Department. However, it is difficult to see a basis for such a payment as a suitable placement was available at that time for the child concerned.

School Placement.

822. **Mr. Noonan** asked the Minister for Education and Science if she will ensure that a student (details supplied) in County Limerick who is unable to attend their present school due to bullying is found a place in a post-primary school; and if she will make a statement on the matter. [9878/07]

Minister for Education and Science (Ms Hanafin): The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The NEWB can be contacted at National Educational Welfare Board, National Headquarters, 16-22 Green Street, Dublin 7 or by telephone at 01-8738700. The NEWB is aware of the student referred to by the Deputy and an Educational Welfare Officer has been working with the parent to find another school place for the student. In the interim, the NEWB will assist with sourcing alternative arrangements.

Irish Language.

823. **Mr. Perry** asked the Minister for Education and Science further to Parliamentary Question No. 288 of 7 March 2007 if she will address the concerns addressed by a person (details supplied); the reason the decision will not be reversed; if she will temper justice with mercy in this case; and if she will make a statement on the matter. [9894/07]

Minister for Education and Science (Ms Hanafin): The original decision not to grant an exemption from the study of Irish to the pupil referred to by the Deputy was reviewed by my Department in the light of the latest evidence submitted.

My Department is satisfied that the circumstances of the pupil in question are not such as to merit an exemption from the study of Irish and, accordingly, a reversal of the decision is not warranted.

Special Educational Needs.

824. **Mr. Perry** asked the Minister for Education and Science if her attention has been drawn to the circumstances of a person (details supplied) in County Sligo; if she will intervene with her Department officials on this person's behalf who is at the top of the mild learning disability range and sanction home tuition as a matter of urgency in view of the fact that they will not pass their junior certificate which they will need for future apprentice or FÁS courses as they will be an early school leaver; and if she will make a statement on the matter. [9895/07]

Minister for Education and Science (Ms Hanafin): The home tuition scheme provides funding to parents to facilitate the provision of education at home for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children awaiting a suitable educational placement and also to provide early intervention for pre-school children with autism.

I am pleased to advise the Deputy that my Department has recently sanctioned home tuition for the pupil in question and a letter to this effect has issued to the family.

Question No. 825 answered with Question No. 750.

Specialist Schools.

826. **Mr. Bruton** asked the Minister for Education and Science her view on the desirability of specialist schools with their own curriculum being established to cater to the needs of that particular nationality; the way these schools are treated in terms of teacher allocation and language support; if her Department sets requirements in relation to the integration of these curricula with main-

stream education here; and if she will make a statement on the matter. [9904/07]

Minister for Education and Science (Ms Hanafin): I have no plans for specialist schools for particular nationalities. The national curriculum is an important cornerstone of our Irish education system which ensures that all students are exposed to a broad and balanced curriculum which is based on international best practice. There is provision for exemptions from the study of Irish for students who entered education after 11 years of age from abroad and for pupils with certain categories of special need.

My Department provides additional supports to schools in respect of pupils with an English language deficit. Schools with 14 or more newcomer pupils who do not have English as a first language and who are eligible for language support because they fall below a certain proficiency level are allowed to appoint a language support teacher. A second teacher may be appointed when the numbers reach 28. In September of 2006, the limit of two was effectively lifted as the Department allowed schools with large numbers to appoint a third teacher. I recently announced the allocation of 200 extra language resource teachers to bring the number solely teaching English to newcomer children to 1,450 in the current school year.

With regard to pupils' mother tongue and culture supports, the Department provides funds towards local community based initiatives to support pupils' mother tongue and culture on a limited basis. Immigrant groups can apply to the Department for funding towards the promotion of their language and culture. Such support may take place on the school premises by local agreement outside of school hours, usually at weekends.

Integrate Ireland Language Training Ltd monitors the delivery of such programmes and coordinates requests for funding.

The National Council for Curriculum and Assessment has produced guidelines for schools on best practice in the promotion of intercultural education.

Within the Leaving Certificate examination, a range of languages are offered as part of the national curriculum including Irish, English, French, German, Spanish, Italian, Arabic, Russian and Japanese. In addition, the State Examinations Commission also provides examinations in subjects which are not part of the curriculum where this is requested for candidates who are

- from a member state of the European Union
- Speak the language in which they opt to be examined in as a mother tongue
- Have followed a programme of study leading to the Leaving Certificate In addition,

the language in question must be a national language of an EU state.

In addition to the above, since 2004, pupils for whom neither Irish nor English is their mother tongue, may use bilingual translation dictionaries in examinations other than in Irish, English or their mother tongue.

Road Safety.

827. **Mr. M. Higgins** asked the Minister for Education and Science the safety initiatives she has taken in terms of road signage, lighting, traffic calming and reduced speed limits with regard to the need to secure the safety of children attending a school (details supplied) in County Galway; and if she will make a statement on the matter. [9911/07]

Minister for Education and Science (Ms Hanafin): The issue of road safety measures outside the vested site areas of schools, such as road signage, traffic calming measures etc., would be a matter that should be raised in the first instance with the relevant Local Authority.

Local Authorities have the power to decide on road safety measures outside schools and should ensure that measures are in place to protect the safety of local school children.

Individual school authorities are responsible in the first instance for health and safety issues within the school site. Primary school authorities may use their minor works grant to deal with urgent issues. In November last I increased funding for the minor works grant by 44% on the previous year and around €27m was paid out to primary schools throughout the country to enable thousands of small scale works to be completed without the need to interact with my Department.

Other avenues for grant-aid from my Department to provide improved health and safety measures include the Summer Works Scheme and Emergency Works Grants.

In 2007, of the €306million available to improve infrastructure in primary schools, close to €58million is allocated to the Summer Works Scheme, involving over 790 individual projects at 640 schools.

The school in question should contact the School Building Section of my Department regarding any on site health and safety work requiring significant funding.

Higher Education Grants.

828. **Mr. Durkan** asked the Minister for Education and Science if a higher education grant will be paid in respect of a plc course in the case of a person (details supplied) in County Kildare who had to withdraw from a previous course due to financial constraints; and if she will make a statement on the matter. [9912/07]

Minister for Education and Science (Ms Hanafin): The decision on eligibility for third

[Ms Hanafin.]

level grants is a matter for the relevant local authority or VEC. These bodies do not refer individual applications to my Department except in exceptional cases where, for example, advice or instruction regarding a particular clause in the relevant scheme is desired. It appears that no such advice or instruction has, to date, been sought in the case of the student referred to by the Deputy.

Officials in my Department have been in contact with the awarding authorities in Kildare and they have no record of an application for the current academic year for the student referred to by the Deputy. It is not possible, therefore, to comment on the circumstances of the student concerned.

Question No. 829 answered with Question No. 750.

Pupil Teacher Ratio.

830. **Mr. Lowry** asked the Minister for Education and Science the average mainstream class size per county according to the most recent census of schools available. [9923/07]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is included in the table. Major improvements have been made in staffing at primary level in recent years.

There are now 5,000 more primary teachers than there were in 2002. The average class size in our primary schools is 24 and there is now one teacher for 17 pupils at primary level, including resource teachers etc.

Children with special needs and those from disadvantaged areas are getting more support than ever before to help them to make the most of their time at school.

Indeed, with the thousands of extra primary teachers hired by this Government, recent years have seen the largest expansion in teacher

numbers since the expansion of free education. Furthermore, the Government is committed to providing even more primary teachers next year to reduce class sizes.

As you know all primary schools are staffed on a general rule of at least one classroom teacher for every 28 children. Of course, schools with only one or two teachers have much lower staffing ratios than that — with two teachers for just 12 pupils in some cases and so on — but the general rule is that there is at least one classroom teacher for every 28 children in the school. Next September this will reduce to 27 children per classroom teacher.

School authorities are requested to ensure that the number of pupils in any class is kept as low as possible, taking all relevant contextual factors into account (e.g. classroom accommodation, fluctuating enrolment). In particular, school authorities should ensure that there is an equitable distribution of pupils in mainstream classes and that the differential between the largest and smallest classes is kept to a minimum.

A further initiative that has been of direct benefit to primary schools has been the change in the criteria for developing schools. For the current school year the threshold for getting a developing school post was reduced specifically to help schools that are seeing large increases in enrolments each year. Over 280 such posts were sanctioned in the 2006/07 school year compared to 170 in 2005/06.

The improvements we have made in school staffing in recent years are absolutely unparalleled. But we are determined to go even further, and so the 2007 Estimates include provision for another 800 primary teachers. About 500 of these will be classroom teachers, which includes our commitment to reduce class sizes.

I assure the Deputy that we will continue to prioritise further improvements in school staffing going forward. We will also continue our focus on measures to improve the quality of education in our primary schools to ensure that increased resources lead to better outcomes for our children.

AVERAGE CLASS SIZE BY COUNTY 2005/2006

COUNTY	TOTAL PUPILS	NO. CLASSES	AVERAGE CLASS SIZE
CARLOW	5,539	221	25.1
CAVAN	7,684	329	23.4
CLARE	11,793	507	23.3
CORK CITY	13,547	594	22.8
CORK COUNTY	36,956	1,478	25.0
DONEGAL	17,246	754	22.9
DUBLIN BELGARD	26,578	1,080	24.6
DUBLIN CITY	40,706	1,775	22.9
DUBLIN FINGAL	24,491	906	27.0
DÚN LAOGHAIRE/RATHDOWN	15,612	607	25.7
GALWAY CITY	5,735	245	23.4

COUNTY	TOTAL PUPILS	NO. CLASSES	AVERAGE CLASS SIZE
GALWAY COUNTY	17,415	810	21.5
KERRY	14,455	625	23.1
KILDARE	22,070	828	26.7
KILKENNY	9,274	378	24.5
LAOIS	7,190	293	24.5
LEITRIM	2,971	140	21.2
LIMERICK CITY	6,238	273	22.8
LIMERICK COUNTY	13,348	562	23.8
LONGFORD	3,610	166	21.7
LOUTH	13,337	521	25.6
MAYO	13,190	629	21.0
MEATH	18,615	715	26.0
MONAGHAN	6,242	267	23.4
OFFALY	8,638	356	24.3
ROSCOMMON	6,221	298	20.9
SLIGO	6,437	286	22.5
TIPPERARY N.R.	7,339	317	23.2
TIPPERARY S.R.	9,224	397	23.2
WATERFORD CITY	5,375	210	25.6
WATERFORD COUNTY	6,723	274	24.5
WESTMEATH	9,238	378	24.4
WEXFORD	15,195	607	25.0
WICKLOW	13,734	541	25.4
	441,966	18,367	

Schools Building Projects.

831. **Mr. McCormack** asked the Minister for Education and Science the position regarding an extension to a school (details supplied) in County Galway; and if she will make a statement on the matter. [9926/07]

Minister for Education and Science (Ms Hanafin): An application for an extension has been received from the school referred to by the Deputy. The application has been assessed in accordance with the published prioritisation criteria and is being considered in the context of the multi annual School Building and Modernisation Programme.

832. **Mr. Penrose** asked the Minister for Education and Science if her Department received an application for funding from a primary school (details supplied) in County Westmeath for the purpose of providing necessary additional and ancillary accommodation; if so, when such funding will be provided; and if she will make a statement on the matter. [9935/07]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the school to which he refers is among the list of successful applicants recently published who will receive capital funding under the Small Schools Scheme (SSS) 2007. All the schools approved for

funding under the scheme have been contacted directly by the Building Unit of the Department with details of the grant aid being provided and instructions on how to proceed.

Special Educational Needs.

833. **Mr. Kehoe** asked the Minister for Education and Science if she will sanction the re-appointment of a home tuition tutor (details supplied) for 2007-2008 school year, in view of the fact that the child involved is only of pre-school age and has made tremendous progress with the tutor. [9963/07]

Minister for Education and Science (Ms Hanafin): The home tuition scheme provides funding to parents to provide education at home for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children awaiting a suitable educational placement.

In 2006 a review of a number of applications for home tuition highlighted some cause for concern regarding the qualifications of proposed tuition providers.

Nominated tuition providers with qualifications other than teaching qualifications were accepted for the first school term to allow time to undertake the review.

[Ms Hanafin.]

Following the review of qualifications, which took place in consultation with my Department's Inspectorate, an extended list of qualifications acceptable under the scheme has been published. This list is available on my Department's website. Aside from recognised teaching qualifications such as the Bachelor in Education and approved Montessori training, the list includes certain qualifications in autism and in applied approaches to teaching children with autism, such as ABA, PECS and TEACH. Third level qualifications in relevant areas such as psychology may also be appropriate depending on circumstances.

Cases where the tuition provider was not approved subsequent to the review a direction was given to parents concerned to recruit a tuition provider with suitable qualifications. However my Department is prepared to facilitate parents/guardians who experience difficulties in recruiting a tuition provider with suitable qualifications by extending the sanction with the current tuition provider until the end of the 2006/07 school year to facilitate the recruitment process. An extension in this regard has been granted to the tutor in question.

I wish to advise the Deputy that the parents/guardians of all children who are sanctioned home tuition for the 2007/2008 school year will be obliged to recruit a suitably qualified tuition provider in line with my Department's Guidelines.

School Staffing.

834. **Mr. N. O'Keefe** asked the Minister for Education and Science if she will urgently consider appointing two number developing school posts from September 2007 in respect of a primary school (details supplied) in County Cork, where pupil numbers will increase by over 25; and if she will also urgently authorise the provision of additional temporary classrooms for this school, as existing accommodation will not be able to accommodate the increasing pupil numbers, that are set to rise even further annually over the next number of years. [9964/07]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by reference to the enrolment of the school on 30th September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued to all primary schools each year.

According to data submitted to my Department by the Board of Management of the school referred to by the Deputy, the enrolment in the school on 30th September 2006 was 197 pupils. In accordance with the staffing schedule (Circular 0020/2007), which is available on my Department's website at www.education.ie and a hard copy of which will be issued to all primary schools shortly, the mainstream staffing in the school for

the 2007/08 school year will be a Principal and 7 mainstream class teachers.

Within the terms of the staffing arrangements for primary schools there is provision for additional posts, referred to as developing school posts, to be assigned to schools on the basis of projected enrolments for the next school year. Under these arrangements, a developing school post may be sanctioned provisionally where the projected enrolment at 30th September of the school year in question equals or exceeds a specified figure. If the specified figure is not achieved on 30th September, sanction for the post is withdrawn.

It is open to the Board of Management to submit an appeal under certain criteria to an independent Appeal Board which was established to adjudicate on appeals on mainstream staffing allocations in primary schools. Details of the criteria and application dates for appeal are contained in the staffing schedule. They are also available in Circular 0024/2007 (Appeal Board for Mainstream Staffing in Primary Schools) which is available on my Department's website. Hard copies of this circular will issue to primary schools as soon as possible.

It is proposed that the first meeting of the Appeal Board will be held in May, 2007. Further meetings will be held in July and October, 2007. The closing dates for receipt of appeals are 11 May, 22 June and 12 October respectively.

Appeals must be submitted to Primary Payments Section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made. The standard application form is available from Primary Payments Section or on my Department's website.

The Appeal Board operates independently of the Minister and my Department and its decision is final.

I am sure the Deputy will appreciate that it would not be appropriate for me to intervene in the operation of the independent Appeal Board.

In August 2006 the school authority was given approval to rent a 1 x 80m² mainstream classroom to alleviate accommodation difficulties at the school. Should the school require additional temporary classrooms they should be advised to complete an application form (Form RTA) which is available on my Department's website and submit it to the School Planning Section of my Department for consideration.

Special Educational Needs.

835. **Mr. Stagg** asked the Minister for Education and Science if she will immediately review the decision not to allow special education needs officers to assist in the provision of services to students in a school (details supplied) in County Kildare. [9994/07]

880. **Ms C. Murphy** asked the Minister for Education and Science the reason the services of the

special education needs organisers are withheld from children who are attending a school (details supplied); the person who decided to exclude these children in view of the fact that the SENO's role is to assist children in mainstream places; if she will review the situation; and if she will make a statement on the matter. [10256/07]

887. **Mr. Wall** asked the Minister for Education and Science the reasons children from a school (details supplied) in County Kildare are not being afforded access to special education needs officers; and if she will make a statement on the matter. [10314/07]

888. **Mr. Wall** asked the Minister for Education and Science the way she will deal with applications for special education needs officers by schools such as a school (details supplied) in County Kildare; the discussions she has had with such organisations; the results of such discussions in view of the fact that early intervention plays a major part in improving the educational abilities of children with autism; and her plans to address this major concern. [10315/07]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 835, 880, 887 and 888 together.

The Deputy will be aware that the National Council for Special Education (NCSE) was established under the Education for Persons with Special Needs Act (EPSN) to improve the delivery of education services to persons with special educational needs arising from disabilities with particular emphasis on children.

Since it was established in 2005 NCSE is responsible for allocating resources for children with special educational needs. The Council has a key role in the delivery of services and operates through a network of special educational needs organisers (SENOs) who act as a focal point of contact for schools and parents.

A pilot scheme funded directly through my Department has facilitated the establishment a number of stand-alone autism units using the Applied Behaviour Analysis (ABA) methodology. The unit referred to by the Deputy is participating in this scheme. SENOs do however provide a service to parents of children attending such units as they can provide information to parents on a range of issues including appropriate educational placements available on completion of a period in the ABA units.

Research is definitive in supporting early educational intervention to reduce the impact of autism on some children. It has been found that many very young children respond well to early intervention, can develop communication and social skills and can graduate to mainstream schools with or without additional teaching supports.

My Department provides for an extensive early educational intervention through the home tuition programme which is currently funding indi-

vidual educational intervention for in excess of 250 children from 2½ years to 5. Up to 3 years of age, a child is funded for ten hours per week early intervention home based programme. This increases to 20 hours per week once the child is 3 years of age. In addition, the Department has established 16 pre-schools for younger children with autism.

Physical Education Facilities.

836. **Mr. Deenihan** asked the Minister for Education and Science if surplus land adjoining a school (details supplied) in County Kerry, will be made available to Castlegregory Community Council for the purpose of providing a sports facility for the use of the primary and secondary schools and the wider community; and if she will make a statement on the matter. [9995/07]

Minister for Education and Science (Ms Hanafin): Correspondence in relation to this matter has been received recently in the Department and is being considered by the Department.

School Transport.

837. **Ms Cooper-Flynn** asked the Minister for Education and Science if a school transport route can be extended to facilitate a person (details supplied) in County Mayo. [9996/07]

Minister of State at the Department of Education and Science (Mr. Haughey): Under the terms of the Primary School Transport Scheme, only eligible children qualify for free transport. In order to be eligible, children must live at least 3.2 kilometres from, and be attending, their nearest national school.

The position in this case is that the family referred to by the Deputy resides 1.92 kms from the school mentioned in the details supplied and therefore are not eligible for school transport.

However, children who do not qualify for free transport on distance grounds may be allowed to travel as concessionary fare-payers. This may be allowed subject to the condition that there are spare seats available after all fully eligible children have been catered for, and provided there is no extra State cost involved by way of altering or extending the route of the service or by providing an additional or larger bus. The family should liaise with their local Bus Éireann office regarding this matter.

My Department has forwarded an Application Form to the family which should be completed and returned for the child who is seeking transport on medical grounds. The application will then be sent to my Department's medical adviser for approval in the normal way.

Question No. 838 answered with Question No. 821.

839. **Ms Enright** asked the Minister for Education and Science if she will review the case of a

[Ms Enright.]

person (details supplied) in County Offaly where a transport grant was withdrawn; if she is applying the arbitrary criteria of above 90 as a means of deciding eligibility for transport; and if she will make a statement on the matter. [9998/07]

Minister of State at the Department of Education and Science (Mr. Haughey): The School Transport Section of my Department has no record of receiving an application for transport through the appropriate channels for the pupil referred to by the Deputy in the details supplied. Therefore, the question of paying a grant does not arise.

Schools Building Projects.

840. **Mr. Neville** asked the Minister for Education and Science the position regarding her Department's response to the proposal to build an extension to a school (details supplied) in County Limerick consisting of resource room, learning support room, principals office and general purpose room. [9999/07]

Minister for Education and Science (Ms Hanafin): On 5 March 2007, I announced details of the schools to receive funding under the Small Schools Scheme and unfortunately the school in question was not successful as it was not possible to allocate funding to all proposed projects.

However, it is open to the school authority to apply for funding under the 2008 scheme, details of which will be announced later this year.

841. **Mr. Neville** asked the Minister for Education and Science if she will review a decision in relation to a school (details supplied) in County Limerick in connection with refusal of her Department to make capital grant aid under the summer work scheme 2007. [10000/07]

Minister for Education and Science (Ms Hanafin): The school to which the Deputy refers made an application under the Summer Works Scheme 2007 for provision of a hardcourt play area. On the 8th January last, I announced details of the schools to receive funding to improve facilities under the Summer Works Scheme 2007.

Under the published prioritisation criteria governing the Scheme, external environment projects fall into category ten. However, due to the volume of applications received it was not possible to allocate funding to all proposed projects. An appeal on this decision from school authorities has been received and will be considered further by the Department.

Area Development Plans.

842. **Mr. Kenny** asked the Minister for Education and Science the number of places at primary level education being provided in north Dublin; the number of places at secondary level education being provided in north Dublin; and if

she will make a statement on the matter. [10001/07]

Minister for Education and Science (Ms Hanafin): The Department recently published an Area Development Plan in draft format which sets out the educational infrastructural requirements of the North Dublin, East Meath and South Louth area into the future. In this draft Plan, which is available on the Department's website, www.education.ie, the Department has set out its recommendations for the North Dublin area.

The Commission on School accommodation has commenced a public consultation process on the draft document. Interested parties can participate in this process by either forwarding written submissions and/or by making oral presentations to the Commission. Arrangements will be made to hear oral presentations locally. The first series is expected to start on Monday 26th March 2007.

The consultation process will culminate in a final infrastructural Plan which will become the framework against which capital investment for the area will be made for the foreseeable future.

843. **Mr. Kenny** asked the Minister for Education and Science the number of secondary schools in north Dublin; the number of primary schools that fall into the catchment areas for each of these secondary schools; the number of places available at each of the secondary schools in north Dublin; the number of places available at each of the primary schools that fall into the catchment areas for each of these secondary schools; and if she will make a statement on the matter. [10002/07]

Minister for Education and Science (Ms Hanafin): The information is not readily available in the format which the Deputy has requested.

However, I wish to advise that the Department recently published an Area Development Plan in draft format which sets out the educational infrastructural requirements of the North Dublin, East Meath and South Louth area into the future. The Deputy may find much of the information he requires in this document.

In this draft Plan, which is available on the Department's website, www.education.ie, the Department has set out its recommendations for the North Dublin area.

The Commission on School accommodation has commenced a public consultation process on the draft document. Interested parties can participate in this process by either forwarding written submissions and/or by making oral presentations to the Commission. Arrangements will be made to hear oral presentations locally. The first series is expected to start on Monday 26th March 2007.

The consultation process will culminate in a final infrastructural Plan which will become the framework against which capital investment for the area will be made for the foreseeable future.

844. **Mr. Kenny** asked the Minister for Education and Science if her attention has been drawn to the extreme capacity problems with regard to the provision of secondary level education in north Dublin; if her attention has further been drawn to the particular case of a school (details supplied) which serves seven primary schools and has an extremely small number of places for September 2007; and if she will make a statement on the matter. [10003/07]

Minister for Education and Science (Ms Hanafin): The Department's main responsibility in this regard is to ensure that schools in an area can, between them, cater for all pupils seeking second level places. This may result in pupils not obtaining a place in the school of their first choice.

Swords is an area of population growth and while there may be a demand in future years for additional provision at postprimary level, the Department is satisfied that, between them, the four existing postprimary schools have adequate provision to cater for current demand.

The Department recently published an Area Development Plan in draft format which sets out the educational infrastructural requirements of the North Dublin, East Meath and South Louth area into the future. In this draft Plan, which is available on the Department's website, www.education.ie, the Department has set out its recommendations for the Swords area.

The Commission on School accommodation has commenced a public consultation process on the draft document. Interested parties can participate in this process by either forwarding written submissions and/or by making oral presentations to the Commission. Arrangements will be made to hear oral presentations locally. The first series is expected to start on Monday 26th March 2007.

The consultation process will culminate in a final infrastructural Plan which will become the framework against which capital investment for the area will be made for the foreseeable future.

The school referred to by the Deputy has an application with the Department for Major Capital funding. The application, which is for ancillary accommodation and not to increase the capacity of the school, has been assessed in accordance with the prioritisation criteria which have been agreed with the education partners and will be considered in the context of the overall educational plan for the Swords area.

845. **Mr. English** asked the Minister for Education and Science the plans her Department has for the provision of a new secondary school for Navan, County Meath in view of the growing population rate; if she will report on any assessment by her Department for same to date; and if she will make a statement on the matter. [10004/07]

Minister for Education and Science (Ms Hanafin): The Department is in regular com-

munication with officials in Meath County Council in relation to proposed housing developments for Navan and the consequential educational requirements that may be necessary for the future at both primary and post-primary level.

The Navan Development Plan 2003-2009 identified 5 areas in Navan as being suitable for the preparation of Local Area Plans and the Department will be reserving sites at both primary and post-primary level as part of these Local Area Plans.

At present only Local Area Plan No. 3 has been published. The Department is included among the prescribed authorities to whom local authorities are statutorily obliged to send draft development plans or proposed variations to development plans for comment. As a matter of course meetings are arranged with local authorities to establish the location, scale and pace of any major proposed developments and sites are reserved, where necessary, to ensure as far as possible the timely delivery of any required education infrastructure.

At present Navan is served by 4 post-primary schools and one of these was recently approved funding for the provision of two further classrooms to cater for its immediate needs. The Department will continue to monitor the need for the provision of a further secondary school in Navan in the future.

Special Educational Needs.

846. **Mr. F. McGrath** asked the Minister for Education and Science if she will increase the teaching hours for persons (details supplied); and if she will provide the families with the maximum support. [10038/07]

Minister for Education and Science (Ms Hanafin): The question relates to students in the Back to Education Initiative (BTEI). Under the BTEI, part-time Further Education programmes are provided for adults to give them an opportunity to combine a return to learning with family, work and other responsibilities. The BTEI is funded by my Department and delivered locally by the Vocational Education Committees (VECs). People with disabilities are one of the target-groups of the programme.

A total of €1,788,575 has been allocated by my Department to the City of Dublin VEC for 2007 under the Back to Education Initiative. This budget is used to fund courses that are delivered in the college referred to for the students in question. The courses are organised by the college in response to needs articulated by the authorities of the students' place of residence. These students currently have access to courses in Communications, ICT and Art for up to 6 hours a week. The BTEI budget is also designed to allow providers to make additional supports, such as literacy or study support, available to participants where necessary and appropriate.

EU Directives.

847. **Mr. Allen** asked the Minister for Education and Science the number of EU directives awaiting transposition in her Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if she will make a statement on the matter. [10050/07]

Minister for Education and Science (Ms Hanafin): There is one Directive that has to be implemented by my Department — Directive 2005/36/EC on the Recognition of Professional Qualifications. This Directive was agreed on 7 September 2005 and comes into force on 20th October 2007.

Preparatory work for the drafting of regulations to meet the transposition date is at an advanced stage within the Department.

Schools Building Projects.

848. **Mr. English** asked the Minister for Education and Science if her attention has been drawn to the dilapidated condition of a school (details supplied) in Dublin 15; if she will rebuild or refurbish the school; and if she will make a statement on the matter. [10061/07]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has an application with the Department for major capital grant aid.

The application has been assessed in accordance with the published prioritisation criteria for large scale building works. Progress on the project will be considered in the context of the multi-annual School Building and Modernisation programme from 2007 onwards.

Since 2004 the school has received circa €1.45million under Summer Works Schemes for refurbishment works on areas such as roofs, windows and toilets. The school was also successful under the recent Permanent Accommodation Scheme and has been awarded a grant of €340,000 for the provision of four permanent classrooms.

Special Educational Needs.

849. **Mr. Kenny** asked the Minister for Education and Science if she will provide a specialist teacher for a person (details supplied) in County Mayo; and if she will make a statement on the matter. [10062/07]

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 oppor-

tunities 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.

I am aware of the circumstances of the person to whom the Deputy refers and have been advised that an appropriate school placement is available with access to qualified teachers should they avail of this placement.

850. **Mr. Kenny** asked the Minister for Education and Science the number of children assessed with autism or autistic tendencies in County Mayo to date; the estimated number on waiting lists for assessment; the scale of service available to children so assessed; and if she will make a statement on the matter. [10063/07]

Minister for Education and Science (Ms Hanafin): The National Council for Special Education is currently compiling a database of all children with special educational needs, including autism. Information regarding the number of children assessed with autism in any location or estimated numbers on waiting lists is not available within my Department. However, the Task Force on Autism (2001) considered a national prevalence rate of 56 per 10,000 (20 per 10,000 for Autistic Disorder and 36 per 10,000 for Asperger's Syndrome).

851. **Mr. Kenny** asked the Minister for Education and Science if she has received an application for an autistic unit for County Mayo from concerned parents; if she will give approval and funding for such unit; and if she will make a statement on the matter. [10064/07]

Minister for Education and Science (Ms Hanafin): My Department has received this application and has requested that the names and the psychological assessments of the children proposing to attend the centre be forwarded to the Department in order to consider the application further. My Department is currently awaiting this information.

The Deputy will be aware of my commitment to ensuring that all children, including those with Autistic Spectrum Disorders, receive an education appropriate to their needs, preferably through the primary and post-primary school network. In this regard my Department has established: 182 Special Classes for children with autism, attached to special and mainstream schools, 7 of which are in the Mayo area; 5 special Classes for children with Asperger's Syndrome; 18 pre-school classes to facilitate the demand for early intervention provision for children on the

autistic spectrum; and 14 Stand Alone facilities providing an Applied Behavioural Analysis (ABA) specific methodology on a pilot basis (2 of these facilities have yet to be established).

Schools Building Projects.

852. **Mr. Kenny** asked the Minister for Education and Science the date for commencement and provision of a physical education hall at a school (details supplied) in County Mayo; and if she will make a statement on the matter. [10065/07]

Minister for Education and Science (Ms Hanafin): The project referred to by the Deputy is currently at Stage 4/5 (Detailed Design/Bill of Quantities). The Building Unit of my Department recently received a submission from the school authorities regarding the project. When this submission has been examined the project should then be in a position to proceed to tender. It is envisioned that the project will have a twelve month contract period. I am not in a position at this stage to comment on the proposed commencement date.

853. **Mr. Kenny** asked the Minister for Education and Science the progress she has made in respect of the provision of a physical education hall at a school (details supplied) in County Mayo; and if she will make a statement on the matter. [10066/07]

Minister for Education and Science (Ms Hanafin): The provision of PE Halls at post-primary level is considered an integral part of the design stage for any major refurbishment programme of existing school buildings. All applications received in the Department are banded in accordance with the prioritisation criteria put in place following consultation with the Education partners.

The PE Hall project at the school referred to by the Deputy is part of an extension/ refurbishment application from the school and has been assessed in accordance with the published prioritisation criteria. The project is being considered in the context of the Multi-Annual School Building and Modernisation Programme.

854. **Mr. Kenny** asked the Minister for Education and Science when she will provide a new primary school (details supplied) in County Galway; if her attention has been drawn to the fact that the current school was built in 1978 and that currently one third of school classes are in prefabs and 13 classes use nine classrooms and four prefabs; if her attention has further been drawn to the fact that the inadequate infrastructure leads to constant power outages and heating malfunctions, that playground space has been severely restricted due to accommodating prefabs, that resource teacher facilities are completely inadequate and that they currently have

to work from cupboard and corridor space, that there has been no computer room or library facilities at this school and that there is restricted access for disabled children; if she will examine this situation as a matter of urgency; when she will make an announcement regarding the provision of proper accommodation for the children and teachers at the school; the moneys to be made available for this purpose in 2007; and if she will make a statement on the matter. [10067/07]

Minister for Education and Science (Ms Hanafin): An application was submitted by the school referred to by the Deputy under the Permanent Accommodation Scheme 2007. On Monday, 5 March 2007, I announced details of the schools to receive funding under the Permanent Accommodation Scheme 2007. However, this application was not successful, as the Department's evaluation of the project determined that a major building project would be more appropriate to address the school's accommodation needs into the future.

A major application for an extension is being considered by the Department. In the light of increases in enrolments at the school in recent years, a determination of the long term projected enrolment, on which the school's accommodation needs are based is required. This will take into account factors such as current and projected enrolment, and the likely impact of ongoing and proposed housing developments and when completed a decision will be taken on how best to provide for the schools long term accommodation needs. The project will be considered in the context of the multi-annual School Building and Modernisation Programme.

Residential Institutions Redress Scheme.

855. **Mr. Howlin** asked the Minister for Education and Science the status of an application to the Residential Institutions Redress Board of a person (details supplied) in County Carlow; if a decision on their claim will be finalised; and if she will make a statement on the matter. [10068/07]

Minister for Education and Science (Ms Hanafin): The Residential Institutions Redress Board was established under statute in 2002 to provide financial redress to victims of child abuse in residential institutions in order to assist them in their recovery and enhance the quality of the remainder of their lives.

The Board is independent in the performance of its functions and is subject to strict confidentiality provisions in processing applications for redress. Accordingly, it is not open to me, nor would it be appropriate, to intercede on behalf of an individual applicant.

The Board has indicated in its guide to the application process that it will give priority to applicants born before 1st January 1937 and to applicants who at the time of making their appli-

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cation are suffering from a medical condition or psychiatric condition which is life threatening.

Each application is assessed individually and applicants are entitled to contact the Board directly, or through their legal representatives, to enquire about the progress of their applications.

State Examinations.

856. **Mr. Perry** asked the Minister for Education and Science the reason a person (details supplied) who is not a medical card holder has to pay €250 for the papers to repeat their leaving certificate in view of the fact they feel discriminated against as pupils sitting the examination pay a lower fee; the fees that have to be paid; and if she will make a statement on the matter. [10071/07]

Minister for Education and Science (Ms Hanafin): The 2007 examination fee for Leaving Certificate candidates is €96. The fee for school-based repeat Leaving Certificate candidates is €251.

Special fees for repeat candidates were introduced in 1987 on the basis that it is not unreasonable to expect those who have already benefitted from the normal course of second level education, and who wish to take an extra year, to make a contribution towards the cost of providing the necessary resources. A course fee is also payable in respect of such candidates.

Examination fees generally cover only a fraction of the cost of running the examinations. The costs associated with the certificate examinations have been spiralling in recent years due to the introduction of new methods of assessment in various subjects and to continuing increases in special arrangements for students with special needs.

Site Acquisitions.

857. **Mr. Crowe** asked the Minister for Education and Science the steps her Department is taking in locating and acquiring a greenfield site in order that building work at a school (details supplied) can start and the schoolchildren there will no longer have to be accommodated in pre-fabs; and if she will make a statement on the matter to ease the worries of concerned parents whose schoolchildren attend the school, which is in dire need of replacement as it is old and decrepit. [10076/07]

Minister for Education and Science (Ms Hanafin): The Department has acknowledged the need to relocate the existing primary school referred to by the Deputy to a greenfield site. The acquisition of a site for this development is being actively pursued. When this matter has been finalised, progress on the proposed project can be considered under the School Building and Modernisation Programme.

Question No. 858 answered with Question No. 755.

Question No. 859 answered with Question No. 750.

School Closures.

860. **Mr. J. Higgins** asked the Minister for Education and Science if her attention has been drawn to a proposal to close a school (details supplied) in Dublin 15; where this proposal originated; her views on same; and if she will intervene to maintain this school for the local community. [10079/07]

Minister for Education and Science (Ms Hanafin): The Department is in receipt of proposals from the Board of Management of the school to which the Deputy refers in relation to the future development of the school.

In considering these proposals, further information and clarifications have been sought from the school authority. A response is awaited in this regard.

Any decision regarding the future development of the school is a matter ultimately for the Patron body and the Board of Management.

Question No. 861 answered with Question No. 821.

Schools Building Projects.

862. **Ms C. Murphy** asked the Minister for Education and Science the reason a school (details supplied) in County Kildare was not approved for a classroom extension in view of the fact that it met all the criteria; if there will be a further round of schools approved under this scheme in 2007; and if she will make a statement on the matter. [10081/07]

899. **Mr. Durkan** asked the Minister for Education and Science the extent to which she or her Department have examined the application received from the authorities at a school (details supplied) in County Kildare in respect of funding under the devolved scheme for small schools for the provision of extra mainstream classrooms and facilities; if her attention has been drawn to the urgent needs of the school and the need for temporary accommodation; the stage in the development plan; the full extent to which she expects to meet the requirements in 2007; the accommodation she will provide; and when she expects to inform the school authorities of her intentions; and if she will make a statement on the matter. [10471/07]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 862 and 899 together.

The Department received an application from the school referred to by the Deputies under the Small Schools Scheme 2007. On 5 March 2007, I

announced details of the schools to receive funding under this Scheme. Due to the volume of applications received it was not possible to allocate funding to all proposed projects and the school referred to by the Deputies was not successful in this instance. However, it is open to the school authorities to apply for funding under the 2008 scheme, details of which will be announced later this year.

An application for major capital funding has also been received from the school concerned. This application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the School Building and Modernisation Programme from 2007 onwards. The school authorities will be kept informed of progress in relation to this application by the School Planning Section of the Department. In the meantime, an application for the rental of temporary accommodation has been approved to meet the school's immediate accommodation needs from September 2007.

Special Educational Needs.

863. **Mr. J. O'Keeffe** asked the Minister for Education and Science if information packs are available, or will be made available to parents of children with special needs who are about to begin school or who are about to progress into second level or third level education. [10082/07]

Minister for Education and Science (Ms Hanafin): The National Council for Special Education (NCSE) and my Department has made information available to schools by way of circulars and guidelines on the resources available to support pupils with special educational needs. This information may be accessed on the NCSE's website www.ncse.ie or on my Department's website www.education.ie.

I am advised by the NCSE that information packs for parents of children with special educational needs are not yet available and my officials intends liaising with the NCSE with a view to having such information available over the coming months.

The NCSE, with its national network of over 80 Special Education Needs Organisers (SENOs) is providing a structure for the delivery of an effective and speedy education service to children and families coping with disability on a daily basis. Working locally on the ground, the SENOs are a focal point of contact for parents and schools. It is open to parents to contact their local SENOs directly regarding their child's special educational need and contact details are available on the Council's website or by contacting the Council's headquarters at 046 9486400.

Pre-school Services.

864. **Mr. Quinn** asked the Minister for Education and Science the number and percentage of

children in pre-school education; if she does not have such figures, her plans to compile same; and if she will make a statement on the matter. [10101/07]

Minister for Education and Science (Ms Hanafin): As the Deputy may be aware, the vast majority of support for childcare, including pre-school education, is not provided by my Department, but is now provided by the Office of the Minister for Children under the Equal Opportunities Childcare Programme (EOCP) 2000-2006 and its successor programme, the National Childcare Investment Programme.

Under the EOCP programme, close to €500 million has been expended on childcare and places created will be in the region of 41,000 by the time the programme has been exhausted. Investment of €575 million under the National Childcare Investment Programme 2006-2010 aims to create an additional 50,000 places. 10,000 of these places will be for pre-school children. In relation to my Department's involvement with the provision of pre-school and the numbers and percentage attending, the main areas of provision at the present time are for children with special needs and children from a disadvantaged setting.

The Early Start pre-school project operates in 40 primary schools in designated areas of urban disadvantage offering provision to some 1,680 children across Dublin, Cork, Limerick, Waterford, Galway, Drogheda and Dundalk. My Department also funds 46 pre-schools for Traveller children, catering for approximately 500 pupils.

In the special needs sector, there are currently 16 pre-school classes for children with autism located throughout the country. In addition to this, 12 stand-alone autism facilities that provide an applied behavioural analysis (ABA) model of response to children with autism cater for a number of children of pre-school age. My Department sanctions home tuition grants for children with autism who are of pre-school age and for whom a home educational programme is considered appropriate — grants for some 200 such children are currently in payment.

Under DEIS, the action plan for educational inclusion, my Department is developing supports for early childhood education which will complement and add value to existing childcare services in disadvantaged areas. My Department does not have a list of the numbers and percentage of children in pre-school education as a whole, however this information may be available from the Office of the Minister for Children.

School Staffing.

865. **Mr. J. Breen** asked the Minister for Education and Science if she will immediately provide an extra teacher to a school (details supplied) in County Clare where the principal has to divide fourth class due to overcrowding; and if she will make a statement on the matter. [10112/07]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by reference to the enrolment of the school on 30th September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued to all primary schools each year.

According to data submitted to my Department by the Board of Management of the school referred to by the Deputy, the enrolment in the school on 30th September 2005 was 176 pupils. In accordance with the staffing schedule (Circular 0023/2006), the mainstream staffing in the school for the 2006/07 school year is a Principal and 6 mainstream class teachers.

According to data submitted to my Department by the Board of Management, the enrolment in the school on 30th September 2006 was 178 pupils. In accordance with the staffing schedule (Circular 0020/2007), which is available on my Department's website at www.education.ie and a hard copy of which will be issued to all primary schools shortly, the mainstream staffing in the school for the 2007/08 school year will be a Principal and 7 mainstream class teachers.

On the appointment of the 7th mainstream class teacher the Principal becomes an Administrative Principal and no consequential additional teaching post is warranted.

Within the terms of the staffing arrangements for primary schools there is provision for additional posts, referred to as developing school posts, to be assigned to schools on the basis of projected enrolments for the next school year. Under these arrangements, a developing school post may be sanctioned provisionally where the projected enrolment at 30th September of the school year in question equals or exceeds a specified figure. If the specified figure is not achieved on 30th September, sanction for the post is withdrawn.

It is open to the Board of Management to submit an appeal under certain criteria to an independent Appeal Board which was established to adjudicate on appeals on mainstream staffing allocations in primary schools. Details of the criteria and application dates for appeal are contained in the staffing schedule. They are also available in Circular 0024/2007 (Appeal Board for Mainstream Staffing in Primary Schools) which is available on my Department's website. Hard copies of this circular will issue to primary schools as soon as possible.

It is proposed that the first meeting of the Appeal Board will be held in May, 2007. Further meetings will be held in July and October, 2007. The closing dates for receipt of appeals are 11 May, 22 June and 12 October respectively. Appeals must be submitted to Primary Payments Section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made. The standard application

form is available from Primary Payments Section or on my Department's website.

The Appeal Board operates independently of the Minister and my Department and its decision is final. I am sure the Deputy will appreciate that it would not be appropriate for me to intervene in the operation of the independent Appeal Board.

Schools Building Projects.

866. **Mr. J. Breen** asked the Minister for Education and Science if she will sanction an extension to a school (details supplied) in County Clare where overcrowding in the classrooms is now chronic; and if she will make a statement on the matter. [10113/07]

Minister for Education and Science (Ms Hanafin): There are no applications on hand for major capital funding from the school referred to by the Deputy. Should the school authority wish to apply for funding for an extension they are advised to complete an application form (Form FLE) which is available on the Department's website at www.education.ie. This application should be submitted to School Planning Section of the Department for consideration.

Institutes of Technology.

867. **Mr. Kenny** asked the Minister for Education and Science if it is intended to provide a formal chair for music at the GMIT centre in Galway; and if she will make a statement on the matter. [10117/07]

Minister for Education and Science (Ms Hanafin): My Department has not been contacted by GMIT in respect of the provision of a formal chair for music. In accordance with the provisions of the Institutes of Technology Acts 1992-2006, internal organisation of individual institutes is a matter for governing bodies and management.

868. **Mr. Kenny** asked the Minister for Education and Science if she has carried out an audit of the facilities and future requirements of the GMIT Institute of Technology at Galway; her proposals for the future; and if she will make a statement on the matter. [10118/07]

Minister for Education and Science (Ms Hanafin): A comprehensive survey of the level and condition of space available at Galway/Mayo Institute of Technology (GMIT) was undertaken in the context of preparing the Kelly Report. I have approved substantial capital investment for two projects at GMIT arising from this Report.

A new Engineering School will be delivered at the Institute through the PPP process. The Institute is currently dealing with a range of preparatory issues so that the project can advance to the next stage. A second project, involving substantial improvement works is in an advanced stage of architectural design.

Career Guidance.

869. **Mr. Morgan** asked the Minister for Education and Science the level of grants towards the purchase cost of test materials for guidance or learning support in post-primary schools; the level of grant in each of the past ten years. [10126/07]

870. **Mr. Morgan** asked the Minister for Education and Science if her attention has been drawn to the need for proper assessment of students for learning support and career guidance purposes and the cost of adequate test materials; and if she is satisfied that the current grant satisfies the needs. [10127/07]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 869 and 870 together.

Guidance as provided in schools refers to a range of learning experiences provided in a developmental sequence that assist students to develop self-management skills, which will lead to effective choices and decisions about their lives. It encompasses the three separate, but interlinked, areas of personal and social development, educational guidance and career guidance. In most schools guidance is provided as an integrated model with counselling support.

To date, good progress has been made in Ireland to develop the guidance service in schools. The National Centre for Guidance in Education (NCGE) was established in 1995 as an advisory body to DES to assist in the development of policy and resource materials to support guidance delivery in schools, and to act as a centre for the exchange of guidance information and practice at national and international level.

Since 2001 a number of changes that effect guidance in schools have taken place. The NCGE issued a document entitled Planning a School Guidance Programme in 2004. In 2005, DES published Guidelines for Second Level School on the Implication of Section 9(c) of the Education Act 1998.

Guidance counsellors are professionally trained and schools are provided with an ex-quota allocation of hours for the provision of guidance. In 2005, a revised circular on guidance provision was issued to schools Guidance Provision in Second Level Schools (CL PPT 12/05), which granted most schools an improved ex-quota allocation. Guidance is well integrated into schools' provision of curricula and supports for students.

Grants are available towards the purchase cost of test materials for use in second level schools by qualified guidance counsellors and/or learning support teachers based on the criteria set out in Circular 0008/2007. For the 2006/07 school year, schools with less than 350 students may draw down €150 towards the cost of these materials. Schools with more than 350 students may draw down €250. Schools newly establishing a

guidance/learning support service may draw down an additional €150 in the first year in which the grant is sought. Prior to the current school year and the issuing of Circular 0008/2007, schools were entitled to draw down between a minimum of €25.39 and a maximum of €203.16.

Schools Building Projects.

871. **Mr. N. O'Keeffe** asked the Minister for Education and Science her views on approving funding in respect of an extension to a primary school (details supplied) in County Cork which is very urgently in need of additional accommodation. [10132/07]

Minister for Education and Science (Ms Hanafin): An application for capital funding was received in January 2007 from the school to which the Deputy refers. This application will be assessed with reference to factors such as current and projected enrolments at the school, the likely impact of ongoing and proposed housing developments and existing provision in the general area. When this assessment is complete, a decision will be taken on how best to provide for the current and emerging accommodation needs at the school. The proposed project will be considered in the context of the multiannual School Building and Modernisation Programme.

Question No. 872 withdrawn.

Special Educational Needs.

873. **Mr. Kenny** asked the Minister for Education and Science the facilities that are available for a person (details supplied); if her attention has been drawn to the lack of facilities that currently exist; and if she will make a statement on the matter. [10134/07]

Minister for Education and Science (Ms Hanafin): This Parliamentary Question is a matter for my colleague the Minister for Health and Children.

Schools Building Projects.

874. **Ms C. Murphy** asked the Minister for Education and Science the process applied to funding schemes such as providing a school extension through the small school scheme where more applicants meet the criteria than there are available resources; if such projects will be considered under another heading; the schools that received funding under the scheme for 2007 by county; the number that met the criteria and were not on the approved list by county; and if she will make a statement on the matter. [10135/07]

Minister for Education and Science (Ms Hanafin): Applications for funding under the Small Schools Scheme were assessed in accordance with the published prioritisation criteria. On 5 March 2007, I announced details of the success-

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ful schools which will receive funding under the Small Schools Scheme for 2007. Full details of these schools are available on the Department's website at www.education.ie.

Applicants who were not successful under this years scheme can either re-apply under the Small Schools Scheme 2008, details of which will be published later in the year or, if not already done, can submit an application for funding under the traditional method. These applications are banded in accordance with the published criteria and will be considered in the context of the multi-annual School Building and Modernisation programme.

Further details in relation to applications which were not successful are not readily available in the format requested but will be forwarded to the Deputy shortly.

Question No. 875 answered with Question No. 821.

National Drugs Strategy.

876. **Mr. Carey** asked the Minister for Education and Science her views on making funding available to a project (details supplied) in Dublin 11 in order that a fourth project can be established with State funding which will, in turn, enable a national voluntary organisation to fund a further project; and if she will make a statement on the matter. [10156/07]

Minister for Education and Science (Ms Hanafin): The Aisling Project is a mainstreamed Local Drugs Task Force project in the Ballymun area which is funded by my Department. The main aim of the project is to target children most at risk of early school leaving and children who are experiencing difficulties within their home and community. This mainstreamed project is divided into three units or programmes. Each unit of the project has one full time and two part time workers and caters for up to 35 young people ranging in age from eight to twelve. This project has been allocated €330k in 2007 compared to an original allocation in 2004 of €256k, an increase of €74k or 29% in just three years.

The deputy should note that as there is no scope within my Department's Mainstreamed Local Drugs Task Force Grant-In-Aid allocation to facilitate requests for additionality in 2007, applications for additional resources should be made to relevant line sections of my Department for consideration.

Schools Building Projects.

877. **Mr. Ring** asked the Minister for Education and Science the position regarding a new building for a school (details supplied) in County Mayo; the progress made in relation to same; if it has been approved; and when funding will be made available. [10160/07]

Minister for Education and Science (Ms Hanafin): An application was received in the Department, under the Small Schools Scheme 2007, from the school referred to by the Deputy. On 5 March 2007, I announced details of the schools to receive funding under this Scheme. Due to the volume of applications received in the Department it was not possible to allocate funding to all proposed projects and the school referred to by the Deputy was not successful in this instance. However, it is open to the school authority to apply for funding under the 2008 scheme, details of which will be announced later this year.

School Placement.

878. **Mr. Crowe** asked the Minister for Education and Science if her attention has been drawn to the lack of school places in Lucan; and the action being taken to address this situation. [10164/07]

Minister for Education and Science (Ms Hanafin): I am conscious of the fact that Lucan is one of the fastest growing areas in the Country. In light of this, the Department has expanded capacity significantly at both primary and post primary level to cater for existing and newly emerging demands for pupil places.

There are eleven primary schools in the Lucan area including two new state of the art multi-denominational schools and a new Gaelscoil which commenced operation in September 2005. These developments together with a number of extensions to existing schools, the provision of temporary accommodation and the re-organisation of one school to enable the enrolment of an additional two junior infant classes has increased capacity significantly in the area. In addition, Scoil Mhuire, Archbishop Ryan JNS, St Thomas NS and Scoil Aine were recently given approval to commence the architectural planning process for major extensions and are to receive design team appointments shortly. Through a combination of these measures, the School Planning Section of the Department is satisfied that, between them, the schools have adequate accommodation to cater for current demand. The Department continues to monitor school needs in the Lucan area.

With regard to post primary capacity specifically, a new school for Coláiste Cois Life was recently completed. This will provide places for 600 pupils, some 400 additional places relative to its then existing capacity.

In addition to this, capacity at Coláiste Phádraig was increased by 300 pupil places with the completion of a major extension project at that school. A further extension project at St. Joseph's College was completed in 2004. This is deemed sufficient to meet demand from pupils in its catchment area. In addition, Lucan Community College is to receive a design team appointment

shortly to provide additional accommodation to increase its overall capacity to 1000 pupils.

The Deputy will probably be aware that there is considerable vacant capacity at post primary level in areas adjacent to Lucan. Given that it is practice, particularly in Dublin, for post-primary students to travel some distance to attend a post-primary school, it is not unreasonable that the Department should seek to optimise the use of existing surplus capacity at post-primary schools in the general vicinity of Lucan as part of its strategy to address any shortfall for post-primary places that may emerge.

The Department will continue to monitor the situation in Lucan to ensure that any future emerging needs are addressed in a timely manner.

School Services Staff.

879. **Mr. Naughten** asked the Minister for Education and Science if she will allocate additional funds to a school (details supplied) for caretaker and maintenance services at the school; and if she will make a statement on the matter. [10255/07]

Minister for Education and Science (Ms Hanafin): Primary schools' running costs are met by my Department's scheme of capitation grants. These grants are intended to contribute towards the general operating costs of national schools including general maintenance costs.

My Department provides funding towards the cost of secretarial and caretaking services in primary schools under two separate schemes. One scheme is the 1978/79 scheme for the employment of full-time secretaries and caretakers in primary schools, under which my Department meets the full cost of salary. This scheme is being phased out as posts become vacant and no new posts are being created. This scheme has been superseded by a more extensive grant scheme now referred to as the Ancillary Services grant.

The Ancillary Services grant scheme provides additional funding for primary schools towards the cost of secretarial and caretaking services. The scheme is flexible by nature, giving Boards of Management discretion as to the manner in which secretarial and caretaking services are provided.

There have been significant improvements in the level of funding provided to primary schools in recent years. Since 1997 the standard rate of capitation grant at primary level has been increased from €57.14 to €163.58 per pupil. In the same period the Ancillary Services grant has increased from €38.09 per pupil to €145.50 per pupil at present.

These significant increases in the funding of primary schools are a clear demonstration of my commitment to prioritise available resources to address the needs of primary schools.

Question No. 880 answered with Question No. 835.

School Staffing.

881. **Mr. Ring** asked the Minister for Education and Science the reason she did not investigate a matter (details supplied) fully when it arose. [10273/07]

Minister for Education and Science (Ms Hanafin): Under the provisions of the Education Act 1998, the Board of Management or Single Manager is charged with the direct governance of a school, including issues relating to health and safety. In general, the board has the responsibility to ensure that the school operates efficiently and effectively and also has responsibilities in relation to the action of its employees. The Manager must manage the staff in the school and intervene when it considers it necessary to resolve matters relating to the actions of its employees. The Board or Manager is the employer and has similar powers to any other employer. Therefore, the issues outlined by the Deputy are essentially matters for the Manager of the school to investigate.

My Department is not the employer and does not have an employer/employee relationship with the teachers in this school, nor can it perform functions which are proper to the Board in relation to the management of the school. In addition, I'm sure the Deputy will appreciate that I am not in a position to disclose details relating to individual teachers.

I would like to assure the Deputy that I am monitoring the position at the school and I understand that the Single Manager is making strenuous efforts to bring about resolution to the outstanding unresolved issues.

Question No. 882 answered with Question No. 821.

Computerisation Programme.

883. **Mr. Callely** asked the Minister for Education and Science the measures and mechanism in place to keep children safe especially with the rise of new Internet programmes that can open the door to strangers and violent video games; and if she will make a statement on the matter. [10299/07]

Minister for Education and Science (Ms Hanafin): The Schools Broadband Programme provides broadband internet access to Primary and Post Primary schools and includes Content Filtering as an integral part of the service. The Content Filtering service is designed to control the level of access from schools, via the broadband network, to the wider internet. It does this by categorising websites under various categories and providing content filtering 'options' to schools which allow or block a combination of these website categories. Based on information and advice provided by the National Centre for Technology in Education (NCTE), the schools themselves decide on which content filtering

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option is most appropriate to school needs and confirm this to the NCTE. This option is then set up for the school. Currently two options have been implemented for schools. However, this may change based on the feedback from schools and responding to schools requirements.

No school is connected to the internet via the schools broadband network unless it has confirmed in writing: a) an Internet Acceptable Usage Policy in place and b) its Content Filtering option to the NCTE. Content Filtering is a technology based service that assists in the management of websites for schools. Along with education/awareness and supervision it forms the basis of implementing a safe environment for pupils in schools.

My Department, through the NCTE, actively provides support and guidelines to schools regarding Information and Communication Technologies and the possible risks associated with their use by young people. Through its internet safety initiative the NCTE developed the “Webwise” website (www.webwise.ie). The site offers advice and guidance to schools, pupils and parents. The site has materials and resources to assist children to develop safe online skills.

I recently launched the new “think b4 u click” internet safety campaign. This campaign seeks to raise awareness and promote safe, responsible practice by young people when online.

The campaign has a strong peer-to-peer perspective and centres on an interactive online service, www.watchyourspace.ie, developed by the NCTE. This site offers practical tips and advice and supports teenagers who use the web. A key feature is the advice given by teenagers to teenagers on how to cope with the fall-out from abuses and misuse of social networking and picture-sharing websites. This new initiative complements the other NCTE safety activities that are already up and running successfully such as Webwise, SAFT and the Once projects.

Watch Your Space has presentations of the key findings from studies of teenagers’ use of the Internet by other teenagers. It is also integrated with an online helpline service from Childline. The website is being promoted through a poster campaign in schools and is supported by an educational and informational pack being sent to all schools.

School Staffing.

884. **Mr. Hayes** asked the Minister for Education and Science when the staffing schedule for primary schools for the 2007/2008 school year will be finalised. [10302/07]

Minister for Education and Science (Ms Hanafin): The Staffing Schedule (Primary Circular 0020/2007) for the 2007/2008 school year is available on my Department’s website www.education.ie since the 12th March 2007.

The circular is currently being printed and hard copies of the circular will be issued to all primary schools as soon as they become available.

School Placement.

885. **Mr. Gogarty** asked the Minister for Education and Science the guidelines in place regarding the payment of a deposit to a school for a child’s place and the refunding of said deposit when parents withdraw their child’s name due to the fact that the school announces its plans to relocate; if there is a legal recourse in her opinion under the Education Act 1998; and if she will make a statement on the matter. [10303/07]

886. **Mr. Gogarty** asked the Minister for Education and Science the circumstances whereby it is legal for a school, which is supposed to provide a free education, to charge a deposit to parents; and if she will make a statement on the matter. [10304/07]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 885 and 886 together.

It is a fundamental principle of the Free Post-Primary Education Scheme that no charge is made in respect of: instruction in any subject of my Department’s programme for Secondary Schools; recreation or study facilities where all the pupils are expected to avail themselves of these as part of the school programme; any other activities in which all pupils are required to take part.

Schools are allowed to charge a booking fee when considering new applicants for enrolment, provided this is refundable following a decision on enrolment. Booking fees are sometimes required by schools in order to avoid “double booking” of pupils in schools which could result in the loss of teaching posts.

Voluntary contributions by parents or charges for optional extras over and above what is provided for in the general school programme are permissible under the scheme, provided it is made absolutely clear to parents that there is no question of compulsion to pay, and, that in making a contribution, they are doing so of their own volition.

Questions Nos. 887 and 888 answered with Question No. 835.

School Curriculum.

889. **Ms Enright** asked the Minister for Education and Science the subjects on the education curriculum both at primary and post primary level available on CD or DVD; if there are plans to make more subjects available via these media; her views on same; and if she will make a statement on the matter. [10318/07]

Minister for Education and Science (Ms Hanafin): The primary school curriculum is avail-

able on CD-Rom from the Government Publications Office. Both the Primary and revised subjects on the Post Primary curriculum are available for download in pdf format from both the NCCA and Department of Education & Science websites. (www.curriculumonline.ie)

At present the subjects on the education curriculum at post primary level are not available on CD or DVD. There are no plans currently for preparation of the post primary material in CD or DVD format.

Adult Education.

890. **Mr. Gogarty** asked the Minister for Education and Science the type of information technology training provided within the adult or further education sectors for students or adults who have learning difficulties or who are affected by illness; and if she will make a statement on the matter. [10319/07]

Minister of State at the Department of Education and Science (Mr. Haughey): Adult and Further Education services are funded by my Department through annual grants and delivered locally by the Vocational Education Committees. The disbursement of funds for Adult and Further Education is a matter for each VEC, which, subject to its budget, decides the nature and extent of the Adult and Further Education services to be provided in its area and the manner in which funds for these services should be spent. The organisation and location of courses are also matters for decision by the VECs. There are no Information Technology courses provided specifically for adults with learning difficulties or suffering from illness.

Education and training programmes in the Adult and Further Education sector, including the Adult Literacy, Youthreach, VTOS and Senior Traveller Training programmes incorporate Information Technology (ICT)-related modules as an integral part of the course.

In addition to the VEC sector, literacy tuition is provided for deaf people by way of a grant to the Irish Deaf Society. Computer training is incorporated into the tuition provided.

Special Educational Needs.

891. **Mr. Gogarty** asked the Minister for Education and Science the centres under her remit providing training in information technology to students or adults who have learning difficulties or who are affected by illness in the south city and south and west County Dublin areas; and if she will make a statement on the matter. [10320/07]

Minister of State at the Department of Education and Science (Mr. Haughey): Adult and Further Education services are funded by my Department through annual grants and delivered locally by the Vocational Education Committees. The disbursement of funds for Adult and Further

Education is a matter for each VEC, which, subject to its budget, decides the nature and extent of the Adult and Further Education services to be provided in its area and the manner in which funds for these services should be spent. The organisation and location of courses, the engagement of teaching staff, the registration of students, and the times and duration of courses are also matters for decision by the VECs. All enquiries pertaining to these issues should, therefore, be addressed to the VECs in question, in this case City of Dublin VEC and Co. Dublin VEC.

Schools Building Projects.

892. **Mr. Collins** asked the Minister for Education and Science the position in relation to a school (details supplied) in County Limerick who over one year ago were confirmed to receive a devolved grant of €380,000 and this week upon opening of tenders for the building works find that the lowest tended is €500,000; if she will provide the additional funding required; and the process for the school board of management to follow to carry out the much needed building works. [10331/07]

Minister for Education and Science (Ms Hanafin): Devolving funding to school management authorities allows them to have control of their projects, assists in moving projects more quickly to tender and construction and can also deliver better value for money.

The two Devolved Schemes, the Small Schools Scheme and the Permanent Accommodation Scheme, were originally introduced in 2003 on a pilot basis and due to the positive feedback from schools and were extended to cover more schools in subsequent years.

The Schemes are not structured on the basis that the Department funding must be supplemented by local fundraising. They do however allow a school to supplement the funding from local resources if they so wish. The critical element is that with devolved authority the school must set the scope of works to match the funding allocated. The Department does not define the precise works to be carried out. A school can make choices within the budget allocated.

Setting the scope of works is the critical first step. Clearly where a school has a known level of resources apart from the Department funding or knows its capacity to raise additional resources it is open to that school to extend the scope of works to include additional facilities. However if the scope of works is not set appropriately from the outset based on the budget available there is a risk that the school will be faced with a funding gap when the project is at construction.

The choices to be made within these devolved schemes rest with the school and that is the cornerstone of any policy of devolution. The school authority knows the budget and must decide what it is capable of building with that budget. The

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time to identify a problem is at the outset before entering any contract. Schools can raise with my Department any site specific problems or unusual planning stipulations that impose additional costs and these will be examined. Otherwise schools must reduce the scope of intended works so as to remain within budget.

A school does not have to accept the invitation to participate in a devolved scheme and instead be considered for inclusion in the mainstream school building programme in line with the project's priority band rating.

I increased funding for the schemes in 2006 by an average of 20% for the Permanent Accommodation Scheme and by an average of 10% for the Small Schools Scheme. These increases follow-on from increases of up to 25% in 2005.

The feedback has in general been very positive, the number of schools participating has increased year on year and many schools are anxious to be included. In order to maintain this momentum I approved over 250 additional schools to participate in these schemes in 2007.

The school referred to by the Deputy has been in contact with the School Building Section of my Department regarding increased funding for the project. Supporting documentation regarding the request is to be provided by the school management and the matter will be reviewed and a decision will be conveyed as soon as possible after its receipt.

Special Educational Needs.

893. **Mr. Stanton** asked the Minister for Education and Science if children with Down syndrome are automatically entitled to resource teaching hours; the number of children with Down syndrome that have been refused resource teaching hours; her plans to amend policies in this area; and if she will make a statement on the matter. [10346/07]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, my Department has put in place a range of teaching and care supports for children with special educational needs, including those with Down Syndrome. The professionally-assessed needs of the individual child determine the appropriate model of response in each case.

Children with Down Syndrome are entitled to additional provision in school, either under the terms of the general allocation system for children with high incidence special needs or through an allocation of additional resources if the child is assessed as being within the low incidence category of special need.

The general allocation system for primary schools was put in place in September 2005, so that children with high incidence special needs such as mild general learning disability could get resource teaching support at school without the need for an individual assessment in each case.

All schools have been allocated resource teaching hours, depending on their enrolment levels.

The new system has a number of benefits associated with it:

- It puts resources in place on a more systematic basis, thereby giving schools more certainty about their resource levels
- It facilitates early intervention as the resource is in place when the child enrolls;
- It reduces the need for individual applications and supporting psychological assessments; and
- It allows flexibility to school management in the deployment of resources, leading to a more effective delivery of services.

The new system means that rather than each school having to make individual applications for resource hours for such pupils, an allocation of resource teaching hours is provided in advance to the school. It is a matter then for the school to determine the pupils with high incidence special education and learning support needs that will receive this support. With the thousands of resource teachers now in place in our schools, each school has enough general allocation hours to provide its pupils with a level of support appropriate to their needs.

The school can then use its professional judgement to decide how these hours are divided among the pupils in the school, to ensure that all their needs are met.

This is a major improvement on the previous system, under which children with high incidence special needs required a psychological assessment before the Department allocated resource teaching hours. This time-consuming process often led to delays in children getting the support they needed. Learning support/resource teachers are now in place in all primary schools, so that children who need their assistance can get it straight away. The general allocation system does not preclude the provision of one-to-one tuition to pupils who need such support.

It would appear that a significant percentage of children with Down Syndrome have been assessed as having a mild general learning disability which comes under the high incidence disability category. Therefore, they are given extra teaching support from within the school's general allocation of learning support/resource teaching support.

In circumstances where a child with Down Syndrome has other associated needs and would fall into the low incidence disability categories, this may automatically attract an individual resource teaching allocation. Applications for such support should be referred to the local Special Educational Needs Organiser (SENO) by the school. The SENOs operate within my Department's policy parameters in considering these applications and convey decisions directly to the schools without recourse to my Department. As

the application process is administered by the SENOs, my Department does not hold information relating to the outcome of the process.

As the Deputy will be aware this Government has provided a dramatic expansion in special education supports: there are now 15,000 adults in our schools working solely with children with special needs — compared to just a fraction of this a few years back. This includes more than 8,000 special needs assistants, whereas there were only 300 in 1998. The system for accessing supports has also been improved with the establishment of the National Council for Special Education, with its network of 80 local Special Educational Needs Organisers.

Further improvements in services are on the way, with the roll-out of the Education for Persons with Special Educational Needs Act 2004. Over €820 million is being provided for special education in 2007- €180 million, or nearly 30%, more than what was provided in the 2006 Estimates.

I can confirm that the Department will continue to prioritise the issue of special needs education and, in co-operation with the National Council for Special Education and the education partners, ensure that all children with special needs, including those with Down Syndrome, have the supports they need to enable them to reach their full potential.

Oibreacha Feabhsúcháin Scoile.

894. D'fhiafraigh **Mr. M. Higgins** den Aire Oideachais agus Eolaíochta cathain a chuirfear scoil ar fáil in áit an tseanfhoirgnimh atá i ndrochchaoi agus róbheag chun freastal ar riachtanais na bpáistí ag Scoil Phobail Mhic Dara, Carna, Contae na Gaillimhe. [10426/07]

Minister for Education and Science (Ms Hanafin): Fuarthas iarratas ar fhorleathnú ón scoil dá dtagrann an Teachta. Measúnaíodh an t-iarratas faoi réir ag na critéir fhoilsithe tosaíochta agus tá sé dá bhreithniú i gcomhthéacs an Chláir ilbhlianach Tógála agus Nuachóirithe Scoileanna.

Schools Building Projects.

895. **Mr. Ring** asked the Minister for Education and Science when an extension will be approved for a school (details supplied) in County Mayo. [10445/07]

Minister for Education and Science (Ms Hanafin): In order to address the short term accommodation needs of the school referred to by the Deputy, the Department gave approval to the school authority to rent a portakabin for use as a resource classroom.

It would appear that the school may be suitable for consideration under the Small Schools Scheme initiative and should the school authority wish to apply for funding for an extension they may wish to consider applying for same under the

2008 scheme, details of which will be announced later this year.

896. **Mr. Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 269 of 23 November 2006 and No.1468 of 31 January 2007, the progress to date in assessing the application; if a site has been deemed required; and if she will make a statement on the matter. [10468/07]

Minister for Education and Science (Ms Hanafin): An application for capital funding has been received from the school to which the Deputy refers. This application is currently being assessed with reference to current and projected pupil enrolments, on-going and planned housing developments and other demographic factors. The final determination of the long term accommodation needs of the school will help inform a decision as to whether a new greenfield site or a site extension is required for the proposed project.

School Accommodation.

897. **Mr. Durkan** asked the Minister for Education and Science the extent to which second level school places exist for children from areas (details supplied) in County Kildare; if her attention has been drawn to the extent of overcrowding in the catchment area and the increase in the rolls at existing primary schools; if she will carry out an evaluation of the first and second level needs in the area with a view to planning for the future; and if she will make a statement on the matter. [10469/07]

Minister for Education and Science (Ms Hanafin): I am aware that many areas located within close proximity to Dublin, similar to those referred to by the Deputy, continue to experience population growth, a position that almost inevitably places some strain on existing educational provision. In order to proactively plan for such areas of increased growth my Department is included among the prescribed authorities to whom local authorities are statutorily obliged to send draft development plans or proposed variations to development plans for comment. As a matter of course meetings are arranged with local authorities to establish the location, scale and pace of any major proposed developments and their possible implications for school provision so as to ensure as far as possible the timely delivery of the required education infrastructure.

The areas covered in the first phase of this approach to school planning include north Dublin, south Louth and mid Meath in one plan, which has recently been published, and a separate plan, published in May 2005, for the N4/M4 route running from Leixlip to Kilbeggan and including Maynooth, Celbridge, Kilcock, Edenderry and rapidly developing villages and towns on that route.

[Ms Hanafin.]

It is open to any school to apply to the Department for additional accommodation to meet its needs. All applications for capital funding are assessed in accordance with the Department's published prioritisation criteria for large scale building projects which were drawn up following consultation with the education partners. Following this assessment, each application is assigned a band rating. Progress on individual projects is consistent with that band rating.

In addition, where an immediate need for additional accommodation exists, Boards of Management can apply for the provision of temporary rented accommodation.

The School Planning Section of the Department has received applications for major capital funding from the management authorities of Johnstownbridge and Kilshanroe National Schools. The applications have been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the School Building and Modernisation Programme from 2007 onwards. In the meantime, an application for the rental of temporary accommodation has been approved to meet Kilshanroe's immediate accommodation needs from September 2007. The Department has no record of any other applications from the relevant authorities of schools in the areas referred to by the Deputy.

Special Educational Needs.

898. **Mr. Durkan** asked the Minister for Education and Science her plans to ensure provision of facilities for children with autism attending a school (details supplied) in County Kildare; if she has received a submission from the school authorities in this regard; her intention to favourably respond to the requirements, as submitted; if she will address this issue in 2007, through the use of contingency funds or otherwise; and if she will make a statement on the matter. [10470/07]

Minister for Education and Science (Ms Hanafin): I understand that the National Council for Special Education has sanctioned a class for children with autistic spectrum disorder in the school referred to by the Deputy. My Department's School Building Unit has approved a devolved grant to the school management authority for the provision of an autism classroom and ancillary accommodation, and officials from my Department have been in contact with the school in this regard.

Question No. 899 answered with Question No. 862.

School Accommodation.

900. **Mr. O'Shea** asked the Minister for Education and Science the proposals she has to ensure that all children of primary school going

age living in Tramore, County Waterford will be provided with a primary school place in the town when requested; and if she will make a statement on the matter. [10472/07]

Minister for Education and Science (Ms Hanafin): The future needs for primary school accommodation in the Tramore area are being assessed in the context of applications on hands for major capital funding from a number of schools. In common with all such applications, the Department carries out a detailed examination of the demographics of an area together with planned housing developments etc. to ensure that any planned capital investment will meet the needs of an area as a whole for the foreseeable future.

Progress on individual projects is then subject to the published prioritisation criteria for large scale building projects. Schools in rapidly developing areas are prioritised under these criteria.

School Services Staff.

901. **Mr. O'Shea** asked the Minister for Education and Science the position regarding the pension entitlements of a person (details supplied) in County Waterford under the scheme for primary school caretaking staff employed under the 1979 scheme; and if she will make a statement on the matter. [10473/07]

902. **Mr. O'Shea** asked the Minister for Education and Science the entitlements of a person (details supplied) in County Waterford under bench-marking; and if she will make a statement on the matter. [10474/07]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 901 and 902 together.

In 2006 I introduced, with the concurrence of the Minister for Finance, pension arrangements for caretaking staff employed under the 1979 Scheme. These arrangements provide that membership of the pension scheme will be effective from 1 September 2001 in the case of eligible caretakers in service at that time. The pension scheme will be a contributory, defined benefit scheme and will provide standard public service pension benefits.

Deduction of ongoing contributions commenced from eligible personnel with effect from 7 March 2006. Arrears of contributions are payable in respect of the period from 1 September 2001 to the date ongoing deductions commenced, or the date membership ended if earlier. Eligible staff will be notified in due course of the arrears due in respect of that period. In accordance with standard public service arrangements, there is also provision for reckoning service given prior to 1 September 2001 subject to verification of the service concerned and payment of the appropriate contributions.

The specific case referred to by the Deputy is currently being examined. I will arrange to have a reply issued directly to the Deputy confirming the position. I can however confirm, that the former Caretaker has received any arrears of pay owed to him under Benchmarking and General Pay Awards.

Grant Payments.

903. **Cecilia Keaveney** asked the Minister for Education and Science the number of pupils in receipt of the remote area grant; the number of these pupils who are in boarding schools; the name of each of these schools; the number of pupils in receipt of the remote area grant who stay in lodgings and attend school as day pupils; the name of each of these schools; and if she will make a statement on the matter. [10475/07]

904. **Cecilia Keaveney** asked the Minister for Education and Science the number of pupils who come from the offshore islands who are in receipt of the remote area grant; the number of these pupils who are in boarding schools; the name of each of these schools; the number of pupils in receipt of the remote area grant who stay in lodgings and attend school as day pupils; the name of each of these schools; and if she will make a statement on the matter. [10476/07]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 903 and 904 together.

Under the Remote Area Grant scheme, provision exists for the payment of grants towards boarding or lodging fees in respect of pupils who satisfy certain eligibility criteria in respect of remoteness from the nearest school providing suitable free second level education. The detailed information requested by the Deputy is not readily available. However, it will be compiled and forwarded to the Deputy as soon as possible.

School Staffing.

905. **Cecilia Keaveney** asked the Minister for Education and Science the number of one teacher schools; the name of each school for the school year 2006/2007; the number of schools that will be one teacher in 2007/2008; and if she will make a statement on the matter. [10477/07]

Minister for Education and Science (Ms Hanafin): There are currently 11 one teacher schools at primary level. This figure does not include hospital or special schools. Details of the names and addresses of the schools are given in the attachment provided.

The mainstream staffing of a primary school is determined by reference to the enrolment of the school on 30th September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued to all primary schools each year.

The Deputy will be aware that, as an exceptional matter, I approved the appointment, or retention where appropriate, of a mainstream teacher in addition to the Principal for the current school year in the schools which had projected that the appropriate number of pupils required (12) for such appointment or retention would be achieved at end September, 2006.

Based on enrolments received from the Boards of Management for the 30th September 2006 in my Department and on the new staffing schedule for the 2007/2008 school year (Primary Circular 0020/2007) which is available on my Department's website, there will be 12 one teacher schools (excluding hospital and special schools) in the 2007/2008 school year.

One Teacher Schools 2006/2007 School Year

School

Baltard N.S., Doonbeg, Kilrush, Co. Clare

Roll No: 15968 I

S.N. Naomh Bride, Mughros, Carna, Co. Galway

Roll No: 18263 I

Naomh Mhuire Boys N.S., Lanesboro, Co. Longford

Roll No: 18306 A

Mantua N.S., Castlereagh, Co. Roscommon

Roll No: 02327 S

S.N. Mhuire Gan Smal, Eanach Mor, Gurteen, Co. Sligo

Roll No: 18711 J

Gartan N.S., Gartan, Letterkenny, Co. Donegal

Roll No: 13755 E

S.N. Oilibhear Pluincead, Shannonbridge, Co. Offaly

Roll No: 17187 N

St. Michaels N.S., Church Road, Ardnaree, Ballina, Co. Mayo

Roll No: 12792 F

Scoil Cholmcille, Oilean Thoraigh, Bunbeg, Co. Donegal

Roll No: 05164I

Fealeview N.S., Abbeyfeale, Co. Limerick

Roll No: 14516O

SN An Sraith, Claremorris, Co. Mayo

Roll No: 15073L

Decentralisation Programme.

906. **Ms Shortall** asked the Minister for Education and Science the number of civil servants in her Department who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the aver-

[Ms Shortall.]

age time spent in the Dublin office; and if she will make a statement on the matter. [10528/07]

Minister for Education and Science (Ms Hanafin): Twenty seven (27) officers from my Department have transferred under the programme of decentralisation either directly to their location of choice or they relocated there within a very short period of their initial transfer. This information is available as it was known to my Department when these transfers were arranged. There are no records in my Department regarding the current location/assignment of a further 14 officers who transferred from its to Dublin offices to other organisations in Dublin to await relocation to their location of choice, as records are not maintained on officers in my Department when those officers transfer elsewhere.

Five percent (5%) of the 41 officers who have transferred to relocate have had a previous transfer within a two year period of the decentralisation transfer. No officer from my Department has transferred from an office outside of Dublin to a Dublin office to await relocation elsewhere.

Question No. 907 answered with Question No. 821.

Third Level Charges.

908. **Mr. Stanton** asked the Minister for Education and Science the third level registration fee charged for each of the years from 1997 to 2006 respectively; and if she will make a statement on the matter. [10587/07]

Minister for Education and Science (Ms Hanafin): The student charge is levied by third level institutions to defray the costs of examinations, registration and students services. All students who are eligible for means tested student support grant have the student charge paid on their behalf by the Local Authorities or the Vocational Education Committees, in addition to any maintenance grant and tuition fee grant they are entitled to.

The student charge is paid by the students on an academic year basis. The level of the charge for each year since the 1997/1998 academic year is as follows:

Year	€
1997/1998	317
1998/1999	330
1999/2000	353
2000/2001	371
2001/2002	396
2002/2003	670
2003/2004	670
2004/2005	750
2005/2006	775
2006/2007	800

Services for People with Disabilities.

909. **Mr. Kehoe** asked the Minister for Education and Science the services and facilities available to persons with a hearing disability who wish to phone her Department; and if she will make a statement on the matter. [10950/07]

Minister for Education and Science (Ms Hanafin): My Department is committed to delivering quality services that meet the needs of customers. The Department's Customer Charter reinforces the commitment to provide equality of access to services to all customers, including those with a disability.

My Department accepts calls through Eircom's National Relay Service. This service allows for the receipt and translation of text messages into voice and vice versa, using a free phone number (1800 207 900). Our offices in Athlone, Dublin and Tullamore are equipped with a loop system for visitors who use a hearing aid. We have a network of 10 Regional Offices, which customers can visit, to access information and services on a regional basis. Interpreting services are made available on request, to customers who visit our offices by appointment.

Sign Language training is provided by the Civil Service Language Centre and five members of staff from my Department have completed Sign Language training courses. Information on services is available in printed format and electronically on the Department's website www.education.ie and by e-mail.

Departmental Expenditure.

910. **Mr. Eamon Ryan** asked the Minister for Defence the amount his Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if he will make a statement on the matter. [9771/07]

Minister for Defence (Mr. O'Dea): The amounts paid by my Department in 2006 in respect of Departmental staff, civilian employees and military personnel were of the order of €1.776m by way of car mileage allowances and €0.623m in respect of rail and bus ticket expenses.

911. **Mr. G. Mitchell** asked the Minister for Defence the cost of energy used running his Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and his plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9820/07]

Minister for Defence (Mr. O'Dea): The cost of energy used in running my Department's offices was €260,883.10 in 2002 and €373,435.42 in 2006. In terms of the quantity of energy used, this information will be forwarded to the Deputy as soon as possible.

The Department's new premises in Newbridge will have a range of environmentally friendly energy-saving features that will reduce energy in the long term. The Finance Branch of my Department located at Renmore, Galway, has been selected by the OPW to participate with a company of energy consultants in the 2007 Energy Conservation Campaign Pilot Study. It will be one of five buildings that can demonstrate good energy-saving performance and leadership to the rest of the country.

Departmental Staff.

912. **Mr. Sargent** asked the Minister for Defence if he will report on gender balance at each grade in his Department and in agencies that come under the aegis of his Department. [9848/07]

Minister for Defence (Mr. O'Dea): The gender balance at each grade in my Department and in agencies that come under the aegis of my Department are as follows:

Departmental Staff

Grade	Total	Male	Female
Secretary General	1	1	0
Assistant Secretary	2	2	0
Principal Officer	14	10	4
Assistant Principal	31	23	8
Properties Officer	1	1	0
Higher Executive Officer	55	24	31
Administrative Officers	2	0	2
Executive Officers	76	23	53
Staff Officers	35	3	32
Clerical Officers	152	26	126
Personal Secretary to Minister	1	0	1
Secretarial Assistant to Minister	1	1	0
Special Advisor to the Minister	1	1	0
Press Advisor to Minister	1	0	1
Services Attendant	2	1	1
Services Officer	15	10	5
Cleaner	4	0	4
Examiner of Maps	1	1	0
Head Services Officer	1	1	0
Nightwatchman	3	3	0
Total	399	131	268

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Grade	Total	Male	Female
Higher Executive Officer	1	1	0
Staff Officer	1	0	1
Office Administrator	1	0	1
Administrative Assistant	1	0	1
Total	4	1	3

[Mr. O'Dea.]

Army Pensions Board

Grade	Total	Male	Female
Executive Officer	1	0	1
Clerical Officer	1	1	0
Total	2	1	1

Civil Defence Board

Grade	Total	Male	Female
Principal Officer	1	1	0
Assistant Principal	3	3	0
Higher Executive Officer	5	1	4
Executive Officer	3	0	3
Clerical Officer	7	2	5
Services Officer	1	1	0
Range Attendants	2	2	0
Communications Officer	1	1	0
Nightwatchman	2	2	0
Total	25	13	12

EU Directives.

913. **Mr. Allen** asked the Minister for Defence the number of EU directives awaiting transposition in his Department; the date by which these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if he will make a statement on the matter. [10049/07]

Minister for Defence (Mr. O'Dea): This question does not apply to my Department at this time.

Decentralisation Programme.

914. **Ms Shortall** asked the Minister for Defence the number of civil servants in his Department who have transferred to offices outside Dublin under the decentralisation programme to date; the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if he will make a statement on the matter. [10527/07]

Minister for Defence (Mr. O'Dea): The Government Decision on decentralisation provides for the relocation of the Dublin-based offices of my Department to Newbridge, Co.

Kildare. A total of 200 staff will move to the new location.

While the site upon which the new office accommodation will be built will be sold by Kildare County Council to the Office of Public Works and the preferred tenderer to construct the building has been chosen by that Office, it is not anticipated that any staff will move to Newbridge prior to the completion and fit-out of the new building, which is scheduled for late 2008. Therefore, no Newbridge-bound staff have transferred to offices outside the Dublin region as yet, but staff currently working in the Dublin region are being transferred to this Department in preparation for the relocation to Newbridge. There have been no transfers of staff based in offices outside Dublin to the Dublin offices of my Department.

In addition to the relocation of my Department to Newbridge under the decentralisation programme, the Civil Defence Board completed its relocation to Roscrea, Co. Tipperary in May 2006. An advance party of 12 staff of the Civil Defence Board moved to temporary accommodation in Roscrea in September 2004 prior to the final move. Some 12 of the 22 staff currently serving in the Civil Defence Board transferred from my Department, with the balance transferring to the Board's new offices in Roscrea from various other Government Departments.

Services for People with Disabilities.

915. **Mr. Kehoe** asked the Minister for Defence the services and facilities available to persons

with a hearing disability who wish to phone his Department; and if he will make a statement on the matter. [10949/07]

Minister for Defence (Mr. O’Dea): There are no specific phone facilities available to persons with hearing disabilities who wish to phone my Department. Contact can be made with my Department via E-mail or by visiting our website at www.defence.ie.

Local Authority Rates.

916. **Mr. Costello** asked the Minister for the Environment, Heritage and Local Government the legislation under which rates are levied; and if he will make a statement on the matter. [9444/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): While my Department is developing proposals for the consolidation of rating law, rates are currently levied by local authorities under a broad statutory framework. The specific legislation, applied as appropriate by the relevant local authorities, is set out below.

Local authorities levy rates on rateable properties in accordance with the property valuations contained in the valuation lists which are prepared by the Commissioner of Valuation under the Valuation Act 2001. That Act is the responsibility of my colleague, the Minister for Finance.

Act

Poor Relief (Ireland) Act 1838
 Poor Relief (Ireland) Amendment Act 1843
 Poor Relief (Ireland) Act 1849
 Valuation (Ireland) Act 1852
 Poor Relief (Ireland) Act 1862
 Poor Law Acts (Ireland) Amendment Act 1890
 Local Government (Ireland) Act 1898
 Local Government Collection of Rates Act 1924
 Local Government (Dublin) Act 1930
 Limerick City Management Act 1934
 Waterford City Management Act 1939
 Cork City Management (Amendment) Act 1941
 Local Government Act 1941
 Local Government Act 1946
 Local Government Act 1955
 Local Government (Rates) Act 1970
 Local Government (Financial Provisions) Act 1978
 Local Government (Financial Provisions) Act 1983
 Local Government (Dublin) Act 1993
 Local Government Act 1994
 Valuation Act 2001

Architectural Heritage.

917. **Mr. Gregory** asked the Minister for the

Environment, Heritage and Local Government if he will take steps to prevent further deterioration of the protected properties in Moore Street, Dublin 1 related to the 1916 Rising; and if he will make a statement on the matter. [9863/07]

950. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government the status and ownership of the protected properties related to the 1916 Rising in Moore Street, Dublin 1; and if there are steps his Department can take to prevent their further deterioration. [9862/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 917 and 950 together.

Numbers 14, 15, 16 and 17 Moore Street are listed on Dublin City Council’s Record of Protected Structures and are also the subject of a Preservation Order under the National Monuments Acts.

The maintenance and upkeep of the properties in question is the responsibility of the owners of these properties. The 2000 Planning Act empowers the local authority to take action to secure the protection of protected buildings. The owner of a national monument the subject of a Preservation Order must obtain the consent of the Minister for the Environment, Heritage and Local Government before undertaking any work affecting such a monument and under the National Monuments Acts, the Minister can take enforcement action to secure the protection of such monuments.

As indicated in my reply to Question No. 567 of 6 February 2007, more specific measures for the protection and possible enhancement of these buildings in the context of proposals to redevelop the area in which they are located are a matter to be considered further in the light of the outcome of legal proceedings currently before the Supreme Court.

Grant Payments.

918. **Mr. Crowe** asked the Minister for the Environment, Heritage and Local Government if there is a home improvement grant available for people who suffer from electro-sensitivity. [10306/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department does not operate any home improvement grant scheme specifically to assist people who suffer from electro-sensitivity. The Disabled Persons Grant Scheme, which is administered by the local authorities, provides grant aid for the provision of additional accommodation or necessary works of adaptation to a dwelling to meet the needs of a disabled member of the household.

[Mr. N. Ahern.]

However, the advice received by my Department from the Department of Health and Children is that the consensus of scientific opinion to date is that there is no evidence of a causal relationship between exposure to electromagnetic fields and ill health. In addition, I understand that the World Health Organisation has assessed the many reviews carried out in this area and has indicated that exposures below the limits recommended by the International Commission on Non-Ionising Radiation Protection (ICNIRP) in their 1998 Guidelines do not produce any known adverse health effects. The ICNIRP guideline limits are implemented in Ireland. Accordingly, it is unlikely that electro-sensitivity would be deemed to constitute a disabling condition for the purposes of the Disabled Persons Grant scheme.

Social Inclusion.

919. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government the number of social inclusion units in local authorities and locations of same; the function of the units; and if he will make a statement on the matter. [10575/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A total of eight local authority social inclusion units have been established to date, with assistance (including ongoing financial support) from my Department. These units are located in the following local authorities:

- Cork City Council
- Dublin City Council
- Dún Laoghaire Rathdown County Council
- Limerick City Council
- Louth County Council
- South Dublin County Council
- Waterford City Council
- Wicklow County Council

The units have wide ranging functions in relation to promoting social inclusion across the activities of their local authorities and working with other agencies operating at local level in this area. In line with a commitment in Towards 2016 arrangements will be made to extend the units to half of all county and city councils by the end of 2008. My Department will also provide financial support to the new units as well as to the existing ones.

Official Languages Act.

920. **Mr. McCormack** asked the Minister for the Environment, Heritage and Local Government if he will notify landowners in the Irish language to comply with The Official Languages Act

2003 and extend the date on which landowners in the Gaeltacht area can lodge an objection in having their lands included in the proposed designated areas; and if he will make a statement on the matter. [9414/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In accordance with the provisions of The Official Languages Act 2003 my Department is committed to providing a service to respond to all correspondence and communications where the contacting party expresses an interest in conducting business through the medium of Irish. This service is in place.

In regard to the issue of extending time within which landowners may object to a proposed designation I refer to my reply to Question No. 162 of 27 February 2007.

Water and Sewerage Schemes.

921. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government when funding will be put in place for a project (details supplied) in County Mayo; the estimated cost of the project; when the project will be approved for funding; and if he will make a statement on the matter. [9474/07]

957. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government if the preliminary report submitted by Mayo County Council for the sewerage treatment plants at Crossboyne, The Neale, Cross and Ballyheane in County Mayo will be approved; if so, when the report will be approved; and if he will make a statement on the matter. [10138/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 921 and 957 together.

The Mayo Towns and Villages Sewerage Scheme, which includes Ballyheane, Charlestown, Cross, Crossboyne and the Neale, is approved for funding in my Department's Water Services Investment Programme 2005-2007 at an estimated cost of €6.07m.

My Department is awaiting a Preliminary Report from Mayo County Council for the Charlestown element of the scheme. Further consideration will be given to the Council's Preliminary Report for the other locations, which includes proposals to pump wastewater from Crossboyne to the existing Claremorris Wastewater Treatment Plant, on receipt of additional information recently requested by my Department.

Building Regulations.

922. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if there are issues or concerns regarding a developer (details supplied); and if the maximum sup-

port will be given to first time buyers who have paid €7,000 deposits. [9503/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Floor Area Compliance Certificates can only be issued once certain standards and conditions are met. Following an inspection of the 27 properties involved on the 6 March 2007, my Department requested the company to complete some outstanding structural works and to submit certain documentation in relation to compliance with fire safety and building standards. The properties were re-inspected on 15 March and all outstanding structural works had been satisfactorily completed and the necessary fire safety and building standards certification was provided. Subject to confirmation by the company that their tax affairs are in order, the certificates will be issued as soon as possible.

Water and Sewerage Schemes.

923. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government the progress towards the provision of sewerage facilities for Castleblayney Town Council; when funding will be made available; and if he will make a statement on the matter. [9518/07]

973. **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. [10478/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 923 and 973 together.

The Castleblaney and Clones Sewerage Schemes are being advanced, with a scheme for Ballybay, as a grouped project under my Department's Water Services Investment Programme 2005-2007 at an overall estimated cost of €6.63m. My Department is awaiting submission of a Preliminary Report for the project by Monaghan County Council.

Grant Payments.

924. **Mr. Kehoe** asked the Minister for the Environment, Heritage and Local Government his plans to increase the maximum amount payable under the disabled person's grant; if he will means test same; and if he will make a statement on the matter. [9557/07]

940. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government the number of local authorities that include the cost of rewiring under their essential repair grants scheme; the plans to standardise the repairs for which this grant applies to prevent arbitrary dis-

crimination by some local authorities against old age pensioners living alone; the plans to reinstate window repairs and heating installation under the grant scheme; and if he will make a statement on the matter. [9720/07]

942. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government when he will announce revised proposals arising out of his review of the disabled persons and essential repairs grant schemes; and if he will make a statement on the matter. [9750/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 924, 940 and 942 together.

Details of the revised housing adaptation grant schemes for older people and people with a disability were announced recently as part of My Department's new housing policy statement Delivering Homes, Sustaining Communities. The revised schemes are based on the outcome of the review of the Disabled Persons Grant scheme, which was recently completed within my Department. The review also incorporated the conditions governing the Essential Repairs Grant scheme and the Special Housing Aid for the Elderly scheme. Arising out of the review, three new schemes will be introduced, a Housing Adaptation Grant for People with a Disability, a Mobility Aids Grant Scheme, and a scheme of Housing Aid for Older People.

The Housing Adaptation Grant for People with a Disability will assist in the provision/adaptation of accommodation to meet the needs of people with a disability. The grant will be increased from the current effective maximum of €20,320 to a maximum of €30,000, which may cover up to 95% of the cost of works. Prioritisation of eligibility will be on the basis of medical and financial need with 95% of the approved cost of work available to those with annual household incomes of less than €30,000, tapering to 30% for those with annual household incomes of €54,001 to €65,000.

The Mobility Aids Grant Scheme will provide grants to cover a basic suite of works to address mobility problems, primarily but not exclusively, associated with ageing. It will fast track limited grant aid to people on lower incomes (maximum annual household income threshold €30,000). The maximum grant available will be €6,000 and may cover 100% of the cost of works.

The new Housing Aid for Older People scheme will amalgamate the provisions of the existing Essential Repairs and Special Housing Aid for the Elderly Schemes, with the aim of making habitable the homes of older people. The maximum grant available will be €10,500 and may cover 100% of the cost of works for applicants with an annual household income of less than €30,000,

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tapering to 30% for those with annual household incomes of €54,001 to €65,000.

As matters stand at present, a decision on qualifying works under the Essential Repairs Grant scheme is a matter for the local authority concerned, subject to the broad framework laid down in the Housing (Disabled Persons and Essential Repairs Grant) Regulations 2001. The types of work allowable under the scheme are general repairs such as repairs to roofs, chimneys, gables, repairs/replacement of window, drylining, rewiring, etc. My Department does not have available information on the number of local authorities who currently provide grant aid for rewiring under the scheme. Rewiring, window repairs and heating installation will be eligible for grant aid under the conditions of the new Housing Aid for Older People scheme.

The revised schemes will become operational during 2007 and I intend to issue detailed administrative guidance later this year to all local authorities. This administrative guidance will make explicit precisely what types of works will be covered by each of the schemes.

Local Authority Housing.

925. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government if there is a mechanism for transferring from social housing in Northern Ireland to similar housing in this jurisdiction; and if he will make a statement on the matter. [9585/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): There is no general mechanism for transferring from social housing in Northern Ireland to similar housing in this jurisdiction. The acceptance or non-acceptance of housing applicants from outside the functional area of a local authority is a matter solely for the authority concerned. Section 9(5) of the Housing Act 1988 provides that ‘a housing authority may, to such extent (if any) as the authority consider appropriate, include in an assessment “need arising from the requirements of persons who are residing outside the functional area of the authority”’.

926. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government his views in regard to the concerns expressed in correspondence (details supplied); his plans to address these concerns; and if he will make a statement on the matter. [9588/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): There is no provision at present in the voluntary housing schemes for the purchase of individual houses by tenants. However, it was agreed under Housing Policy Framework Building Sustainable Communities that consider-

ation would be given in consultation with the voluntary and co-operative sector, to pilot a tenant purchase scheme for some new voluntary homes under the scheme.

The modalities of such a scheme have been the subject of ongoing discussion between my Department and representatives of the voluntary and co-operative sector including the Irish Council for Social Housing and the National Association of Building Co-operatives. Submissions received from a number of these organisations with regard to a pilot tenant purchase scheme, including correspondence received from the Droichead Nua Housing Association, have been examined in my Department. A number of issues have been identified by the voluntary and co-operative sector which require further examination and consultation. The introduction of such a scheme including its timing and possible location, will be determined in the coming months.

Water and Sewerage Schemes.

927. **Cecilia Keaveney** asked the Minister for the Environment, Heritage and Local Government the position in relation to a sewerage scheme (details supplied) in County Donegal. [9594/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Malin Sewerage Scheme is approved for funding in my Department’s Water Services Investment Programme 2005-2007 under the Rural Towns and Villages Initiative. I have approved a Construction Stage Budget for this scheme and in accordance with the streamlined approval procedures I have introduced for schemes costing up to €5million, Donegal County Council can now advance the scheme to construction without further reference to my Department.

928. **Cecilia Keaveney** asked the Minister for the Environment, Heritage and Local Government when construction will begin on a water supply scheme (details supplied) in County Donegal; and if he will make a statement on the matter. [9595/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Contract 3 of Stage 1 of the Desertegney Water Supply Scheme is approved for funding under my Department’s Water Services Investment Programme 2005-2007. I have approved a Construction Stage Budget for this scheme and in accordance with the streamlined approval procedures I have introduced for schemes costing up to €5 million, Donegal County Council can now advance the scheme to construction without further reference to my Department.

Hunting Licences.

929. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government the number of hares killed during March 2006 by hunts licenced under Licence No. 1/2006 (Licence To Hunt With Pack of Beagles). [9598/07]

930. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government if he has granted an extension of licences to cover March 2007 to beagling clubs; and the names of the hunts covered by the licence. [9599/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 929 and 930 together.

Licences to hunt with a pack of beagles may be granted under Section 26(2) of the Wildlife Act 1976, as amended. The return made to my Department under the conditions of the licence, referred to in the Question, indicate that one hare was killed during March 2006.

I have granted licences in respect of March 2007 to two beagling clubs, namely, the Irish Masters of Beagles Association and the Cork Southern Hunt Club. These clubs are, however, being informed that, for conservation reasons, licences to permit the hunting of hares with beagles beyond the standard open season for the species (which runs to the end of February) may not be granted in future.

Special Areas of Conservation.

931. **Mr. McCormack** asked the Minister for the Environment, Heritage and Local Government the proportion of land in Connemara that has been proposed to be designated as special areas of conservation; the proportion of land nationally that has been proposed to be designated as SAC; and if he will make a statement on the matter. [9600/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The EU Habitats Directive requires Member States to propose areas for designation as Special Areas of Conservation (SACs), in order to conserve important flora and fauna and their habitats. The sites are selected using scientific criteria set out in the Directive.

The SACs formally proposed for Ireland cover approximately 10% of the country. While separate figures are not available for Connemara, approximately 21% of County Galway is proposed for inclusion in Special Areas of Conservation. The extent of designations in the county reflects its' higher than average proportion of habitats of high conservation value.

Local Authority Funding.

932. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government

the number of playgrounds developed in the past two years by local authorities, on a county basis. [9628/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Information on the total number of playgrounds provided by local authorities is not available in my Department. However, Service Indicators in Local Authorities 2005, published last year by the Local Government Management Services Board, reported on performance across 42 indicators covering the broad range of local authority activities. Two of the indicators relate to playgrounds and these enable comparisons to be made across local authorities on their performance in this area.

Specifically, the indicators show the number of children's playgrounds per 1,000 population provided directly by the local authority; and facilitated by the local authority. Copies of this publication are available in the Oireachtas Library.

Ready, Steady Play: A National Play Policy, which was published in 2004, provides a framework for the development of public play facilities in Ireland, with the overall aim of ensuring that children have access to a range of quality play opportunities to enrich their childhood. As part of the implementation of this policy, my Department has allocated funding of over €8 million to city and county councils for the development of new, or refurbishment of existing, playgrounds over the period 2004-2006.

Official Engagements.

933. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government the appointments he had during his visit to County Mayo on 1 March 2007; the meetings that took place; the persons he met with; the venues in which those meetings were held; and the organisations he met. [9648/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My official visit to Mayo on 1 March, comprised the following engagements; a "sod turning" ceremony for the new €3.8m visitor centre for Ballycroy National Park in Ballycroy, the official announcement of the €142m National Rural Water Programme for 2007 in County Buildings, Castlebar; a visit to Beleek woods to inspect preparations for the proposed introduction of the Red Squirrel, and a visit to Crossmolina, where I met with a large assembly regarding flooding in the town.

Local Authority Funding.

934. **Mr. N. O'Keeffe** asked the Minister for the Environment, Heritage and Local Government if grant aid is available from his Department to develop a playground (details supplied) in County Cork. [9657/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Prior to the Local Authority Playground Grants Scheme 2004, my Department did not operate a specific scheme of grants for playground projects.

The 2004 Scheme provided up to 50% funding for the development of new, or renovation of existing, playgrounds throughout the country. While the scheme was administered by the National Children's Office, the grants were paid out of my Department's vote. Over €2 million was allocated to city and county councils in respect of 32 new or refurbished playground projects. €114,000 was allocated to Cork County Council under the scheme for playgrounds at Charleville and Ballincollig.

The playgrounds grants scheme has been administered by my Department since 2005. Applications for grants for specific locations are not accepted from councils. Instead a fixed grant is allocated to each city and county council to fund the purchase and delivery of playground equipment to be installed at locations to be decided by the councils. In 2005 and 2006 fixed grants of €60,000 and €120,000 respectively were allocated to each city and county council, including Cork County Council. Cork County Council indicated to my Department that the grants would be utilized for playgrounds at Passage West and at Corkbeg/Whitegate.

Water and Sewerage Schemes.

935. **Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government if he will approve the application by Donegal County Council for the replacement of the asbestos water main supplying Teelin as part of the south west Donegal DBO rural water project, which the council submitted to his Department in July 2006 and have to date received no response. [9658/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): While responsibility for the prioritisation and approval of individual projects under the Rural Water Programme has been devolved to local authorities, in August 2006 Donegal County Council requested my Department's observations on the replacement of the pipes referred to. My Department's response (of 15 August 2006) advised the Council that funding from the Department's block grant allocation for the Rural Water Programme should be confined to replacing pipework where the burst frequency is high or to resolve hydraulic problems.

Departmental Reports.

936. **Mr. Noonan** asked the Minister for the Environment, Heritage and Local Government if the Fitzgerald report arising from Mr. Fitzgerald's enquiry into the social disadvantages in Limerick

has been submitted to him; if he will publish the report; if so, when he expects to do so; if the recommendations of the report have been approved by the Government; and if he will make a statement on the matter. [9681/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Last October, the Government appointed Mr. John Fitzgerald, former Dublin City Manager, to lead an initiative to address social exclusion, crime and disorder issues in Moyross, Limerick.

Since then Mr. Fitzgerald has been working with existing agencies and community groups to identify immediate actions which can be implemented in Moyross; in particular seeking to overcome any blockages which might currently exist to delivering local solutions. He is also working to bring forward suggestions about the regeneration of Moyross and other disadvantaged areas of Limerick in the context of the wider strategic development of the Limerick/Shannon Gateway.

I understand that Mr. Fitzgerald will submit his report shortly which will be considered, in the first instance, by the Cabinet Committee for Social Inclusion.

Planning Issues.

937. **Mr. Kirk** asked the Minister for the Environment, Heritage and Local Government the planning requirements for householders when having solar panels installed in roofs; and if he will make a statement on the matter. [9686/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): On 28 February, 2007, I signed the Planning and Development Regulations 2007, which provide exemptions from planning permission requirements in respect of certain classes of micro-renewable technologies for use in the home. The exemptions apply to solar panels and other micro-renewable technologies such as wind turbines, heat pumps and biomass, subject to certain conditions in each case.

The exemption in respect of solar panels provides for the installation of up to 12 sq. metres aperture area, or 50% of total roof area, whichever is less. This is subject to conditions that restrict the height of the panel to 15 cms above the plane of a pitched roof or to 50 cms above a flat roof. In addition, the panels must be more than 50 cm from the edge of the roof or wall on which it is mounted.

Free-standing solar arrays up to 2 metres in height can also be installed at the side or rear of a house once it does not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear or to the side of the house to less than 25 square metres.

It should also be borne in mind that if householders wish to install solar panels of greater area than that allowed under the Regulations, then planning permission could be applied for in the normal way. Planning authorities have been advised that such applications should be considered on their own merits, having regard to the proper planning and sustainable development of the area.

Building Regulations.

938. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government the number of successful prosecutions for failure to comply with Part L of the building regulations in each year from 1 July 1998 to date in 2007. [9698/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Responsibility for enforcement of the Building Regulations is a matter for the 37 local building control authorities. Half-yearly statistics on enforcement of the Regulations, furnished by local building control authorities to my Department, do not give a breakdown of the prosecutions initiated for non-compliance with the 12 Parts (A to M) of the Regulations. However, the statistical returns for the period January-June 2006 — the latest period for which figures are available — show that 15 Enforcement Notices were served by building control authorities under the Building Control Act 1990 for non-compliance with the Building Regulations. In addition, 6 summary prosecutions were taken by the authorities.

My Department's circular letter BC 14/2006 has requested local building control authorities to include, in future statistical returns, and starting with returns for July-December 2006, a breakdown as to what specific Part or Parts of the Building Regulations is/are the subject of enforcement notice or legal proceedings initiated by the authorities for non-compliance with the Building Regulations.

Proposed Legislation.

939. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government his plans to review the Control of Dogs Act 1986; and if he will make a statement on the matter. [9714/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I have no proposals to review or amend the Control of Dogs Acts 1986 and 1992. However, as indicated in the reply to Questions Nos. 128 and 191 of 27 February 2007, my Department is reviewing the control measures in the Control of Dogs Regulations 1998 which were made under the above Acts.

Question No. 940 answered with Question No. 924.

Election Management System.

941. **Mr. Coveney** asked the Minister for the Environment, Heritage and Local Government his views on having polling day for the upcoming general election on a Saturday, to encourage a higher voter turnout and in particular to facilitate persons who are working and studying outside of their home constituency during weekdays; and if he will make a statement on the matter. [9727/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): There is no restriction in law in relation to the day of the week which the Minister for the Environment, Heritage and Local Government may specify as polling day for a general election. The appointment of a Saturday would require careful consideration of a range of matters, including people being away from home, the large numbers employed in service industries at weekends, the likelihood of competition with sporting events and issues with availability of election staff. These and other relevant factors will be taken into account in the determination of the polling day for the next general election.

Question No. 942 answered with Question No. 924.

Special Areas of Conservation.

943. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 162 of 27 February 2007, if he will amend the regulation to state that an appeal must be submitted within three months of becoming aware of the designation; and if he will make a statement on the matter. [9751/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): As indicated in reply to Question No. 162 of 27 February 2007, exceptions can no longer be made to the application of the statutory three-month limit for submitting objections to proposed SAC designations. Amendment of the regulations in this regard is not contemplated.

Departmental Expenditure.

944. **Mr. Eamon Ryan** asked the Minister for the Environment, Heritage and Local Government the amount his Department paid in 2006 for car mileage expenses; the amount paid to cover rail and bus ticket expenses; and if he will make a statement on the matter. [9774/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department

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paid €1,480,239 in mileage expenses in 2006. A further amount of €74,959 was expended on bus and rail expenses.

My Department also operates a Travel Pass Scheme for staff under which they purchase an annual bus or rail pass in a tax efficient manner approved by the Revenue Commissioners; some 250 staff are currently availing of this.

Social and Affordable Housing.

945. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to the housing issue (details supplied); if he will now furnish a full reply to the housing issue in County Roscommon; and if he will make a statement on the matter. [9790/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I refer to the reply to Question No. 278 of 23 November 2006. I understand from Roscommon County Council that the difficulties experienced by applicants who have bought sites under the low cost sites scheme from obtaining mortgages from certain financial institutions have been resolved.

Departmental Expenditure.

946. **Mr. G. Mitchell** asked the Minister for the Environment, Heritage and Local Government the cost of energy used running his Department in the year 2002; the cost of doing so in 2006; the quantity of energy used in each of these years to which this cost relates; and his plans to reduce this usage as a contribution to meeting concerns regarding climate change. [9823/07]

948. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the heating or lighting conservation measures he or his Department have applied to Government Departmental offices or buildings throughout the country; the extent to which electricity usage has dropped on foot of such measures; and if he will make a statement on the matter. [9839/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 946 and 948 together.

As I indicated in reply to Question No. 89 of 27 February, 2007, my Department is fully committed to the effective management of our consumption of energy resources. This is a critical element of our ongoing accreditation to ISO 14001 which we achieved for our headquarters offices in 2003. We are working towards achieving this certification for all our offices.

My Department's policy is to use a number of energy saving devices such as energy efficient lights, powersave function on electrical office equipment and photocopiers with duplex facili-

ties. This has led to energy consumption in the Department's headquarters decreasing from 982,000 kilo Watt hours in 2003 to just over 948,000 kilo Watt hours in 2005. Details regarding the cost and quantity of energy used in my Department's main offices in 2006 are being compiled and will be forwarded to the Deputies shortly. The information sought in relation to 2002 is not readily available and its compilation would involve a disproportionate amount of time and work.

My Department continues to promote energy conservation measures within the Department, including relevant measures set out in the recently launched "Power of One" campaign. The possibility of introducing further measures to reduce energy consumption is being taken up by my Department with the Office of Public Works who provide maintenance services to the Department's offices.

Ambitious targets for renewable energy in the electricity, transport and heating sectors are contained in the Government's recently published White Paper, Delivering a Sustainable Energy Future for Ireland. The White Paper proposes that one third of electricity consumed in this economy will come from renewable sources by 2020. In this regard, my Department is already committed to obtaining its electricity from renewable sources and, following a tender process, under the auspices of the Office of Public Works, a contract is now in place with Energia for the supply of electricity from renewable sources to the Department's main offices. In addition, my Department is converting its entire fleet of 153 vehicles of the National Parks and Wildlife Service to use biodiesel by end 2007, which will give effect to the requirement in the White Paper for the use of bio-fuels in State owned and public transport vehicles.

Under the Government's decentralisation programme, the bulk of my Department's Dublin based operations are being decentralised to four locations in the South East. In collaboration with the OPW, my Department has set very high environmental specifications for its decentralised offices. It is intended that the new offices will incorporate many of the latest developments in sustainable construction, energy conservation and use of renewable energy sources.

Planning Issues.

947. **Mr. Kehoe** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that there are quite a number of wind farm developments here whose planning permission is soon due to expire and that in virtually all cases the reason that these projects have not yet commenced is due to delays in grid connection offers; if he has proposals to deal with these particular cases; if he does when these proposals will be made known; if he proposes to immediately alert all planning

authorities of such proposals; and if he will make a statement on the matter. [9838/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am aware of concerns regarding sequencing difficulties between expiration of planning permissions and timing of grid connections. Firstly, I should point out that, as Minister for the Environment, Heritage and Local Government, I am precluded, under section 30 of the Planning and Development Act 2000, from exercising any power or control in relation to any individual planning application or appeal with which a planning authority or An Bord Pleanála is or may be concerned. Secondly, the granting of grid connections is a matter for the Commissioner for Energy Regulation.

Planning permissions are typically granted for a period of 5 years. I understand that a limited number of applications that received permission in recent years have been affected by the moratorium on grid connections imposed by the Commissioner for Energy Regulation in 2003-2004. Where planning permissions expire, Section 42 of the Planning and Development Act 2000 provides that developers may seek an extension of the appropriate period, subject to certain conditions, including a requirement that substantial works have been carried out by the time of expiration.

It is a matter for planning authorities as to whether these conditions are met in individual circumstances.

However, Section 41 of the Planning and Development Act 2000 also provides that planning authorities may grant planning permission for a period longer than the normal 5 years. Last June I took steps, in the Guidelines on Wind Energy Development, to encourage planning authorities to use this provision when considering applications for wind energy development.

Question No. 948 answered with Question No. 946.

Departmental Staff.

949. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government if he will report on gender balance at each grade in his Department and in agencies that come under the aegis of his Department. [9851/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The information requested in relation to my Department and non-commercial state sponsored bodies under its aegis is set out in the tables.

Staffing in the commercial state sponsored bodies under the aegis of the Department is a matter for the body concerned.

Grade	Number of female staff in grade (expressed in whole time equivalents)	Number of male staff in grade (expressed in whole time equivalents)
Administrative Officer	4	4
Archaeologist	16	14
Architect	2	1
Architectural Assistant Grade 1	4	4
Architectural/Eng Inspector	1	12
Assistant Fire Advisor	1	2
Assistant Secretary	2	4
Assistant Auditor	4	8
Assistant Director Met Services	0	2
Assistant Principal	34	80
Assistant Staff Engineer	0	1
Auditor	7	14
Chief Archaeologist	0	1
Civilian Driver	0	4
Cleaner	5	2
Clerical Officer	160	61
Conservation Ranger	17	60
Craftworker	2	16
Director Meteorological Services	0	1
District Conservation Officer	3	11
Engineer Grade 1 Mech/Heating/Elec	2	3
Engineer Grade 1 Civil	0	5
Engineer Grade 2 Civil	0	1
Executive Officer	101	73
General Operative	9	54

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Grade	Number of female staff in grade (expressed in whole time equivalents)	Number of male staff in grade (expressed in whole time equivalents)
Geographical Info-systems Co-ordinator	0	1
Guide/Information Officer	14	3
Head Services Officer	0	1
Higher Executive Officer	67.5	66
Housing Inspector	1	5
Inspector Grade 1	2	8
Inspector of Audits	0	1
Legal Adviser	1	0
Meteorological Officer	24	56
Meteorologist	16	26
Park Superintendent	0	1
Personal Assistant	3	0
Principal Officer	7	31
Principal Advisor	0	6
Principal Auditor	0	5
Principal Meteorological Officer	0	10
Professional Accountant Grade 1	1	0
Personal Secretary	1	2
Secretary General	0	1
Senior Advisor	3	10
Senior Archaeologist	1	4
Senior Architect	0	4
Senior Assistant Fire Advisor	0	1
Senior Building Inspector	0	5
Senior Engineering Draftsperson	0	1
Senior Meteorological Officer	9	54
Senior Meteorologist	0	8
Senior Photographer	0	1
Senior Technical Assistant	0	2
Services Attendant	1	7
Services Officer	5	22
Special Adviser	0	2
Staff Officer	22	4
Storekeeper	9	6
Supervising Housing Inspector	1	6
Technical Grades Level 4	0	1
Visually Impaired Telephonist	1	0
Wildlife Inspector Grade 1	1	7
Wildlife Inspector Grade 2	1	12
Wildlife Inspector Grade 3	11	12

Name of State body	Grade	Number of female staff in grade (expressed in whole time equivalents)	Number of male staff in grade (expressed in whole time equivalents)
Affordable Homes Partnership	Chief Executive	0	1
	Senior Executive	1	1
	Administrative Officer	2	1

Name of State body	Grade	Number of female staff in grade (expressed in whole time equivalents)	Number of male staff in grade (expressed in whole time equivalents)
An Bord Pleanála	Senior Staff Officer	2	0
	Asst Staff Officer	0	1
	Clerical Officer	1	0
	Chief Officer	0	1
	Planning Officer	0	1
	Deputy Planning Officer	0	4
	Senior Planning Inspector	8	19
	Planning Inspector	13.5	5
	Senior Administrative Officer	1.8	3
	Senior Executive Officer	6	5
An Chomhairle Leabharlanna	Executive Officer	20.8	13.6
	Administrative Assistant	19.8	24
	Director	1	0
	Assistant Director	1	0.8
	Librarian	1	0
	Research & Information Officer	0	1
	Administrative Officer	1	0
	Executive Librarian	1	0
	Assistant Librarian	1	0
	Senior Library Assistant	1	2
	Assistant Staff Officer	1	0
	Library Assistant	0	1
	Clerical Officer	0	1
Environmental Protection Agency	Director General	1	3
	Director	1	0
	Level 1	1	11
	Level 2	6	29
	Level 3	28	26
	Level 4	52	30
	Level 5	26	7
	Level 6	24	4
	Technician A	0	1
	Technician B	0.5	18
Heritage Council	Technician C	10.5	11
	Principal Officer Higher	0	1
	Architect	1	2
	Engineer/Professional Accountant Grade 3	3	3
	Staff Officer	2	0
Irish Water Safety	Clerical Officer	3	1
	Chief Executive Officer	0	1
	Higher Executive Officer	1	1
Local Government Computer Services Board	Clerical Officer	2	0
	Director	1	0
	Assistant Director	2	4

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Name of State body	Grade	Number of female staff in grade (expressed in whole time equivalents)	Number of male staff in grade (expressed in whole time equivalents)
Local Government Management Services Board	Senior Consultant	0	6
	Grade 8	3	10
	Grade 7 +	3	5
	Executive Engineer	1	3
	Grade 7	11	14
	Grade 6	6	2
	Grade 5	10	6
	Grade 4	3	2
	Grade 3	4	0
	Senior Porter	0	1
	Caretaker/Porter	0	1
	Cleaner	1	0
	Private Residential Tenancies Board	Chief Executive	0
Assistant Chief Executive		1	1
Grade 8		6	3
Grade 7		2	0
Grade 5		4.3	0
Grade 3		7	1
Support Staff /Porter		0	1
Support Staff / Cleaner		1	0
Radiological Protection Institute of Ireland	Director	1	0
	Assistant Director	2	0
	Higher Executive Officer	3.5	2
	Executive Officer	5	4
	Staff Officer	0	1
	Clerical Officer	2	2
	Temporary staff at Clerical Officer equivalent	9	18
	Chief Executive	1	0
	Principal Scientific Officer	0.8	3.5
	Senior Scientific Officer	5	4.3
	Scientific Officer	3.5	7
	Senior Technician	2	0
	Technician	1.5	2.8
	Assistant Principal	0.5	1
	Higher Executive Officer	1	0
	Executive Officer	0.8	0
	Staff Officer	2.5	0
	Higher Clerical Officer	2.5	0
	Clerical Officer	6	0

Water and Sewerage Schemes.

Question No. 950 answered with Question No. 917.

951. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government if there are plans to upgrade the sewerage facilities

in Kilbehenny village, County Limerick. [9884/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Kilbehenny Sewerage Scheme was ranked as forty fourth priority in the list of water and sewerage schemes submitted by Limerick County Council in response to my Department's request to local authorities last year to undertake fresh assessments of the needs for capital works in their areas and to prioritise their proposals on the basis of the assessments.

The priorities adopted by the members of Limerick County Council will be taken into account in the framing of the next phase of my Department's Water Services Investment Programme.

Carbon Taxes.

952. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government when carbon taxes come into effect; the carbon taxes that will apply on a motor vehicle of 1.5 litre, 2.0 litre, 2.5 litre and 3.0 litre; the allowances he will make for families of over three children who legally require a multi person vehicle to fully seat belt their family; and if he will make a statement on the matter. [9966/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The public consultation process which I announced on Budget day 2006, inviting interested parties to make submissions in relation to the rebalancing of annual motor tax charges to take account of CO2 emissions concluded on 1 March, 2007. A total of 34 submissions have been received and may be viewed on the Department's website www.environment.ie. The submissions are currently being examined and I will be taking them into account as appropriate in determining new motor tax rates based on a contribution of CO2 emission ratings and the normal engine c.c. values. The new rate will apply from 1 January 2008.

Farm Waste Management.

953. **Mr. Deenihan** asked the Minister for the Environment, Heritage and Local Government if his Department has completed a review of the second phase of the collection of farm film plastic and silage wrap; if the scheme will be rolled out

to counties such as Kerry; which has a particular problem, being a tourist county, in the near future; and if he will make a statement on the matter. [10006/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): To address the issue of accumulated backlogs of farm plastic, designated facilities are being provided on a temporary, once-off basis by local authorities where farmers may deposit stockpiled farm film plastic and silage wrap. These special arrangements operated on a pilot basis in the first instance in counties Clare, Galway, Mayo, Offaly and Waterford during June and July of last year. The service was provided free to the farmer and funding to assist the local authorities is being made available from my Department through the Environment Fund.

The collections were well supported by farmers in the counties participating in the pilot phase, leading to large quantities of plastic being deposited at designated sites. A significant finding from the pilot scheme was that it is not possible to operate collections in a large number of counties at the same time due to capacity constraints on the part of recovery operators. Accordingly, it was necessary to roll out the scheme to other areas on a staggered basis. Arising from a comprehensive examination of the information available, I approved further collections of waste silage / bale wrap by Carlow, Leitrim, Longford, North Tipperary, Roscommon and Wicklow County Councils which concluded in January of this year. It is estimated that in excess of 15,000 tonnes of plastics were recovered by the eleven local authorities that have operated collections to date.

Following a review of the outcome of the second round of collections, I have recently announced that collections of waste silage / bale wrap will now be put in place in a further 18 county council areas over the next 6 months. When the final phase is completed, collections will have taken place in all 29 county council areas. This arrangement allows for phased collections while at the same time creating certainty in the minds of farmers as to when their backlog will be cleared. It also allows local authorities and local farming organisations sufficient notice to agree and put in place the necessary arrangements for collections in their areas.

The collections will now be rolled out as follows:

	Dates	Counties
Phase One	March/April 2007	Donegal, Cork (West), Cavan, Sligo, Kilkenny, South Tipperary, Meath
Phase Two	June/July 2007	Kerry, Limerick, Cork (East), Westmeath, Monaghan, Wexford, Laois
Phase Three	September/October 2007	Fingal, South Dublin, Dún Laoghaire-Rathdown, Kildare, Louth

EU Directives.

954. **Mr. Allen** asked the Minister for the

Environment, Heritage and Local Government the number of EU directives awaiting transposition in his Department; the date by which

[Mr. Allen.]

these directives are to be, or were to be, transposed into Irish law; the number of such EU directives which are overdue for transposition; when the overdue directives will be transposed; and if he will make a statement on the matter. [10052/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am fully aware

of the importance of timely transposition of EU environmental legislation, some 200 items of which, including more than 140 Directives, have by now been transposed in this country. There are currently seven Directives in my Department's area of responsibility which are outstanding for transposition. A further three Directives are due for transposition between April 2007 and September 2008. Details of these Directives are set in a table.

Directive Number and Title	Date of Directive	Date Due for Transposition	Current Position on Directives Overdue for Transposition
Directive 2002/88/EC of the European Parliament and of the Council amending Directive 97/68/EC on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery	9 December 2002	11 August 2004	Draft Regulations to transpose the Directive have been prepared. It is anticipated that these will be finalised shortly.
Directive 2004/26/EC of the European Parliament and of the Council amending Directive 97/68/EC on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery	21 April 2004	20 May 2005	
Directive 2003/4/EC of the European Parliament and of the Council on public access to environmental information and repealing Council Directive 90/313/EEC	28 January 2003	14 February 2005	It is expected that the legislation transposing the Directive will be signed before the end of March 2007.
Directive 2003/35/EC of the European Parliament and of the Council providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC	26 May 2003	25 June 2005	Many of the provisions of this Directive are already provided for in existing legislation. Work is continuing on the outstanding instruments with a view to completing transposition at the earliest possible date.
Directive 2004/42/EC of the European Parliament and of the Council on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC	21 April 2004	31 October 2005	Drafting of Regulations to transpose this Directive is ongoing. It is anticipated that the Directive will be transposed by mid 2007.
Directive 2005/33/EC of the European Parliament and of the Council amending Directive 1999/32/EC as regards the sulphur content of marine fuels	6 July 2005	11 August 2006	Drafting of regulations to transpose this Directive is ongoing. It is anticipated that the Directive will be transposed by mid 2007.
Directive 2004/107/EC of the European Parliament and of the Council relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air	15 December 2004	15 February 2007	Drafting of regulations to transpose this Directive is ongoing. It is anticipated that the Directive will be transposed by mid 2007.
Directive 2004/35/EC of the European Parliament and of the Council on environmental liability with regard to the prevention and remedying of environmental damage	21 April 2004	30 April 2007	—
Directive 2006/7/EC of the European Parliament and of the Council concerning the management of bathing water quality and repealing Directive 76/160/EEC	15 February 2006	24 March 2008	—
Directive 2006/66/CE of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC	26 September 2006	26 September 2008	—

Water and Sewerage Schemes.

955. Ms C. Murphy asked the Minister for the

Environment, Heritage and Local Government if he will increase the level of grant provision for sewage connections to mains from groups who

are currently on septic tank systems; the reason the grant scheme for water is higher than for sewerage connections; and if he will make a statement on the matter. [10119/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Unlike the abstraction, treatment and distribution of water by a group water scheme, group sewerage scheme activity is confined to the provision of significantly less costly collection systems and this is reflected in the relative values of the grants currently available.

My Department is funding a pilot programme, proposed by the National Rural Water Monitoring Committee, to test a range of new, small-scale wastewater collection and treatment systems under Irish conditions. The objective of the pilot programme is to evaluate new approaches to meeting the wastewater collection and treatment needs of rural communities and to examine the potential role for group sewerage schemes in extending collection systems to households outside the catchment of new or existing sewerage schemes.

Construction of the pilot projects is currently underway and monitoring of the performance of the new infrastructure by the National Rural Water Monitoring Committee will commence immediately after commissioning takes place. I have asked the Committee to report on the results as they become available.

I intend to review the grants for group sewerage schemes in light of the outcome of the pilot programme.

Public Private Partnerships.

956. **Mr. Costello** asked the Minister for the Environment, Heritage and Local Government the legislation under which public private partnerships are established; if it is appropriate for a local authority to agree a contract with a private company without seeking tenders; if it is appropriate for the contractual arrangement to be submitted for planning permission; and if he will make a statement on the matter. [10120/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The State Authorities (Public Private Partnership Arrangements) Act 2002, makes provision in relation to the functions and powers of certain state authorities to enter into Public Private Partnership (PPP) arrangements. All state authorities engaging in PPPs must comply with guidance issued by the Department of Finance and available on its website — www.ppp.gov.ie.

As regards the requirements relating to tendering, all public bodies, including local authorities, are subject to public procurement policy and guidelines as determined by the Minister for Finance in accordance with national and EU procurement guidelines.

All development, unless specifically exempted under planning legislation, requires planning permission. Decisions to grant or refuse planning permission are a matter for the relevant planning authority.

Question No. 957 answered with Question No. 921.

Grant Payments.

958. **Mr. Kehoe** asked the Minister for the Environment, Heritage and Local Government the funding or grants available to a scout club looking to renovate their club house; and if he will make a statement on the matter. [10269/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): There is no funding available in my Department in relation to the type of facility referred to in the Question. However, I recently announced details of an additional €5.1m in funding under the Social and Community Facilities Capital Scheme. In this context, the scout club may wish to make a submission to the relevant county council to have the project considered by it under the Scheme.

State Boards.

959. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government the organisation in relation to the nominating panel of An Bord Pleanála, that nominated persons (details supplied); if the paperwork associated with all nominations is available for inspection; and if he will make a statement on the matter. [10276/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to my reply to Question Nos. 551 and 552 of 27 February in which I set out the procedures for the appointment of ordinary members to An Bord Pleanála and details of the panels from which each current member of the Board was selected. It should also be noted that appointees to An Bord Pleanála do not represent their nominating body, but are appointed to make independent assessments of planning authorities' decisions submitted to the Board on appeal. With regard to the details of the appointments process, I would point out that, as in the case of all records held by public bodies, the Freedom of Information Act establishes a basis for any individual to apply for access to records of public bodies consistent with the public interest and right to privacy.

The organisations that nominated the persons referred to by the Deputy for appointment to the Board are as set out in the table.

[Mr. Roche.]

Name	Nominating Organisation
Mary Bryan	Heritage Council
Mary MacMahon	Comhdháil Náisiúnta na Gaeilge
Brian Swift	Local Authorities Members' Association

Waste Management.

960. **Mr. Timmins** asked the Minister for the Environment, Heritage and Local Government the measures he has proposed to deal with the issue of tyres; if his attention has been drawn to the fact that these are necessary to assist in the protection of silage and that there is a requirement for more than one per square metre; and if he will make a statement on the matter. [10291/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department has had discussions with the Irish Tyre Industry Association (ITIA) with a view to establishing a Producer Responsibility Initiative (PRI). These discussions are continuing with the intention of concluding the necessary arrangements for such an initiative later this year. Draft Regulations which will provide a regulatory framework for this PRI have been developed and were published for public consultation last week. In preparing the draft Regulations the Department consulted with the tyre industry and the farming organisations.

There is scope for the beneficial use of waste tyres on farms to anchor silage covers; waste tyres conserve natural resources by serving a useful purpose in replacing other materials which would have had to be used for that purpose.

The draft Regulations provide for the quantity of waste tyres which farmers will be allowed hold for reuse on silage pits. The quantity allowed will depend on the size of the floor area of the silage pit and will be subject to a maximum of 5 tyres per sq metre.

I have publicly stated my concerns in relation to inappropriate practices in relation to the way waste tyres are managed. It is imperative that waste tyres are not subject to unauthorised burning, uncontrolled disposal or the formation of indiscriminate stockpiles. These practices are not acceptable as they can cause nuisance, pose both environmental and health hazards and infringe waste and other environmental legislation.

The proposed regulatory regime provides for the establishment of an industry compliance scheme drawn up by the tyre industry through the Irish Tyre Industry Association of Ireland (ITIA) following discussions. The system to be known as TRACS will provide a verifiable audit trail for the proper management of used tyres.

It is important that a proper regulatory framework be put in place to track waste tyre flows and to encourage the recovery and recycling of this waste resource. I am confident that the new regulatory regime will accomplish that. The draft Regulations are now out for public consultation and written submissions can be made to my Department. The closing date for receipt of submissions is 26 April 2007.

Water and Sewerage Schemes.

961. **Mr. Cregan** asked the Minister for the Environment, Heritage and Local Government the progress that has been made regarding the provision of a new sewerage scheme for Askeaton, County Limerick; and if he will make a statement on the matter. [10292/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Askeaton Sewerage Scheme, which is being advanced as part of a grouped project that also involves Athea, Foynes, Glin and Shanagolden, is approved for funding in my Department's Water Services Investment Programme 2005-2007. My Department is awaiting submission of Limerick County Council's Preliminary Report for the project.

962. **Mr. McGinley** asked the Minister for the Environment, Heritage and Local Government his plans to extend or develop sewerage facilities in Killygordon, County Donegal to facilitate the hundreds of extra houses being built there; and if he will make a statement on the matter. [10300/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A proposal to provide wastewater facilities at a number of locations in south Donegal, including Killygordan, was ranked as sixth priority by Donegal County Council in the list of water and sewerage schemes submitted by the Council in response to my Department's request to local authorities last year to undertake fresh assessments of the needs for capital works in their areas and to prioritise their proposals on the basis of the assessments.

The priorities adopted by the members of Donegal County Council will be taken into account in the framing of the next phase of my Department's Water Services Investment Programme.

Water Supply.

963. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government the reason a person (details supplied) in County Mayo with six acres of land, no stock, no herd number and not in receipt of agriculture payments has had an agriculture water meter installed on their land; his views on whether this

is acceptable; if he will ensure that all meters are removed from this non-agricultural holding; and if he will make a statement on the matter. [10305/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I understand from Mayo County Council that the water supply to this consumer was previously provided by a group water scheme that the Council took over in early 2003. A meter was installed at that time as part of the Council's policy of metering all new connections to the public supply which in the case of domestic users is for the purpose of water conservation. I understand that the Council is satisfied that the water supplied in this case is used for domestic purposes only. Accordingly, while the meter will remain in place for water conservation purposes, the Council does not propose to charge the consumer for the water supply or for the meter.

Local Government Management Services Board.

964. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government what exactly is the Local Government Management Services Board; and if he will make a statement on the matter. [10323/07]

965. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government if the Local Government Management Services Board is a form of trade union for county managers; and if he will make a statement on the matter. [10325/07]

966. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government the persons who sit on the Local Government Management Services Board; and if he will make a statement on the matter. [10326/07]

967. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government if it is the Local Government Management Services Board's intention to abolish the Health and Safety Authority or if it is attempting to prevent the HSA having the power to investigate the local authorities; and if he will make a statement on the matter. [10328/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 964 to 967, inclusive, together.

The Local Government Management Services Board, formerly the Local Government Staff Negotiations Board, is a corporate body established under the Local Government Services (Corporate Bodies) Act 1971. The provisions relating to the establishment, functions, constitution and operation of the Board are set out in the Local Government Management Services

Board (Establishment) Order 1996. The board provides management services, human resources and industrial relations support and advice to local authorities and represents local authority management in proceedings in the Labour Relations Commission and the Labour Court. It also provides services, including research, for meetings of county and city managers and assists local authorities towards the adapting of best practices in relation to their obligations under the full range of employment legislation including the Safety, Health and Welfare at Work Act 2005. However, the Board has no role in relation to the operation of the Health and Safety Authority. The current membership of the Board comprises 10 County/City managers and 3 representatives of my Department.

Water and Sewerage Schemes.

968. **Ms Sexton** asked the Minister for the Environment, Heritage and Local Government the involvement his Department has had regarding a proposal to supply water needs to Dublin city, county and parts of the east coast by extracting large volumes of water from Lough Ree on the Shannon; if his attention has been drawn to the fact that this decision has been made in advance of an environmental impact assessment; and if he will make a statement on the matter. [10329/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Funding has been provided to Dublin City Council under my Department's Water Services Investment Programme 2005-2007 for a study to assess the long-term water usage and supply needs of the Greater Dublin Area and to identify potential options for meeting those needs. Transferring a supply of water from the Shannon is one of the options identified by the study. Any decision to proceed with the Shannon proposal will be subject to relevant statutory procedures, including Environmental Impact Assessment.

969. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government if, further to his reply to Question No. 1790 of 31 January 2007, he will provide the names of the trustees of the Castleconnor Group Water Supply Scheme in west Sligo to whom the grants for the development of phases one, two and three of the scheme were handed over by his department; the value of the individual household and farm allocation in each of the phases; and if he will make a statement on the matter. [10439/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The additional information requested will be forwarded to the Deputy as soon as possible.

Services for People with Disabilities.

970. **Mr. M. Higgins** asked the Minister for the Environment, Heritage and Local Government his Department's ongoing work with regard to the EU's Barcelona Declaration; if Galway County Council and City Council have adopted this; and the action these bodies have taken since adopting this declaration to improve facilities; and if he will make a statement on the matter.

[10443/07]

971. **Mr. M. Higgins** asked the Minister for the Environment, Heritage and Local Government his Department's ongoing work with regard to the EU's Barcelona Declaration; the number of Irish authorities that have adopted these measures to fit the disabled; and if he will make a statement on the matter. [10444/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 970 and 971 together.

The 101 local authorities which have adopted the Barcelona Declaration, as advised to my Department by the National Disability Authority, are listed in the table which follows this reply. Galway City Council and Galway County Council have each adopted the Declaration. Implementation measures are a matter for the individual local authorities. As required under the Disability Act 2005, my Department's sectoral plan was approved by the Houses of the Oireachtas in October 2006. The plan, covering my Department, its partner bodies and local authorities, sets out national objectives and guidelines for access to public buildings, services, amenities, and information, as well as heritage sites and other facilities. The plan provides for a range of positive measures, including improvements to Part M of the Building Regulations, the introduction of a new Disability Access Certificate and the development of a Housing Strategy for people with disabilities. The implementation of these measures will promote and proactively encourage equal opportunities for persons with disabilities to participate in the economic, social and cultural life of the community. The sectoral plan also requires each local authority to draw up an implementation plan, by July 2007, on the basis of a detailed accessibility audit. The implementation plans, drawn up in consultation with organisations representing people with disabilities, will set out a programme of actions to give effect to the commitments and objectives contained in the 2005 Act and the sectoral plan.

Investment by local authorities to meet the needs of people with disabilities, and to fulfil their obligations under the 2005 Act, is being directed toward providing new or improved access to and within public buildings, amenities, streetscapes etc., including electronic equipment and adaptations, and towards training, accessibility audit work, improved access to information

services, software etc. I am providing €15 million in 2007 to help local authorities and other bodies under the aegis of my Department to implement the National Disability Strategy, as part of a multi-annual funding programme, begun in 2005, which will continue until 2009.

County Councils

Carlow
Cavan
Clare
Cork
Donegal
Dún Laoghaire-Rathdown
Fingal
Galway
Laois
Leitrim
Limerick
Longford
Louth
Kerry
Kildare
Kilkenny
Mayo
Meath
Monaghan
North Tipperary
Offaly
Roscommon
Sligo
South Dublin
South Tipperary
Waterford
Westmeath
Wexford
Wicklow

City Councils

Cork
Dublin
Galway
Limerick
Waterford

Borough Councils

Clonmel
Drogheda
Kilkenny
Sligo
Wexford

Town Councils

Ardee
Arklow
Athlone
Athy
Balbriggan
Ballina
Ballinasloe
Ballybay
Ballyshannon
Bandon
Bantry
Birr
Boyle
Bray
Buncrana
Bundoran
Carlow
Carrickmacross
Carrick on Sui
Castlebar
Castleblaney
Cavan
Clonakilty
Clones
Dundalk

Dungarvan
 Edenderry
 Ennis
 Enniscorthy
 Fermoy
 Gorey
 Granard
 Killarney
 Kilkee
 Kilrush
 Kinsale
 Leixlip
 Letterkenny
 Lismore
 Listowel
 Longford
 Macroom
 Mallow
 Monaghan
 Mountmellick
 Muine Bheag
 Mullingar
 Naas
 Nenagh
 New Ross
 Passage West
 Portlaoise
 Shannon
 Skibbereen
 Tipperary
 Tralee
 Tramore
 Trim
 Tuam
 Tullamore
 Westport
 Wicklow

Special Areas of Conservation.

972. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government if a person (details supplied) in County Mayo can now appeal the inclusion of their lands as a special area of conservation in view of the fact that they were not made aware of the designation until recently when they noticed the markers on their lands and the closing date for appeals had passed; and if a conservation ranger will call to the person to initiate an internal review. [10447/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): As the statutory three-month period for the submission of objections to designation of land as a Special Area of Conservation has passed, no further objections can now be accepted. I understand that a new mechanism for amending boundaries to special areas of conservation, post-adoption, is to be devised by the European Commission and at that stage the position will be reviewed.

Question No. 973 answered with Question No. 923.

Decentralisation Programme.

974. **Ms Shortall** asked the Minister for the Environment, Heritage and Local Government the number of civil servants in his Department who have transferred to offices outside Dublin under the decentralisation programme to date;

the percentage of these who had a previous transfer within a two year period of the decentralisation transfer; the number of these people who transferred from a non-Dublin office to a Dublin office in the initial transfer; the average time spent in the Dublin office; and if he will make a statement on the matter. [10530/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 562 of 20 February 2007. The position is unchanged.

Water and Sewerage Schemes.

975. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will provide the specific information sought in reply to Question No. 535 of 6 March 2007 in regard to the position regarding the provision of funding for new or augmented sewerage treatment facilities for Prosperous, County Kildare; if he or his Department or agents thereof have in the past six months sought or received from Kildare County Council or others, specific proposals, design or costings; if he has received submissions from or met with representatives of the Construction Industry Federation on the issue; the decisions taken or arrived at; his expectation as to the way this issue will evolve in 2007; and if he will make a statement on the matter. [10537/07]

977. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will provide the specific information sought in reply to Question No. 535 of 6 March 2007 in regard to the position regarding the provision of funding for new or augmented sewerage treatment facilities for Naas, County Kildare; if he or his Department or agents thereof have in the past six months sought or received from Kildare County Council or others, specific proposals, design or costings; if he has received submissions from or met with representatives of the Construction Industry Federation on the issue; the decisions taken or arrived at; his expectation as to the way this issue will evolve in 2007; and if he will make a statement on the matter. [10539/07]

979. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will provide the specific information sought in reply to Question No. 535 of 6 March 2007 in regard to the position regarding the provision of funding for new or augmented sewerage treatment facilities for Clane, County Kildare; if he will now state whether he or his Department or agents thereof have in the past six months sought or received from Kildare County Council or others specific proposals, design or costings; if he has received submissions from or met with representatives of the Construction Industry Federation on the issue; the decisions taken or arrived at; his expectation as to the way this issue will

[Mr. Durkan.]

evolve in 2007; and if he will make a statement on the matter. [10541/07]

984. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will provide the specific information sought in reply to Question No. 535 of 6 March 2007 in regard to the position regarding the provision of funding for new or augmented sewerage treatment facilities for Sallins, County Kildare; if he will now state whether he or his Department or agents thereof have in the past six months sought or received from Kildare County Council or others, specific proposals, design or costings; if he has received submissions from or met with representatives of the Construction Industry Federation on the issue; the decisions taken or arrived at; his expectation as to the way this issue will evolve in 2007; and if he will make a statement on the matter. [10546/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 975, 977, 979 and 984 together.

The upgrading of the wastewater collection networks in these locations is being funded under my Department's Water Services Investment Programme 2005-2007 as part of the €17.4 million Upper Liffey Valley Sewerage Scheme. Kildare County Council's Preliminary Report for the collection networks is under examination in my Department and is being dealt with as quickly as possible. I have already approved the Council's Preliminary Report for the other element of the scheme — the expansion of the wastewater treatment plant at Osberstown. I have neither received submissions from, nor met, the Construction Industry Federation in relation to this scheme.

976. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will provide the specific information sought in reply to Question No. 535 of 6 March 2007 in regard to the position regarding the provision of funding for new or augmented sewerage treatment facilities for Straffan, County Kildare; if he or his Department or agents thereof have in the past six months sought or received from Kildare County Council or others, specific proposals, design or costings; if he has received submissions from or met with representatives of the Construction Industry Federation on the issue; the decisions taken or arrived at; his expectation as to the way this issue will evolve in 2007; and if he will make a statement on the matter. [10538/07]

980. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will provide the specific information sought in reply to Question No. 535 of 6 March 2007 in regard to the position regarding the provision of funding for new or augmented sewerage treat-

ment facilities for Kilcock, County Kildare; if he will now state whether he or his Department or agents thereof have in the past six months sought or received from Kildare County Council or others specific proposals, design or costings; if he has received submissions from or met with representatives of the Construction Industry Federation on the issue; the decisions taken or arrived at; his expectation as to the way this issue will evolve in 2007; and if he will make a statement on the matter. [10542/07]

981. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will provide the specific information sought in reply to Question No. 535 of 6 March 2007 in regard to the position regarding the provision of funding for new or augmented sewerage treatment facilities for Celbridge, County Kildare; if he will now state whether he or his Department or agents thereof have in the past six months sought or received from Kildare County Council or others specific proposals, design or costings; if he has received submissions from or met with representatives of the Construction Industry Federation on the issue; the decisions taken or arrived at; his expectation as to the way this issue will evolve in 2007; and if he will make a statement on the matter. [10543/07]

982. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will provide the specific information sought in reply to Question No. 535 of 6 March 2007 in regard to the position regarding the provision of funding for new or augmented sewerage treatment facilities for Maynooth, County Kildare; if he will now state whether he or his Department or agents thereof have in the past six months sought or received from Kildare County Council or others, specific proposals, design or costings; if he has received submissions from or met with representatives of the Construction Industry Federation on the issue; the decisions taken or arrived at; his expectation as to the way this issue will evolve in 2007; and if he will make a statement on the matter. [10544/07]

983. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will provide the specific information sought in reply to Question No. 535 of 6 March 2007 in regard to the position regarding the provision of funding for new or augmented sewerage treatment facilities for Leixlip, County Kildare; if he will now state whether he or his Department or agents thereof have in the past six months sought or received from Kildare County Council or others, specific proposals, design or costings; if he has received submissions from or met with representatives of the Construction Industry Federation on the issue; the decisions taken or arrived at; his expectation as to the way this issue will evolve in 2007; the position in relation to meth-

ane gas emissions in Leixlip; and if he will make a statement on the matter. [10545/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 976, 980, 981, 982 and 983 together.

The upgrading of the wastewater collection networks in these locations is being funded under my Department's Water Services Investment Programme 2005-2007 as part of the €31 million Lower Liffey Valley Sewerage Scheme. The works provided for in relation to Straffan have been completed. I have approved Kildare County Council's contract documents for the network upgrading in other locations and have also authorised the Council to prepare contract documents for the expansion of the Leixlip wastewater treatment plant. I have neither received submissions from, nor met, the Construction Industry Federation in relation to this scheme.

Question No. 977 answered with Question No. 975.

978. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will provide the specific information sought in reply to Parliamentary Question No. 535 of 6 March 2007 in regard to the position regarding the provision of funding for new or augmented sewerage treatment facilities for Ballymore Eustace, County Kildare; if he or his Department or agents thereof have in the past six months sought or received from Kildare County Council or others, specific proposals, design or costings; if he has received submissions from or met with representatives of the Construction Industry Federation on the issue; the decisions taken or arrived at; his expectation as to the way this issue will evolve in 2007; and if he will make a statement on the matter. [10540/07]

987. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the reason for his failure to provide the necessary capital funding sought by Kildare County Council for the upgrading of the sewerage treatment plants at Osberstown, Naas and Leixlip and subsidiary schemes serving the towns of Prosperous, Clane, Kilcock, Straffan, Maynooth, Celbridge, Newbridge and Ballymore Eustace with particular reference to the need to avert the threat of pollution arising from current inadequacies; and if he will make a statement on the matter. [10551/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 978 and 987 together.

The Ballymore Eustace Wastewater Treatment Plant is approved for funding in my Department's Water Services Investment Programme 2005-2007 under the Serviced Land Initiative, at an estimated cost of €1.3 million. My Department is

awaiting a modified Preliminary Report for the scheme from Kildare County Council and will finalise its examination of the proposal as soon as possible following receipt of this Report.

The position in relation to the wastewater infrastructure being funded under the Programme in the other locations referred to is set out in the reply to Questions Nos. 976, 980, 981, 982 and 983 and Questions Nos. 975, 977, 979 and 984 on today's order paper.

Question No. 979 answered with Question No. 975.

Questions Nos. 980 to 983, inclusive, answered with Question No. 976.

Question No. 984 answered with Question No. 975.

Regional Roads.

985. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he has received a request for extra funding from Kildare County Council for the reinstatement of the various road networks throughout the county with particular reference to those areas incurring heavy vehicular traffic; if he will make an emergency allocation to address these issues; and if he will make a statement on the matter. [10549/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The improvement and maintenance of non-national roads in County Kildare is a matter for Kildare County Council to be funded from its own resources supplemented by State grants provided by my Department. In 2007, the total grant allocation by my Department to Kildare County Council for improvement and maintenance works on non-national roads is €23,531,054. While my Department maintains regular ongoing contact with local authorities on the delivery of the non-national roads programme, I am satisfied that this significant level of State funding, supplemented by Kildare County Council's own resources, provides appropriately for the Council's ongoing non-national road requirements in 2007. Responsibility for national roads in County Kildare is a matter for Kildare County Council and the National Roads Authority which operates under the aegis of my colleague the Minister for Transport.

Planning Issues.

986. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if the local government auditor has reported to him or his Department in regard to the amount of development moneys levied by the various local authorities throughout the country by way of condition on foot of planning permission in each of the past five years; the amount of such funding already spent and the purposes for which it has

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been used; if such use is in accordance with the conditions of the planning permissions in each case; and if he will make a statement on the matter. [10550/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Development contributions are levied as a condition of planning permission in accordance with development contribution schemes adopted by the elected members of planning authorities after a public consultation process. Incomes accruing from development contributions schemes are ring-fenced, and it is ultimately a matter for each planning authority to determine the allocation of those incomes, having regard to the provisions of section 48 and 49 of the Planning and Development Act 2000. The local government auditors do not report specifically to me on development levies. In the course of their annual financial/regulatory audits of local authorities, local government auditors may issue audit reports to local authorities on matters arising during the course of the audit, including comments in relation to development levies. I would point out, however, that local authority annual reports must contain details of monies paid or owing to it under section 50 of the Local Government Act 1991 and must indicate how such monies paid to it have been applied. This includes charges under sections 48 and 49 of the Planning and Development Act 2000. In addition, Annual Financial Statements of local authorities in respect of 2005 and future years are required to include details of opening and closing balances on the development levies account together with the extent of movement in and out of the account during the year.

Question No. 987 answered with Question No. 978.

Social Inclusion.

988. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government the functions and membership of the local government social inclusion steering group; when this group was established; the number of times this group has met in the past two years; and if he will make a statement on the matter. [10576/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Local

Government Social Inclusion Steering Group was established in late 2004. Its function is to promote and support the embedding of social inclusion in local government in the context of national policies. The Group includes representatives of my Department, the Combat Poverty Agency, the Local Government Management Services Board, the County/City Managers Association, the Institute of Public Administration, the Office for Social Inclusion, and also more recently of the Department of Community, Rural and Gaeltacht Affairs. It has met on 16 occasions in the past two years. In line with the commitment in the National Action Plan for Social Inclusion 2007-2016, the work of the Group will be further developed to support linkages between the national and local level promoting social inclusion at local government level and will report to the Cabinet Committee on Social Inclusion, as appropriate.

Local Authority Area Boundaries.

989. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government if he has received representations to meet Midleton Town Council to discuss the extension of Midleton town boundary; if so, when the meeting will take place; and if he will make a statement on the matter. [10577/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I have received representations from Midleton Town Council about the Council's application for a boundary extension, which *inter alia*, suggests such a meeting. I am considering the matter and I will respond to the Council as soon as possible.

Services for People with Disabilities.

990. **Mr. Kehoe** asked the Minister for the Environment, Heritage and Local Government the services and facilities available to persons with a hearing disability who wish to phone his Department; and if he will make a statement on the matter. [10952/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): No specific facilities are currently in place which would enable a person with a hearing disability to make a phone call to the Department: my Department will, however, investigate the feasibility of providing such facilities.