



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 23 October 2007.

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Dé Máirt, 23 Deireadh Fómhair 2007.
Tuesday, 23 October 2007.

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

Paidir.
Prayer.

Ceisteanna — Questions.

Benchmarking Awards.

1. **Deputy Enda Kenny** asked the Taoiseach the cost which has accrued to his Department in respect of the payment of the benchmarking pay awards; and if he will make a statement on the matter. [16820/07]

2. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the cost to his Department of benchmarking pay awards; and if he will make a statement on the matter. [18791/07]

3. **Deputy Eamon Gilmore** asked the Taoiseach the additional costs accruing to his Department arising from the benchmarking process; and if he will make a statement on the matter. [21547/07]

The Taoiseach: I propose to take Questions Nos. 1 to 3, inclusive, together.

The benchmarking phases were implemented in my Department as follows: 25% of the increase from 1 December 2001 was paid in June 2003 —

the total cost to December 2003 was approximately €405,000; 50% of the increase was paid from 1 January 2004 at an approximate cost of €491,000 for that year and, the final 25% of the increase was paid from 1 June 2005 at an approximate cost of €150,000 for that year. The full year cost of the increases in 2006 is estimated at €800,000.

Under the terms of Sustaining Progress, the pay increases recommended by the public service benchmarking body were conditional on delivery of real and verifiable outputs in regard to modernisation and flexibility. The key mechanisms for monitoring overall progress in this regard were the reports on action plans prepared by individual Departments and offices, a general review by the Department of Finance and verification by the Civil Service performance verification group. The performance verification group concluded that the progress achieved warranted payment to the grades concerned in my Department.

Deputy Enda Kenny: There are groups on the corridors, but I do not think they are talking about the benchmarking pay awards — they are studying the Boundary Commission report. Maybe we should talk about that.

The Taoiseach: Did the commission leave the Deputy alone?

Deputy Enda Kenny: It did, and yourself.

A Deputy: I thought it was independent.

Deputy Enda Kenny: There was no published justification for the level of awards given. Can the Taoiseach point out the justification for the benchmarking awards for increased efficiency in his Department? Will he indicate three areas where there has clearly been an improvement in public service in his Department resulting from the benchmarking reward? From his reply will Mr. John Citizen know the reason for the level of pay awards in his Department?

The Taoiseach: Agreement was reached in the Department of the Taoiseach on an entirely new personnel management system, which was implemented fully in co-operation with staff. The new HR system increased efficiency and transparency in many areas. The second major project under benchmarking was the introduction of a much needed entirely new accounting system. The third project was eCabinet, involving all Departments. My staff while availing of outside expert help, did an enormous volume of work including preparatory work across all Departments. These three major projects were earmarked by management and were agreed to and delivered by the staff. The modernisation agenda, which preceded benchmarking, has been pushed by the strategic management initiative SMI process and is ongoing. There is a need for constant change and updating of systems.

Deputy Enda Kenny: I am sure eCabinet works very well for those involved, but I am not sure the average citizen will understand how it works. I thank the Taoiseach for outlining three areas of change. In the course of his reply the Taoiseach mentioned HR, accounting and how the changes had impacted on other Departments. For many years the Minister for Health and Children answered questions on health issues, however these are now hived off to the parliamentary section of the HSE, where there is clearly confusion on HR. The Taoiseach has agreed with me on the significant growth in administrative opportunities in the HSE, not to mention the accounting difficulties arising from the PPARS debacle. Will he indicate the efficiencies that have been achieved in other Departments, especially in regard to HR and accounting improvements in the Department of Health and Children and the HSE where there were confusion, difficulties and money wasted?

The Taoiseach: There are examples across other Departments. It is a lengthy process. Some of the biggest are not necessarily public schemes, but industrial stability has been maintained across

the entire system. There has been co-operation in regard to flexibility and ongoing change throughout the public service and satisfactory implementation of the agenda for modernisation. Those that affect the public involve services to the public. I mentioned some of these. The agricultural payments system used to be very strung out and there were always delays before Christmas. The system has been modernised and it is now very efficient. A number of areas have been modernised. Use of information technology is something that would have been negotiated as it was seen as regrading. It was introduced without difficulty as part of benchmarking across Departments and continues to be. Systems that have been modernised include the on-line system for motor taxation which has won awards, and livestock registration and identification. The Revenue on-line system is considered to be one of the best in Europe. It was introduced with the co-operation of staff and has resulted in a far more simplified tax compliance system. The on-line service is being rolled out to PAYE workers. It started with companies and corporate taxes and has been rolled out to include on-line claiming of credits and allowances, on-line requests for reviews of one's tax position and on-line viewing of one's tax records. Full filing is not yet available but Revenue wants to include that in the next round of benchmarking, thus completing the entire process.

The efficient integration of public services, particularly where they cut across several agencies, produces benefits for customers. The integration of services relating to child registration has simplified what was a very complex process involving various procedures associated with the birth of a child. That directly affected every parent. In regard to the registration of a birth, the creation of a child's public identity, and claiming child benefit, the queues that existed until recent years have disappeared and the system works well. Everything is done at a single point of contact, making it easy for parents and for service providers. Up to approximately two years ago the Deputy would have been asking questions regarding delays in the system. We now have extended opening hours. I hold the view that that should always have been the case rather than the traditional system of closing for lunch and not having some staff working earlier and some later. That has now been achieved. There are extended opening hours in library branches, the General Register Office, the Visa Office and a host of others in the Department of Agriculture, Fisheries and Food in terms of the single payment. I could go on but it is not necessary to do that.

None of these developments is massive but collectively what has been achieved in the last benchmarking round and what I hope can be achieved in the next is significant for the Civil Service.

Deputy Enda Kenny: That is a list of efficiencies. The Minister sitting beside the Taoiseach, the Minister for Transport and the Marine, Deputy Noel Dempsey, has a very important portfolio. Benchmarking was paid to workers in all Departments. However, at a very senior level in the Department of Transport and the Marine, Aer Lingus gave notification of its intention to do what it did in respect of Shannon, but the Minister says he was not notified. That is not efficiency. One would expect that, on an issue as significant and as impactful as that, information being sent from a major company to the Minister's office should have been notified to the Minister. Will the Taoiseach comment on that level of efficiency in terms of benchmarking?

The Taoiseach: I do not imply that every aspect of the entire public service system is massively efficient.

I did not answer Deputy Kenny's earlier question on the Health Service Executive. However, I chaired the committee on health and I am fairly familiar with the matter he raised. We are a long way from having a unified accounts system that would allow payments and quick information to be provided in an organisation with almost 120,000 staff. PPARS may have been too big a reform to undertake all at once but, for all its problems and difficulties, it gave us very useful information. The unification of all areas and divisions in order to provide proper information quickly is some way off.

We have brought in a retired eminent civil servant from the Department of Finance to look at how we can best do that. A very large number of accounting systems must be brought together and put together manually at the end of each month. Information does not become available until several weeks into the following month, which should be available on the third or fourth day of the following month, as it is in the Department of Finance for the whole country. The Department of Finance can roll out accounts within 24 hours at the end of a month or year.

The HSE faces the challenge of establishing a unified, modern, integrated accounting system. This will not happen in 2007 but it must happen in the next few years. I do not know how long it will take. We have brought in an eminent person who will be good at identifying what needs to be done over the next few years.

There are times when, for one reason or another, something is not brought to the attention of all the relevant people, whether the Taoiseach, a Minister, a Minister of State or a public servant. Reports are done in such cases. Every Department is complex and deals with a huge range of issues. I always defend those involved in such matters. When I walk the corridor from my office to the Chamber, I am stopped by numerous officials and asked for directions on various issues, such as Cabinet matters or meetings in Northern Ireland or Europe, and I give

instant decisions. My decisions are then recorded in complex e-mails which I might not recognise or remember in two months time. I find it interesting to see how others are having difficulty remembering something that happened a month ago while eminent people in another location expect me to remember, with certainty, what happened 17 years ago. Perhaps they credit me with more intelligence than everyone else.

Deputy Enda Kenny: That is the \$50,000 question.

The Taoiseach: I do not think so. I am meant to remember everything. When decisions are made in that manner, some things can go wrong. The Civil Service does its best to avoid these situations but sometimes things go wrong. There is no question of people not doing their very best.

Deputy Caoimhghín Ó Caoláin: At a recent conference in Kenmare, County Kerry, the Minister for Finance, Deputy Brian Cowen, stated that the benchmarking body, in making comparisons and recommendations for future pay awards, is "likely to give greater weight to the value of the public service pension package". At the same conference, by coincidence, Mr. Fergal O'Brien of the Irish Business and Employers Confederation called on the Government to cap its contribution to public sector pensions. Does the Taoiseach agree that this is a worrying coincidence, particularly for workers in the public service, including his Department? Those workers, on a generational basis, have campaigned and fought hard to win pension entitlements and rights to certain pension levels but the signal is very clear that these are now threatened. Will the Taoiseach assure all concerned that there will be no attempt to erode the value of pensions to workers in the public service and that there will be no attempt at the dubious exercise in balancing the value of pensions against future pay awards?

The Taoiseach: Deputy Ó Caoláin is correct to say there has been significant reference to this issue recently but the public service benchmarking body is proceeding with a review of pay in public service grades covered by its terms of reference and will report at the end of the year. It is under the Department of Finance but, as I understand from discussions which have taken place in the past year, it involves a job evaluation of public service grades as well as a survey of private sector jobs and pay. It will assess what is happening in the public and the private sectors. Submissions were invited by the benchmarking body, via a newspaper advertisement, from interested parties and many submissions on general issues were made to its website by public service employers and the public service committee of congress. Many of the comments made by Deputy Ó Caoláin came out of that process.

[The Taoiseach.]

As part of the overall benchmarking process, oral hearings have taken place with both employer and union groups in recent months and the results, which are currently being processed, will be included in the report at the end of the year. A fundamental examination of the pay of public service employees *vis-à-vis* the private sector will be undertaken. There are no predetermined outcomes and it is not, as the Deputy called it, an exercise in capping or cutting back people's pensions. However, one cannot examine the benefits an individual in the public sector receives against what one in the private sector receives, which is what benchmarking involves in accordance with the benchmarking body's terms of reference, without reflecting the value of respective pension entitlements. The public service pension arrangements are very valuable and incorporate very good schemes which would be very costly in the private sector so, as I understand it, they will be taken into account. Such schemes are of genuine benefit and a genuine examination of both sectors must take them into account. The process does not cap a pension scheme but will take into account the value of a pension scheme in the course of the analysis of an individual in the public sector as against one in the private sector.

Deputy Caoimhghín Ó Caoláin: The remarks to which I referred were made at a conference entitled the Dublin economics workshop, which of course was held in County Kerry, which makes eminent sense. The Taoiseach's response, which must be of concern to people in the public service, indicates that the linkage to which I referred exists and will exist into the future. He mentioned the present agreed pensions arrangements but has not spelled out the consequences. What will be the position in the future? The Taoiseach distinguishes between public pensions and those in the private sector but if it were the other way around what would be the attitude of the Government? In the future, there will be a link between pension entitlements and pay awards under benchmarking. This will have consequences for those who continue in the public service and the Civil Service, even those officials in the Taoiseach's Department, a quarter of whom he informed us last week have looked for the exit door under decentralisation. Will the Taoiseach explain the net effect that was signalled by the Minister and other commentators?

The Taoiseach: The benchmarking body is an independent body which, with the benefit of those working with it, is doing a comprehensive analysis by grade of what has happened since the last benchmarking round several years ago. It will decide what increases these grades will get by examining the movements in comparable grades in the private sector over the period. It will also take into account benefits employees have. There

are benefits, such as productivity bonuses and other ancillary payments, that private sector employees have which public service employees do not get, by and large.

The body must make a considered judgment. In doing that, it must examine the movements in the past five years between various grades and a comparable position in the private sector. It will then make its judgment. One issue it will have to take into account is pensions. The private sector has raised this because of the changes happening with the pension systems in its sector, which is a separate issue.

In the last round, the benchmarking body took into account pensions for public and civil servants. No one in the public service unions is ignoring the fact that the body must examine such a benefit. If, however, the body includes this one benefit, it must look at the benefits private sector employees have such as Christmas, summer and productivity bonuses. These must all be balanced in the round.

That is why benchmarking is a fair system. It is also a much fairer system than the old analogue or relativity ones, where one grade chased another. A grade was awarded an increase and then every other followed on over a few years. In benchmarking, there is a proper analysis by grade across the system with a comparable grade in the private sector, where that is possible. It is not always possible, but it is in most cases.

Deputy Eamon Gilmore: When will the second round of the benchmarking process which is under way be completed and when will a new benchmarking report be published?

Over the weekend there was newspaper speculation that this round would give rise to a ballpark increase of 3% across the board for public sector salaries. Has the Taoiseach's attention been drawn to these reports? Are they wide of the mark or close to it?

The Taoiseach describes the benchmarking process as better than the old analogue system of pay determination in the public sector. One criticism, however, of the benchmarking system is that it was a secret one. The benchmarking body decided on increases, but the basis for them was never clear. One criticism the nurses had during their dispute last year was that some public servants received very high increases while they did not and they could not see the basis for those decisions. What are the plans in the new benchmarking arrangement for the process to be more transparent so those engaged in it, as well as the wider public, can understand on what basis salary levels in the public sector have been set?

The Taoiseach: The second public benchmarking body was established in January 2006. It is chaired by Mr. Dan O'Keeffe, SC, and he is committed to finishing the work at the end of 2007. I cannot say whether it will be submitted to

the Department of Finance at the end of the year or early next year, but that is the projected timescale.

I saw the reports over the weekend and the Tánaiste and Minister for Finance, Deputy Brian Cowen, tells me we are not at that stage and that anything written on this issue at this stage is totally speculative. It is too early to make that judgment.

It is important to bear in mind a key development under both processes; the present one and its predecessor. Benchmarking is a measurement of progress. The present arrangement is better than the old system because it is accepted that pay increases must be evidence based. In the case of benchmarking, the evidence will be obtained by measuring public service jobs against norms in the private sector and comparable jobs elsewhere. I hope the verification groups will be more transparent this time. I accepted the arguments made the last time. However, much of the information submitted to the first benchmarking body was of a confidential nature and was market sensitive. Those who provided it to the benchmarking body did not want that information revealed in verification reports that would undermine the *raison d'être* for the study. Comparisons cannot be made without the relevant information, which is concerned with bonus and ancillary schemes and benefits, and those submitting such data do not want them published because it might damage the interests of their private sector clients. This is how that element of secrecy arises.

Also the benchmarking body, last time, did not consider it helpful to publish all the reports in full. It was thought it might lead to all types of debates and arguments over how, as an independent body, it came to make its determination. Just like before, this time some people will do well, they will be happy and nothing further will be heard about them. Others will be in-between and there may be some talk about how they have done. Inevitably, those who do badly will hit the roof. For those reasons the body considers the best way to deal with matters, in the interests of industrial relations harmony and human resource concerns, is not to publish its reports in full.

Having said that, we made the point that matters must be as transparent as possible and that verifiable performance groups should be able to work on the basis of providing as much detail as they can. The eminent people who are members of the body are conscious of these concerns. However, I cannot determine from the outside precisely how the body will do its business, but its members know what the Government has asked them to do.

Deputy Eamon Gilmore: The Taoiseach, in his reply, stated that the report will be available at the end of this year. Has any provision been made for the implications of the benchmarking report in the Estimates or in the pre-budget summary that was published last week? How is it intended

to factor in the consequences of the benchmarking report with regard to the Estimates for public finances for next year?

The Taoiseach: I do not know what global figures the Department of Finance is using at this stage, but the normal process is for a ballpark public service provision to be inserted, even before it has sight of the figures, to cover whatever phases must be provided for. Next year will be the last time the figures will have to be phased. They were phased over three years the last time, 2002-04, so I presume they will again be phased over a few years, and a ballpark figure inserted to provide for the levels of expenditure up to 2008.

Deputy Eamon Gilmore: Working on the assumption that the pre-budget figures published last week include provision for the normal pay rounds and a notional figure for benchmarking, what will be the increase in pay? In some Departments, the proposed allocation, or Estimate, for next year is either approximately the same as that for last year or, in some cases, slightly less. What is the ballpark pay provision in the Estimates?

The Taoiseach: It is really a matter for the Tánaiste and Minister for Finance, Deputy Cowen, but I believe it is based on the existing level of service under the new system. Subject to correction, I do not imagine that the figures, other than incremental figures for 2008, would be included. Benchmarking pay for the public service would not be associated with the existing level of service and I therefore presume the figures are not included. I cannot be positive about it. It will be budget time before we see what figure will be included but the Department of Finance will have to indicate a ballpark figure in the first week of December.

Deputy Eamon Gilmore: I am sorry to pursue this further but we received last week the figures for the public finances on which the budget will be based. As I understand from the Taoiseach's second reply, the pay provisions included in those figures reflect incremental pay increases for next year.

The Taoiseach: Yes.

Deputy Eamon Gilmore: That is fair enough. I presume they reflect the normal pay round increases for next year. I understood from the Taoiseach's first reply that there was also some kind of notional provision in the Estimates in respect of benchmarking. If not, and if a benchmarking report is issued at the end of this year, how is it intended to implement benchmarking in 2008?

The Taoiseach: I do not know whether the Department of Finance has included the figures but, on the basis of the new system, last week's book is not like the old Book of Estimates; it is

[The Taoiseach.]

based on the existing level of service. I do not believe there could be a figure. I hope I am not proved wrong in half an hour but I do not believe the figure for a benchmarking report that has not yet been issued could be included in respect of the existing level of service. However, as I stated, the Department of Finance will, before the budget, have to make provision for a ballpark figure it believes will cover the first phase of benchmarking in 2008. I am only assuming the benchmarking payments will be phased, as they were in the last case. I will not know until the report is published whether Mr. Dan O'Keeffe S.C. will state they should be phased or whether the Department of Finance will state — probably more correctly — they should be phased over a three-year period. Provision in this regard will have to be made but it will not be made until budget time.

Programmes for Government.

4. **Deputy Enda Kenny** asked the Taoiseach if he will report on the implementation of An Agreed Programme for Government; and if he will make a statement on the matter. [16821/07]

5. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the procedures in place in his Department to monitor the implementation of the new programme for Government; and if he will make a statement on the matter. [16867/07]

6. **Deputy Alan Shatter** asked the Taoiseach if he will publish and place in the Oireachtas Library the details of the programme for Government as agreed with the Progressive Democrats. [17241/07]

7. **Deputy Eamon Gilmore** asked the Taoiseach the principal areas of the programme for Government that are his Department's responsibility with regard to implementation; and if he will make a statement on the matter. [19886/07]

8. **Deputy Eamon Gilmore** asked the Taoiseach if he will make a statement on the programme for Government. [20159/07]

9. **Deputy Eamon Gilmore** asked the Taoiseach the areas of the programme for Government for which his Department has responsibility; and if he will make a statement on the matter. [20160/07]

The Taoiseach: I propose to take Questions Nos. 4 to 9, inclusive, together.

The new programme for Government agreed between Fianna Fáil, the Green Party and the Progressive Democrats, and supported by certain Independent Members of Dáil Éireann, has been translated in accordance with the Official Language

Act and is available in both languages on my Department's website. The Department is in the process of printing hard copies, which will be made available to every Deputy shortly.

The programme for Government sets out a comprehensive blueprint for Ireland's future up to 2012. I am happy to report to the House that implementation of this new programme is now under way and progress is being made on all areas of vital concern to the Irish people. The programme recognises that we must build upon the hard work of the people. This work has helped to create a dynamic society and a strong economy of which we can all be proud. In our programme, we have set out clearly the manner in which we will work with the people to safeguard the gains made and to build a strong and sustainable nation for future generations. It is a programme that recognises the clear challenges we face as a nation and provides a strong policy platform to meet these challenges head-on.

The programme for Government is one in which every Irish person can take pride. It provides a clear direction for the country and will deliver a stronger, more caring and environmentally sustainable Ireland for generations to come. The programme is fully costed and makes it clear that our budgets for the next five years will be kept in broad balance and fully within our commitments under the Stability and Growth Pact. In addition to the general overview role of the Department of the Taoiseach within the Government, which includes preparing and publishing an annual report on the implementation of the programme for Government, the Department has a number of other specific responsibilities. In particular, it is charged with continuing to lead the implementation of the social partnership process and specifically the current agreement, Towards 2016; instigating a review of the economic regulatory environment as set out in the programme for Government; promoting the active citizenship agenda to ensure we have vibrant local communities throughout the country; and organising commemorative activities such as a programme of events to celebrate key historical events that took place between 1913 and 1923.

Deputy Enda Kenny: While the Taoiseach's response is well-written, I am not sure that everyone takes pride in the programme for Government. When the programme was being drafted in the aftermath of this year's general election, the two remaining Progressive Democrats Deputies sat idly by and allowed things to happen, the Green Party Deputies were seduced and the Independent Deputies——

Deputy Eamon Gilmore: They were bought.

Deputy Enda Kenny: They were bought so they would fall into line. I thank Deputy Gilmore.

Deputy Finian McGrath: Deputy Kenny should have said it himself.

Deputy Enda Kenny: The Fianna Fáil election manifesto, which formed the basis for the programme for Government, included tax and spending promises of approximately €7.1 billion. The pre-budget outlook published by the Department of Finance forecasts that there will be a shortfall in tax receipts of €4.9 billion, when compared with the forecast made by Fianna Fáil, by 2010. While the projections do not extend beyond 2010, it is reasonable to expect on the basis of Fianna Fáil's assumptions as far as 2011 and 2012 that there will be a shortfall in tax receipts of €5.7 billion, when compared with the Fianna Fáil manifesto, by 2012. Does the Taoiseach accept, on the basis of the assumptions of Fianna Fáil and the projections of the Department of Finance, that the Government will not be able to deliver on the programme for Government while also keeping its promise to keep the public finances in balance or in surplus? If that cannot be done, the Government will have to decide between keeping the public finances in balance or in surplus and keeping some of the other promises in the programme for Government, such as employing an additional 4,000 teachers, 2,000 gardaí and 2,000 hospital consultants. Will the Government be able to increase the old age pension to €300 per week, as I expect it to do? Will it keep its promise of spending €512 million on overseas development aid? Will it reduce the top rate of tax to 40% and the standard rate to 18%, as promised? Will it reform PRSI, as it has committed to do? These are fundamental issues. Does the Taoiseach accept, on the basis of Fianna Fáil's assumptions and the Department of Finance's projections, that it will be impossible to implement the programme for Government? If so, which of the promises in the programme will not be proceeded with by the Government?

Deputy Pádraic McCormack: The Government will break all its promises as usual.

The Taoiseach: In 1997 and 2002, I heard similar arguments within the first few months of the new Government's term of office about the stage of the economic cycle we were at. I was asked whether the Government would be able to implement its entire programme for Government by the end of its term. As Deputy Kenny is aware, the last two programmes for Government were implemented almost in full. While a small number of items in those programmes were not implemented, other items which were not mentioned at all in the programmes were implemented.

Good financial management is the overall principle that underpins the work of the Government. That is what is important for the country. It is our intention to keep the budget in balance, almost in balance or in surplus, as we have been doing

for the better part of 20 years. When the cycle is at a particular stage, we have to continue to stabilise the economy. We need to reduce the debt-GDP ratio when we can, as we have done almost every year for many years. We have to continue to cut taxes when possible. We will honour our commitments in respect of rates and credits, as we have done to date. We have to respect the commitments into which we enter with the social partners, including the voluntary and social pillars and the active retirement groups in relation to pensions. We need to bring the ratio of welfare payments up to the figure that we fix. We have done all of these things in the past and we believe we can meet our commitments in respect of them again. The national development plan involves expenditure of €184 billion over seven years. We have made a commitment to complete the acceleration of Government investment across a range of Departments and agencies. Over a five-year period, perhaps some issues may have to be put back a bit at some times. I do not see, within the financial model used which was cross-checked with the Department of Finance and the detailed figures, that we will not be able to implement our programme in a comprehensive way. The fact is this year's surpluses are not as big but by prudent management of the economy and the reduction achieved in the debt over the past number of years we now have an historically low ratio of debt to GDP which is saving the country a significant amount of annual interest payments.

Deputy Pádraic McCormack: It will be something new.

The Taoiseach: This year will be no exception and neither will the years ahead. This allows us the headroom to do things that otherwise would not be possible. The key issues are the national development plan, Transport 21, the business expansion schemes, our commitments to agriculture and to social welfare. These are issues which we believe we can honour.

Deputy Enda Kenny: Much of the Taoiseach's reply is absolute nonsense. In ten years of unprecedented economic development, he has failed to establish any value-for-money framework for public spending. He has failed to achieve real reforms in benchmarking, as we discussed. There has been an explosion of bureaucracy in the HSE, serious over-runs in the Luas and Dublin Port tunnel projects, sheer mismanagement and waste in e-voting and PPARS. There has been an unplanned explosion in the number of quangos with 500 established at national level and 300 at local level and a total of 5,000 Government appointments. Cost over-runs have been massive and the rate of inflation is more than two and a half times that in most of the eurozone. The public spending profile is completely out of line in the context of value for money.

[Deputy Enda Kenny.]

Following the general election of 2002, the Government loaded a range of stealth taxes onto Irish households and business and for the first time in 25 years our competitiveness and our level of exports have fallen. Can it be expected there will be no repeat of this policy and that the Government will not lorry more stealth charges onto households and businesses which cannot sustain them?

In view of the buyers' strike which is happening in the property market and as the construction industry is crucial to the national economy, will the Taoiseach agree this is an appropriate time to do something substantial with stamp duty for first-time buyers and those wishing to trade up and down — without setting off a stampede in the market — in the manner proposed by Fine Gael and the Labour Party before the last election? Will the Taoiseach grasp that nettle at a time of serious slow down in the construction business with a buyers' strike in operation? This would be his opportunity to take progressive action in a critical area.

An Leas-Cheann Comhairle: The Taoiseach for a final reply.

The Taoiseach: We have already implemented our programme for Government commitments on stamp duty and that matter is closed. Deputy Kenny knows what he has stated is not true. For the past decade this economy has been growing by approximately 7.7%. Our debt to GDP ratio is one of the lowest in Europe. We are able to fund our capital programme from our own resources and we have been able to reform the tax system and reduce personal, company and property taxes. We have been able to give significant increases to social welfare and lift the welfare customer base to the same level as an industrial wage which is second to none. We have been able to continue to implement huge expenditure plans across educational and health services with huge increases staff numbers which is giving better delivery to individuals. We want to continue with what is arguably one of the best economic models in any country in the world.

Priority Questions.

Territorial Waters.

82. **Deputy Billy Timmins** asked the Minister for Foreign Affairs the discussions he has had with a view to extending Ireland's underwater territory under the new UN Law of the Sea Convention; and if he will make a statement on the matter. [25423/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): Under the 1982 United Nations Convention on the Law of the Sea a coastal state is

entitled to a continental shelf of 200 nautical miles, approximately 370 km in breadth, regardless of whether its continental shelf physically extends that far subject only to the similar rights of its coastal neighbours. It may also claim a broader shelf where it can show the natural prolongation of its land territory under water extends beyond this limit. A claim to extended shelf must be supported by scientific and technical data and be established to the satisfaction of the UN Commission on the Limits of the Continental Shelf, which was created by the convention for this purpose.

Ireland's shelf naturally extends beyond 200 nautical miles to the west and south of the country. For the purposes of our claims we divided our shelf into three sectors. The first sector is to the south west of the country on the edge of an area known as the Porcupine Abyssal Plain. This sector, which is approximately half the size of the State's land territory, is not disputed by any other state and, therefore, was the subject of Ireland's first submission in May 2005.

In April this year, the commission issued its recommendations concerning the limits of this claimed area. The Government accepted these recommendations and work is in hand to designate in domestic law the additional seabed enclosed by these limits as continental shelf belonging to the State. Ireland is then likely to become the first country in the world to establish sovereign rights to exploit mineral resources on continental shelf lying more than 200 nautical miles from its shore. No hydrocarbon prospecting or exploration can be licensed there until this is done.

The second sector of claimed extended continental shelf is in the Celtic Sea and the Bay of Biscay. This was the subject of a joint submission made with the UK, France and Spain in May 2006. It covers an area of approximately 80,000 square kilometres, which is slightly larger than the State's land territory. This submission remains under consideration by the sub-commission established to examine the evidence submitted in support of it. The four states will have further discussions with the sub-commission when it resumes its work in New York in January. The sub-commission is expected to formulate its recommendations during 2008. These recommendations must, in turn, be approved by the commission. The question of division of this area between the four states concerned will be considered after the recommendations are made.

Ireland also claims continental shelf in the part of the north-east Atlantic Ocean known as the Hatton-Rockall area which extends up to 500 nautical miles from the coast. Ireland and the UK agreed a maritime boundary on the continental shelf here in 1988 but this is not accepted by Iceland or Denmark on behalf of the Faroe Islands which also make extensive overlapping claims. The four countries have met regularly since 2002 in an effort to resolve the issues arising

from overlapping claims, most recently at the end of September in Reykjavik. A further meeting will take place in Denmark next month.

Deputy Billy Timmins: The Minister stated the first sector is agreed and Ireland will have jurisdiction over it. Will the Minister confirm it is an area of 270,000 square kilometres? Does the Department of Foreign Affairs or the Department of Communications, Energy and Natural Resources lead on this issue? As this concerns a vast area, has the Minister considered the implications for the country with respect to the necessary expansion of the Naval Service or a Department? Is the Minister aware of indications of mineral resources in this area and how does he envisage the area will be policed or operated? Does the Government intend to establish a specific group to implement policy in this area? The public does not know about this issue. The Minister mentioned Rockall Island in his reply. It is an old chestnut but I would like to know what is the situation with regard to the claim on Rockall.

Deputy Dermot Ahern: With regard to responsibility, the Department of Foreign Affairs has primary responsibility for the State's international boundaries and this includes the seabed. The Department of Communications, Energy and Natural Resources has responsibility for supervising and licensing many activities. Ireland will be the first state in the world to make a successful claim in this regard. The commission's recommendation will allow Ireland establish an outer limit approximately 150 km beyond the current 200 nautical mile limit. The question of supervision, obviously, would arise in regard to the issue of fisheries. This has no effect on the fisheries as our territorial waters extend to the level of 200 nautical miles. This relates to outside that limit, so the reality is that this has no impact on fisheries.

It does have an impact on the issue of possible exploration. To a large extent, supervision of it would not arise because the only issue is in regard to hydrocarbon exploration. This has no effect on the position of Rockall. The situation at Rockall was agreed 27 years ago in 1980 under the UN Convention on the Law of the Sea, which provides that rocks which cannot sustain human habitation or economic life on their own shall have no exclusive economic zone. From that point of view, the British accepted the point made by us in these negotiations. The UK withdrew its claim to a 200 nautical mile exclusive fisheries zone measured from Rockall when it acceded to the convention in 1997. As I said earlier in regard to the joint claim by Ireland and the UK, discussions are ongoing with Iceland and Denmark who are making the case on behalf of the Faroe Islands.

An Leas-Cheann Comhairle: The time has concluded. I will take a very brief supplementary.

Deputy Billy Timmins: Can the Minister indicate when he expects the discussions on sector two and sector three to be completed?

Deputy Dermot Ahern: No, because the discussions are ongoing for the past five years. The next meeting is due to take place next week in Denmark.

Millennium Development Goals.

83. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs his views on the fact that so many countries are on course to fail reaching the UN millennium goals and that a recent report, the Global Hunger Index 2007, shows that in countries following the neoliberal model, even where there are high growth rates, the number of those in hunger is increasing, with India, for example, in 94th place of 118 countries in the index; his views on whether the fruits of growth are accruing to a minority and excluding many; and if in terms of Ireland's development policy he will make a statement on the matter. [24973/07]

Minister of State at the Department of Foreign Affairs (Deputy Michael P. Kitt): I share the Deputy's concerns about the rate of progress towards the achievement of the Millennium Development Goals, MDGs, in many countries. The Millennium Development Goals report, launched this July, gave us a snapshot of the progress achieved at the midpoint of the 2015 MDG target date. It is indeed a mixed picture. On the positive side, it shows that the proportion of people living in extreme poverty fell from nearly a third to less than one fifth between 1990 and 2004. If this trend continues, then the MDG poverty reduction target will be met for the world as a whole.

However, this is not the case for sub-Saharan Africa. Although the poverty rate there has declined by 6% since 2000, the progress is far too slow. The report gives many other examples of this geographical disparity in progress. It also acknowledges that poverty reduction has been accompanied by rising inequalities in some regions, most notably in Eastern Asia and the Commonwealth of Independent States, CIS.

These disparities are also reflected in this year's edition of the global hunger index. However, despite this, United Nations Secretary General Ban notes in the foreword to the MDG report that the goals are "still achievable if we act now". I believe this to be true.

I share the Deputy's concern that, in some countries, relatively strong overall economic growth is not being accompanied by a corresponding reduction in rates of poverty and hunger. The White Paper committed the Government to establishing a hunger task force to examine the particular contribution Ireland can make to tackling the root causes of food insecurity, particularly in Africa. The role of the hunger task

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force is “to identify the additional, appropriate and effective contributions that Ireland can make to international efforts to reduce hunger and thus achieve the first Millennium Development Goal of halving poverty and hunger by 2015”. The hunger task force will make focused recommendations on how Ireland can give practical leadership internationally on the attainment of the Millennium Development Goal on hunger.

Additionally, in its bilateral programme countries, Irish Aid is actively engaged with governments and other donors in national policy and budget allocation discussions, which are aimed at ensuring that funding of basic services and poverty reduction programmes are protected and increased. In this way, we try to guarantee that a significant proportion of the wealth generated by economic growth is used to directly benefit the poor.

Additional information not given on the floor of the House.

Of course, the best way to ensure that economic growth benefits the poor is for the poor to participate directly in generating that growth. This means that growth should occur in those sectors of the economy where poor people are economically active and make their livelihoods. The development assistance committee of the OECD has recently published guidelines for donor countries on policies, which are likely to ensure that growth benefits the poor in developing countries. We are supporting this approach by jointly funding training programmes for donor and developing country officials.

I therefore assure the Deputy that Irish Aid has the issue of pro-poor growth at the centre of its development programmes.

Deputy Michael D. Higgins: In regard to the second part of my question, is the Minister of State concerned that in those countries where the neoliberal model of economic transition is being imposed through the IMF and through some conditions attached to the World Bank, some of the most significant and disturbing failures in regard to achieving the world millennium development goals have arisen? For example, 40% of the world's underweight children are in India which reports a high economic growth rate. There is a contradiction between reported high growth and reported increase in the problem regarding any one of the three indicators of child mortality, underweight children and children who are generally deprived.

Is the Minister of State concerned that in Africa, for example, 38 out of 42 countries are on track to miss the millennium development goals on child malnutrition; 27 are off track to reduce the proportion of people who are calorie deficient. Maybe in the course of transmission from my office there is a misprint in my question where India is described as being in 94th place

of 118 countries. The correct figure is 24th place. However, it gives one an idea that out of 118 countries in 2004 ranked in terms of crucial indicators all the evidence is that the millennium development goals will be missed. The point on which I wish to press the Minister of State is as follows. Given the contradiction that the single model being proposed — the neoliberal model of a just economy — is yielding a failure to achieve the millennium development goals, will a section in the Department study alternative economic models that might be more inclusive and go farther towards achieving the millennium development goals or will the Irish Aid programme have no research of this kind? There is not much evidence of it yet.

Deputy Michael P. Kitt: Regarding the so-called neoliberal model mentioned by the Deputy, economic policies based on each country's specific situation are required. I hope this will emerge from inclusive and country-level debate within the democratic process in the country in question. Ireland supports a country specific approach. I agree with the Deputy and cannot see why a neoliberal policy or any externally prescribed policy package should be appropriate to a developing country.

The point the Deputy made about India being 24th out of 118 countries would be a cause for concern. There is reason to examine the causes of what has happened. Obviously there are several gender issues, including access to education and the means of productive livelihood, especially for women. Those issues are likely to come to the fore in any debate about India. The research showed that the low status of women in south Asian countries and their lack of nutritional knowledge are important determinants of high prevalence of underweight children to which the Deputy referred. Poor outcomes in the area of child nutrition will lead to a poor showing in the global hunger index to which he referred in his question. I agree with the Deputy regarding the neoliberal policies. Ireland supports a country specific approach and I would like that to continue.

Deputy Michael D. Higgins: While there has been an improvement in Bangladesh and Mali when using the same index with the same indicators, we find that progress in India towards the relief of child malnutrition and infant mortality has stopped. Does the Minister of State favour the Department and in particular the development section evaluating the impact of some alternative economic models? Particularly in the case of India, the implications of a human rights approach towards development should include excluded castes as well as children and could consider the gender issue. Would the Minister of State agree that such studies would be a crucial contribution towards Ireland's overseas aid policy?

Deputy Michael P. Kitt: There are some good examples where progress is being made and the Deputy has given some. Progress has also been made in Zambia, Tanzania and Uganda. The Deputy mentioned countries with difficulties. Alternative ways should be provided to deliver aid through the UN and our NGOs and missionaries if, for example, economic instability or other difficulties arise in a country and we cannot provide aid on the basis of giving it to the country.

Foreign Conflicts.

84. **Deputy Billy Timmins** asked the Minister for Foreign Affairs the steps he has taken to ensure peaceful protests are permitted to take place in Burma; and if he will make a statement on the matter. [25424/07]

Deputy Dermot Ahern: Brutal repression, mass arrests and intimidation cannot hide the fact that over the past two months, the people of Burma have made clear their unequivocal demand for democracy, national reconciliation and an end to military dictatorship. The Government and people stand firmly behind them. As the crisis escalated, the Government was active in support of the Burmese people. As well as the series of statements I made as the crisis in Burma unfolded, I wrote to the Foreign Ministers of China and India, calling on them to use their influence to stop the violence in Burma and facilitate positive change. In my address to the UN General Assembly in New York on 2 October, and in bilateral meetings with the UN Secretary General and international Foreign Ministers, including the Foreign Minister of Indonesia, I highlighted our concerns. I also held detailed discussions on the issue with US Secretary of State Rice and British Foreign Secretary Miliband. Equally, Irish diplomats in Asia, as well as at the UN in New York and Geneva, have been active in conveying these messages to all relevant parties, including Security Council members and Burma's neighbours.

Ireland has also been to the fore in seeking a strong EU response to events in Burma. Last week, the EU agreed a series of additional targeted sanctions, which should increase pressure on the regime, and it made clear its willingness to impose further sanctions. At the same time, Ministers also made clear to the regime the benefits that might accrue from genuine, substantive change. The priority is the implementation of a sustainable and meaningful political process in Burma leading to democratisation and national reconciliation. This must include the military, the democratic opposition and ethnic groups. The main track to achieving this is the process initiated by the UN Secretary General and his Special Representative, Dr. Ibrahim Gambari. I greatly welcome the fact that Dr. Gambari is again in the region. The Government believes the

opportunity provided by this good office's mission must be seized by all sides.

The role of Burma's neighbours is essential. Chinese and ASEAN involvement has helped gain the agreement of the Burmese regime to accept a visit by Dr. Gambari, and to allow real access to him. Ireland, together with its EU partners, will continue to use every avenue to encourage continued active engagement by Burma's neighbours, and all who have influence on the regime, for positive change.

Deputy Billy Timmins: What response did the Minister receive to this letters to China and India? Is it correct that the Minister's predecessor established diplomatic relations with Burma during the Irish Presidency of the EU in 2004 on the basis the Burmese regime would promote democratisation and national reconciliation? Where stands the seven-step road map for democratisation that was set out? Does the Government have contact with the regime in Burma? Has the Minister been in contact with the EU in recent days because I am given to understand a UN expert on human rights will be allowed into Burma? Will he use his good offices to ensure such an expert can establish what happened to the monks who we believe were imprisoned and the several thousand political prisoners in the country and he or she will have the opportunity to speak to the leader of the Burmese opposition who is under house arrest?

Deputy Dermot Ahern: We do not have diplomatic relations with Burma and no steps have been taken in this regard. It would be totally unimaginable in the circumstances that we would move in that respect. Because of that, we have no contact with the Burmese authorities and any contacts are made with our partners.

With regard to the response from the Chinese and the Indians, they listened to our views on this. The international community was very glad of the strong statement issued by the ASEAN countries at the height of the troubles. It was felt they might not have been able to issue the statement but the influence of the Chinese and the Indians is critical and they were parties to that substantial statement.

On the question of the number of Irish citizens in Burma, two have come to our attention and it is understood both are safe. There was a suggestion that an Irish-born nun was missing, but we have established that she is safe.

The UN special rapporteur on human rights in Burma, Paulo Sergio Pinheiro, is permitted to enter the country in the near future, and Dr. Gambari will go there some time in November. At the EU meeting last week, Ireland strongly supported a proposal by the Swedish Foreign Minister for an EU special envoy to work with Dr. Gambari. We are also in favour of the Swedish proposal for a contact group made up of neighbouring countries in the international com-

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munity to deal with the Burma issue. Likewise, we strongly supported suggestions that further sanctions be imposed on the Burmese authorities. I will travel to Japan at the end of next month and will use that opportunity to raise this issue with the Japanese Foreign Minister, who has expressed a keen interest in it.

Deputy Billy Timmins: Have any Irish companies invested in Burma? Were the responses of the Indian and Chinese Governments made in writing? If so, is it possible to make those responses available in the Oireachtas Library?

Deputy Dermot Ahern: To the best of my knowledge, the responses did not come in writing. Normal contact is maintained with the relevant embassies. I wrote to the Foreign Ministers but I understand there has been no response. If any is given, I will relate that to the Deputy.

There is no trade between Ireland and Burma.

Cross-Border Projects.

85. **Deputy Billy Timmins** asked the Minister for Foreign Affairs the amount of funding allocated by his Department to cross-Border bodies since the signing of the Good Friday Agreement; and if he will make a statement on the matter. [25425/07]

Deputy Dermot Ahern: Arising from the Good Friday Agreement, six North-South Implementation Bodies and Tourism Ireland were established. These bodies play a significant role in taking forward North-South co-operation on the island. The North-South Implementation Bodies are jointly funded by the Government and the Northern Ireland Executive. Funding from each jurisdiction is provided on an agreed proportionate basis having regard to the benefits accruing to each jurisdiction and specific factors related to each sector.

The funding of the individual bodies is a matter for the responsible Department in each case. Total funding for the bodies from both jurisdictions from 2001 until 2006 amounted to €842.3 million. In 2006, Government funding for the bodies was €116.5 million, which was 69.45% of total funding provided that year.

Having operated in a somewhat difficult climate during suspension, restoration of the Northern Ireland Executive and the resumption of full operations of the North-South Ministerial Council means there is now scope for the Implementation Bodies to achieve their full potential. Since the re-establishment of the Northern Ireland Executive, Ministers have had a range of extremely useful and productive meetings with their Northern counterparts, both in the North-South Ministerial Council and in other contacts. I attended the plenary meeting of the North-South Ministerial Council in Armagh in July — the first in five years. The meeting was positive, with open

and constructive discussion on the potential for economic co-operation to bring real benefits to the people of this island, North and South.

The plenary meeting resulted in several important decisions. We agreed a major roads infrastructure programme to include the upgrade of the road serving the North-west gateway of Derry-Letterkenny, supported by Government investment of €580 million. We also agreed on the restoration of the Ulster Canal from Clones to Lough Erne. This project will be a major boost to the Border counties of Cavan, Monaghan and Fermanagh. We also discussed various other projects, including the Government's support for a bridge at Narrow Water linking Counties Louth and Down to the benefit of tourism in the region.

A further plenary meeting, to be co-chaired by the Taoiseach and the First and Deputy First Ministers and attended by other Ministers, is planned for Dundalk before Christmas. I will host an institutional meeting of the North-South Ministerial Council in Dundalk on 30 October. In addition, a programme of 11 sectoral ministerial meetings is already under way and will be completed before the end of the year.

Deputy Billy Timmins: My colleagues and I welcome the allocation of funding to the Implementation Bodies. The Good Friday Agreement had the overwhelming support of the people of this island, including the support of all political parties in this House. Does the Minister agree there is a responsibility on both Governments to oversee the implementation of the Agreement and that the functioning of the Assembly is at a delicate stage? Does the Minister feel comfortable with the decision of his own party to look at extending its base into the Six Counties, particularly as the Minister has been appointed head of the party committee investigating such a possibility? Does he, as Minister for Foreign Affairs, feel there is a conflict with his role as a Fianna Fáil emissary in overseeing such an agreement?

Deputy Dermot Ahern: On the contrary, my position as Minister for Foreign Affairs with responsibility for Northern Ireland affairs and cross-Border co-operation would be enhanced by my party's consideration of a move across the Border. When my party was founded, de Valera on many occasions stated it should never be a 26-county party. As I recently stated publicly, a northern Unionist mentioned to the Taoiseach that it would not be logical for a party like Fianna Fáil to continue to be a 26-county party if we espouse a united Ireland, which we do.

From that perspective, such a move is quite logical given that the political landscape has changed very dramatically since 8 May. Substantial numbers of people wish to join my political party across the Border and at a recent university freshers' week, we were inundated with applications from people from both communities within Northern Ireland to join my political party.

An Leas-Cheann Comhairle: I suggest that the Minister be answerable to the House for those issues for which he has a constitutional responsibility.

Deputy Billy Timmins: The Minister was looking to the Leas-Cheann Comhairle before he even intervened. I thank the Minister for his reply but I would urge caution. He quoted a Unionist figure who stated it would be logical for Fianna Fáil to extend into the Six Counties. Has the Minister, in his official capacity, had any representations from groups who have expressed concern at such a possible development?

An Leas-Cheann Comhairle: The question should relate to the Minister's responsibilities to the House under the Constitution or the law.

Deputy Billy Timmins: It is a bit of a grey area.

An Leas-Cheann Comhairle: Having said that, the Minister may wish to reply.

Deputy Dermot Ahern: There seemed to be fairly universal support for the concept. As I have stated publicly, it is not a step we will take in the near future, but we will consider it strategically and carefully. As a significant party in Government, any moves clearly would have to be carried out with one eye on political stability and equilibrium built into the Good Friday Agreement. We would never put that in jeopardy.

To come to the constitutional issue regarding the implementation of the Good Friday Agreement, a new Oireachtas committee will be put in place to oversee the issues flowing from that and we should all welcome that move.

Asylum Applications.

86. **Deputy Denis Naughten** asked the Minister for Foreign Affairs the steps he is taking to address the problems forcing persons to seek asylum within the EU; and if he will make a statement on the matter. [25448/07]

Deputy Dermot Ahern: The problems forcing people to seek asylum within the EU and elsewhere are many and all too common. They must be addressed by the international community with all the instruments and resources at its disposal. All human rights violations must be condemned wherever they occur and those responsible for persecution cannot be allowed to operate with impunity.

Persecution and conflict flourish in situations of extreme poverty and where climate change has had a disastrous impact on living conditions. These closely-related factors present a complex challenge requiring a range of policy responses. Given that the great majority of the world's asylum seekers come from developing countries, it is vital the EU and other countries consider ways

to support third countries in finding solutions to their problems.

Ireland, bilaterally and in co-operation with its EU and UN partners, consistently follows a multi-faceted approach to the causes which have forced people to flee. This begins with our advocacy of the protection of human rights and continues through efforts to ensure conflict resolution, and the encouragement of policies aimed at poverty reduction, sustainable development and economic growth. The Irish Aid programme in particular is firmly focused on these objectives.

At EU level, the European Commission last June published a Green Paper on the future of the common European asylum system. The paper, which Ireland welcomes, recognises many of the key challenges faced by member states in the operation of their asylum policies and procedures, as well as the need for increased co-operation on approaches at EU level to prevent so-called asylum shopping. It also ensures that those individuals genuinely in need of protection receive it as soon as possible.

The majority of people have no wish to uproot themselves from their communities, frequently leaving their families behind, to undertake often dangerous journeys to unknown and uncertain destinations. If people are provided with a minimum level of economic opportunity and the security provided by a functioning accountable Government and basic public services, they will choose to stay in their own countries, towns and villages.

Deputy Denis Naughten: It is critically important that those who are in genuine need of protection be supported. In the past 15 years, 75,000 asylum applications have been made here. The success rate relating to these stands at 11%. The majority of those who failed to obtain asylum were economic immigrants. What steps has the Government proposed at EU level to deal with this flow of migrants into the Union in general and into Ireland in particular? Does the Minister agree that some of the steps taken by the EU in negotiations at, for example, the WTO have discouraged the development of economic ties between it and Third World countries, which are the poorest in the world? What can the Union do to change its views in respect of this matter? What is the Government's position on the proposal that has emerged in respect of the establishment of transit and processing centres for irregular migrants and asylum seekers, either within the EU or outside its borders?

Deputy Dermot Ahern: As already stated, the EU has brought forward a Green Paper. The latter does not relate to a common asylum system because discovering a resolution to this problem does not rest on any one issue. The EU is leading the world in the context of the delivery of aid to Africa in particular. Despite some reservations we might have regarding the attendance of Pres-

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ident Mugabe at the proposed EU-Africa summit, that is one of the reasons we are in favour of engaging with Africa. As far as I am concerned, it is better to hold a meeting at which we can discuss the entire range of issues — including those relating to economics and climate change — which affect people in sub-Saharan Africa in particular.

The type of overseas development aid we deliver to Africa will be useless unless we can in some way embed good governance systems in countries that are open to them. If, as already stated, we provide the opportunities and a level of security, people will remain in their own countries. A range of responses is required to stem the flow of people from Africa into the EU.

I am not aware of any specific measures relating to holding centres. It might be better if the Deputy raised this matter with the Minister for Justice, Equality and Law Reform who has primary responsibility in that area.

Deputy Denis Naughten: I accept there are various problems and issues that arise in respect of people seeking asylum. On one hand, the European Union, through its Foreign Ministers, is engaging with Africa and trying to develop good governance, while, on the other, a Commissioner representing it at the WTO talks removed from African countries preferential access to the Union in respect of goods and commodities. Is there not a contradiction in terms here and should there not be a more all-encompassing approach at EU level in respect of trade and governance to the effect that they should go hand in hand?

Deputy Dermot Ahern: As much as possible, that is what we try to do. However, in the context of the WTO negotiations, particular member states have their own strategic national interests. The European market is probably the largest recipient of African trade — a matter about which people do not often sing from the rooftops — and is probably the most open to such trade. As already stated, myriad responses are required and not least among them are those which relate to overseas development aid. The EU has led the way in that it has indicated that the entire Union will reach the 0.7% target by 2015. Ireland has led the charge at that level in that we are going to achieve the target of 0.7% by 2012.

Other Questions.

Human Rights Issues.

87. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs if he is in a position to give information on the whereabouts of the 4,000 monks, among others, arrested in Rangoon,

detained outside of their monasteries and removed to an unspecified destination; if he has sought information; and if the European Union has raised the matter with the Burmese Government. [24974/07]

107. **Deputy Jim O'Keeffe** asked the Minister for Foreign Affairs the position regarding diplomatic relations with Burma in view of the appalling record of the regime there on human rights and its suppression of democracy. [24905/07]

111. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent to which he directly or in conjunction with his EU or UN colleagues has attempted to bring positive influence to bear on the situation in Burma; and if he will make a statement on the matter. [25042/07]

114. **Deputy Jack Wall** asked the Minister for Foreign Affairs the position of the Government on new initiatives at the level of the Security Council of the United Nations to impose an arms embargo on Burma with the intention of putting an end to end sales and arms transfers. [25000/07]

120. **Deputy Fergus O'Dowd** asked the Minister for Foreign Affairs the links Ireland has with the regime in Burma; if he has raised concern with respect to the reported treatment of demonstrators there; and if he will make a statement on the matter. [25010/07]

132. **Deputy Alan Shatter** asked the Minister for Foreign Affairs the action taken by this State as a member of the European Union and in the United Nations with regard to the situation in Myanmar, Burma; his views on whether the lives of those who demonstrated against the junta are at risk; the number of persons currently being detained as a consequence of the protest and demonstrations that took place; and the steps being taken to enable the Red Cross to have access to those being detained. [25044/07]

319. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the action he will take unilaterally or in conjunction with his EU or UN colleagues to address the situation in Burma; and if he will make a statement on the matter. [25471/07]

320. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs if, together with the international community, it has been possible to intervene with or influence the Burmese authorities with a view to protecting human life and introducing an international investigative element to the situation; and if he will make a statement on the matter. [25472/07]

Deputy Dermot Ahern: I propose to take Questions Nos. 87, 107, 111, 114, 120, 132, 319

and 320 together. I refer the House to the reply I gave to Priority Question No. 84, which sets out our general approach. The international community has sent a very clear signal to the Burmese regime that we are prepared to stand together to ensure that the days of impunity are over. There has been a strong statement by the UN Security Council and a forceful consensus resolution by the UN Human Rights Council. The concerns of the international community have been communicated to the highest levels of the Burmese regime by the special representative of the UN Secretary General, Dr. Ibrahim Gambari. Significantly, there have also been unprecedented statements and diplomatic activity on the part of Burma's neighbours, particularly by the Association of Southeast Asian Nations, its members, and China.

The Government has long taken a strong position on the situation in Burma, including the awful human rights situation and the detention of Aung San Suu Kyi and other political prisoners. It has been the Government's consistent position that no steps should be taken to develop diplomatic relations with Burma until Aung San Suu Kyi is released. I would add that given the current situation, it would be unimaginable that we would establish relations without significant improvements on the ground. As I made very clear in my earlier answer, Ireland remains active, with the EU, in seeking to build and maintain this pressure on the Burmese regime for real and positive change.

The situation in Burma remains very serious. Through brutal repression, the military regime has forced the protests off the streets but now employs a vicious programme of raids, ongoing arrests, disappearances, beatings and torture to create what it calls "normalcy". The regime has further targeted key democracy activists, many of whom have been arrested, have disappeared or have been forced to flee. I remain deeply concerned for the safety of those involved in the protests and for those who continue to campaign for democracy in Burma.

The regime itself acknowledges that 3,000 people have been detained but the true figure is likely to be much higher. Some have been released but large numbers, including many monks, remain in custody or unaccounted for. As the prisons fill, many of these are held in make-shift detention centres — all in appalling conditions. I reiterate the consensus call of the UN Human Rights Council for Burma to release all detainees and political prisoners and to facilitate humanitarian access, including access by the International Committee of the Red Cross. Also, in line with the Human Rights Council's resolution, Burma must co-operate fully with the UN special rapporteur on human rights in Myanmar, Sergio Pinheiro, including through the urgent facilitation of a visit by him to that country. As I said earlier, that has now been put in place.

At the same time, it cannot be forgotten that the recent violent suppression of protests is not an isolated incident. It has occurred in the context of ongoing brutal military actions against ethnic minorities and a worsening humanitarian crisis. In this context, I believe it is appropriate for the international community to seek to deny the Burmese regime access to military equipment. Very regrettably, however, the chances of the Security Council agreeing to a formal arms embargo are slim. I note that the EU has maintained an arms embargo against Burma since 1990.

EU Foreign Ministers agreed last week on a series of further targeted sanctions, which I believe will increase pressure on the regime, and made clear our willingness to impose further sanctions, including a ban on new investments. This sends a clear signal that the EU will not allow the Burmese regime to act with impunity. However, at the same time, we sent a clear signal to the regime of the benefits that might accrue from positive engagement with the Gambari process and genuine, substantive political change. The EU will continue to work closely with Burma's neighbours and all those who have influence on the regime to drive this message home.

The Burmese regime must now act to end the violence against its own people and seize the opportunity represented by Dr. Gambari's mission. It should meaningfully engage with democratic parties and representatives of ethnic groups to build a real and sustainable political process in Burma leading to democratisation and national reconciliation.

In his report to the UN Security Council at the beginning of this month, Dr. Gambari suggested useful first steps. These are the creation of a broad-based grouping to look at the work to date on a new constitution and the establishment of a poverty alleviation commission to identify and address the country's major socioeconomic needs. These proposals make sense and, if implemented, would appear to offer the best way forward for the people of Burma.

Burma's neighbours continue to offer a particularly important role. The reality is that their regional pressure, while it may not be as forthright as we would wish, is essential. I greatly welcome the role they have played so far, facilitating action at the UN and ensuring the facilitation of Dr. Gambari's mission by the Burmese regime. It is important that those who have influence on the regime continue to convince the regime of the need for positive actions.

The ASEAN countries are considering what further action they might take and are examining options such as a multilateral forum along the lines of the six party talks covering North Korea and-or an ASEAN special envoy or an ASEAN troika mission to Burma. We would be strongly supportive of such initiatives and, with our EU partners, will seek to further encourage this posi-

4 o'clock

[Deputy Dermot Ahern.]

tive role at the EU-ASEAN Summit next month in Singapore.

Deputy Michael D. Higgins: I am grateful for the Minister's comprehensive reply and I appreciate he replied to a number of questions. I am also grateful for the consensus that appears to exist in regard to events in Burma.

My question is concentrated specifically on the whereabouts of 4,000 people who were arrested mostly in Rangoon and elsewhere and whom it is widely perceived have been initially detained but possibly moved to the north of the country and to labour camps. It is a specific question. It is urgent that Mr. Pinheiro should have access to the whereabouts of these people. Does the Minister agree that if the European Union is to establish a special relationship, as it were, in regard to the crisis in Burma, it should be strongly driven by human rights considerations and should have the capacity to examine the detention and removal of people and the enforced labour camps?

Does the Minister agree that there is a small window of opportunity between now and the holding of the Olympic Games during which to drive forward a measure for a better set of results? Will he agree, for example, that after 2004 what was called constructive dialogue with the regime in Burma bore little, if any, fruit? For example, China and India, which are quoted now to be positive to such an approach, have expanded their trade to a much greater extent than the level of the sanctions imposed by the European Union curtailing trade.

In regard to the Gambari project, which I understand is political in intention, Mr. Pinheiro will need the fullest access possible to answer the questions I have posed and he is in a position to say that either his office or representatives of the European Union will have access to address the issues I raised?

Deputy Dermot Ahern: In regard to an earlier question on trade posed by Deputy Naughten or Deputy Timmins, I said that no trade took place, but I wish to clarify that in 2006 a small trade figure of €152,000 is recorded, mainly in respect of the pharmaceutical sector.

Returning to Deputy Higgins's question, I agree with him about the access Mr. Pinheiro should receive. That is one of the reasons the EU is taking a particularly strong view on the human rights issue. On the basis of the Swedish proposal, we do not want to cut across what Dr. Gambari is doing. A proposal in regard to an EU envoy hopefully would dovetail exactly what he is doing to ensure that the views of the EU partners, particularly Ireland, Sweden and others who have emphasised the issue of human rights, are taken on board.

As regards the disappearance of people in Burma, it is the job of Dr. Gambari and Mr.

Pinheiro to examine that issue and that ultimately depends on the type of access that is given by Burmese authorities. Thankfully, so far, they appear to be relatively open in terms of access that has been given. Dr. Gambari met Aung San Suu Kyi on two occasions when he was there recently, which we regarded as positive. We understand that in regard to Mr. Pinheiro's visit, facilitation will be given to allow him to examine the situation on the ground, but we will have to wait and see what happens.

In regard to dealing with the neighbouring countries, in the context of ASEAN, any suggestion that we should in some way turn our back on the discussions between the EU and ASEAN is not fruitful. Some suggest that a ban on the Olympic Games should be considered with regard to matters on which China has an influence, such as Darfur. With regard to Burma, China has been responsible and responsive to the international community's exhortation on facilitating visas for Dr. Gambari and Mr. Pinheiro. This also applies to being part of a strong ASEAN move against the Burmese regime. We must consider this and not rule out anything. We have a substantial presence in Dr. Gambari and the UN. Hopefully this will be supplemented by ASEAN and EU countries.

Deputy Alan Shatter: I thank the Minister. At an early point the International Red Cross sought access to Burma to ascertain the whereabouts of prisoners, if prisoners are detained in detention centres and how they are being treated. Does the Minister have information in this regard? Has he communicated with the Chinese Government? In replying to Deputy Timmins the Minister stated he made direct contact with the Chinese. What response did he receive? Has the Government information, directly or communicated through the UN or EU member states, on how those who protested and disappeared are currently being treated? Does the Government have specific concerns about this issue?

Deputy Dermot Ahern: Regarding China's response, because the local NGO group was refused access to deliver a letter to the Chinese Embassy, I took it upon myself to write to the Chinese Foreign Minister. I asked my officials to intervene with the Chinese Embassy in Dublin and the Indian Embassy at the beginning of the protest. The response from China was favourable. It surprised the international community that China was prepared to accept strong statements of condemnation of events in Burma at the UN Security Council and the UN Human Rights Council.

Regarding the disappearances, Ireland is part of the international consensus call for the facilitation of access by the International Red Cross to examine disappearance and detention.

I referred earlier to Irish people. There were five Irish citizens in Burma. Three were tourists,

while two were residents in Burma. We are happy that all five are safe. Those who visited as tourists returned home and the two who remained, one of whom was a Buddhist nun, are safe. From a national point of view, we have established that our people are safe through our colleagues in the EU.

Deputy Alan Shatter: Is there any indication that the International Red Cross will be allowed access?

Deputy Dermot Ahern: Not so far.

Deputy Joe Costello: China is the country with by far the greatest influence on Myanmar. There is a window of opportunity in the context of the run-up to the Olympic Games. What steps might be taken to encourage talks with the pro-democracy movement and particularly Aung San Suu Kyi, which would be the way forward? Has the EU sought access for a mission in the context of further sanctions? Is there room for negotiation on that issue so that the EU can send a mission to Burma in the context of the detentions, to observe the human rights situation?

Deputy Dermot Ahern: On the issue of the Olympic Games, the point has been made many times that China will be very aware of the international communities' view and very precious and cautious regarding the impact that might have on the games. Without being too overt about it, China has responded and has played a very valuable role in the recent events. Hopefully that will continue with regard to, for instance, allowing people from the Red Cross to enter Burma, as we would wish.

With regard to EU interaction, a substantial number of EU countries do not have representation in Burma. We wish to work with our UN colleagues. Dr. Gambari is leading the response of the international community in trying to give a clear message that the international community is united against what happened on this occasion but also to indicate that there is a carrot as well as a stick approach available. When I say stick, I am referring to the possibility of further sanctions. The carrot approach aims to show the regime that there would be opportunities for economic development. It is clear that any further sanctions, as discussed by the EU, would only be implemented if they did not have an effect on the general population but primarily on those who were responsible for the atrocities that have taken place.

Deputy Michael D. Higgins: Has the European Union considered sending a mission to Burma? It is very clear that such a mission would be independent of the neighbouring countries and therefore would have more flexibility. It could be effective with regard to going past the point of detention to having talks addressed at reconcili-

ation, inclusive of those who support Aung San Suu Kyi. I have in mind somebody such as Marti Atisari, an outsider, who could facilitate talks towards reconciliation. Has the European Union practically suggested the establishment of a mission to be followed by somebody with experience who is capable of delivering fruitful talks? Is that being considered by the EU at present?

Deputy Dermot Ahern: The possibility of an EU envoy working in tandem with the UN Special Envoy, Dr. Gambari, was discussed in Luxembourg at the foreign affairs GAERC meeting and again in Lisbon last week. It was suggested that it would give support and feedback to European Union members with regard to the issue of the disappeared and detained and to determine how positive progress could be made. Burma currently receives substantial levels of overseas development aid from the European Union. There could be a win-win situation for the Burmese because if they respond positively to the entreaties of the international community, the EU will be able to increase its humanitarian assistance and perhaps its economic assistance. Unfortunately, the struggle for democratisation and national reconciliation has taken 14 years to date and has not progressed very far. It is for the international community to put pressure on the Burmese authorities to ensure that democracy and reconciliation are put in place much quicker than has been the case heretofore.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters.

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Leo Varadkar — that the Minister for Education and Science report to the Dáil on her Department's response to the recent announcement by Fingal County Council that 13 sites will be acquired in Fingal for the provision of new schools under the accelerated school building programme to allow these schools to be up and running by September 2008; (2) Deputy Joe Costello — the case of a person who spent three days in an accident and emergency department waiting for a bed; (3) Deputy Thomas Broughan — to address the decision of the HSE to withdraw funding for new bed facilities at the Hamilton Park Nursing Home in Balrothery, Balbriggan, on 3 October last when citizens, including a senior constituent who is a stroke patient and currently in the National Rehabilitation Hospital, have been arbitrarily deprived of much needed care and treatment at the Balrothery nursing home and if the Minister will make a statement on this and other arbitrary health cuts by HSE senior management; (4) Deputy James Bannon — the need to make funding available

[An Leas-Cheann Comhairle.]

under the dormant accounts fund for emergency repairs at a school in County Longford; (5) Deputy David Stanton — the need to provide second level school places in Midleton; (6) Deputy Martin Ferris — the decommissioning of coast guard stations in Valentia, Malin Head and Dublin; (7) Deputy Jimmy Deenihan — the delay in sending a technical team from the Department of Education and Science to commence planning for an eight-classroom school to replace an existing defective building (details supplied), which was approved in January 2006 and highlighted by the commission on school accommodation in November 2006; (8) Deputy Tom Sheahan — to ask the Minister when his Department began formal or informal discussions regarding the closure of Valentia coast guard station; and (9) Deputy John Perry — the HSE is proceeding with the planned removal of oncology services from Sligo hospital. Yesterday the Minister of State at the Department of Health and Children, Deputy Jimmy Devins, stated that he condemns the HSE plan to downgrade Sligo hospital but later that day the Minister for Health and Children, Deputy Mary Harney, endorsed the HSE plan for centres of excellence. Will the Minister confirm that the HSE plans to transfer oncology services from Sligo hospital and make a statement on the matter?

The matters raised by Deputies Joe Costello, Martin Ferris, James Bannon and David Stanton have been selected for discussion.

Leader's Questions.

Deputy Enda Kenny: This week another two men lost their lives in brutal murders. One was beaten to death with iron bars and the other was gunned down in cold blood. Everybody in the country recognises that Ireland has become a far less civilised place in which to live in the past ten years. In that time gun crime has doubled, trebled and quadrupled. Gun murders are six times what they were in 1998 and detection is down by 75%. Conviction rates have fallen and it seems that zero tolerance is a distant memory.

It appears that the Taoiseach has given up on this job. His comment yesterday to the effect that society should stop tolerating violence misses the point completely. It is not as if this is an 'us and them' situation, that criminals live in a gangland or crime land that is entirely different from the rest of the country. People have walked innocently into a lethal hail of gunfire and have died as a consequence. Society, said the Taoiseach, should not put up with this, but society does not put up with it. Did the taxi driver put up with the lethal hail of gunfire into his vehicle yesterday? Did the three young women in the back of the car tolerate a brutal assault by mere chance? Does the public tolerate a violent murder every five days? Do they tolerate this kind of vicious crime? It seems that in gangland Ireland if one

stays silent one will live but if one does not stay silent one may well be next to die.

The Taoiseach fails to appreciate that people look on him as the boss, the political boss, of the country. He has been Taoiseach for the past ten years and is presiding over this situation. It is not just about investing additional millions of euro. As Deputy Charles Flanagan pointed out this morning, there is a fundamental requirement on the Government to respond in a multi-dimensional way to deal with this problem. I met a garda sergeant in Finglas two years ago who showed me on a computer screen the 17 serious cases reported to his station in a two-hour period. He told me that every night the gardaí in Finglas are in fire brigade action but that they are 15 years too late. Geography, environment and circumstances dictate that the John Dalys of this world — may God rest his soul — and all the other people who have been gunned down in gangland war die because of the inability of the Government to deal with the situation. How does the Taoiseach, as head of Government, intend to respond to the latest set of atrocities?

The Taoiseach: First, with regard to the murders of Paul Quinn and John Daly, we send our commiserations to their families, who have to live with their grief and we all understand that, for them, this is very difficult.

On the horrendous murder of Paul Quinn, with whose family our sympathies lie at this tragic time, there is a Garda investigation under way in close co-operation with the PSNI. The priority in this case is that the Garda concentrate on this intensive investigation. We all hope those involved in this vicious killing, whatever their background, will be brought to justice. The Garda appealed for anyone with information to come forward. This appeal is supported by all parties in Northern Ireland and I strongly endorse that. The investigation is at an early stage. The Garda Commissioner has advised the Minister for Justice, Equality and Law Reform that there is no information available which suggests this attack was carried out or sanctioned by paramilitary interests. Every aspect of the investigation will be followed up to ensure these people are brought to justice.

On gangland crime and the murder of John Daly, provisional figures indicate there have been 57 murders this year as compared with 42 in the same period last year. Gang related killings do not account for this increase to date. There have been 17 murders involving firearms most of which resulted from gang related activities. It is not much consolation that the figure is the same for last year. Seventeen murders is 17 too many. Members will be aware of the Garda Síochána's excellent record in solving murders not related to gangland activity. It is only right we acknowledge this. Those murders, while all regrettable, occurred in a variety of circumstances not all of which are amenable to action by the criminal

justice system. We are determined to do what we can to reduce the prevalence of violence. The aim of the new agency dealing with domestic violence is to treat all these incidences as appalling crimes. Deputy Kenny stated there is almost one death a week in this area. However, of the 40 recorded, practically all of them are domestic related.

Yesterday's shooting of John Daly was deplorable. It shows two things — I have said this in respect of other gangland killings — the appalling ruthlessness of people who carry out such killings and, the gun culture of death which is now part and parcel of the activities of these gangs. I am sure everyone sympathises with the taximan and others who found themselves caught up in such a dreadful situation. It also shows the difficulties involved for the Garda in trying to bring an end to these killings. I have received a great deal of information on this from the Garda Síochána and from the Minister. However, I do not wish to use it in this instance. John Daly has not yet had a funeral and it would serve no purpose to use it.

It is not easy for the Garda — this has been stressed to me by senior members of the Garda Síochána — when it does not receive co-operation from people whose lives are in danger. These people will not co-operate with the Garda who are trying to help them. While the Garda Síochána has launched countless operations to try to stop these killings, it cannot divert all its resources, on a daily basis, away from ensuring ordinary, law-abiding people can go about their business.

Deputy Enda Kenny: As I stated, it is a case of be silent or be next. The Taoiseach rightly referred to the difficulties the Garda have in getting witnesses to come forward. Deputy Charles Flanagan raised the issue of a witness protection programme. I accept this is not the answer to all these problems.

I was asked a few short years ago to meet a person serving on a witness protection programme. The meeting which took place on a dark street in this city was not a pleasant experience. The Taoiseach will recall I communicated this to his office at the time.

The Fianna Fáil programme published ten years ago states: "We still have it within our power to arrest the growth of crime and roll it back. Unless we act effectively now we will have a very different and unpleasant Ireland in five years time and, it will be five years too late." The Taoiseach's response to the effect that society should not tolerate violence is of no comfort to the public who expect the Government to live up to its fundamental responsibility to protect citizens. I agree this cannot all be fixed by providing extra funding in a Vote. However, there is a need for greater understanding of what is happening in communities. It has been said to me by people from these communities that despite the provision of facilities and good people to work with young children, many of these children go home

to hell. Geography, environment and circumstances dictate that ruthlessness and complete unconcern for the rule of law applies in many of our communities.

I would like if the Taoiseach could look, perhaps in a different way, at what happened following the murder of Veronica Guerin when the Government of the day sat on these warlords and drug barons and put them out of business. This is what people want. There is a carrot and a stick here. In 2007, people are entitled to live in a degree of peace and security and they look to the Taoiseach and to the Government to provide whatever resources are required and to take whatever action is necessary to deal with these issues.

The Taoiseach: I appreciate Deputy Kenny's remarks and the constructive manner in which he makes them. I am not suggesting there is any one simple solution. I have attended many meetings and security briefings with the Garda Síochána which has, through Operation Anvil, collected some 750 guns and carried out some 40,000 drug searches. Earlier this year, an extensive Criminal Justice Bill was added to the already enormous volume of legislation in this area and we have recruited 4,000 gardaí. Proportionately, given the size of this country, we have put more gardaí into the system than any other country in Europe. The proportion of gardaí per head of population is high. This is not an easy area to manage.

In speaking earlier about communities, I was referring also to the young people who are beaten up on our streets at weekends. These people are being turned on within communities by thugs who beat them to a pulp for fun. Neighbourhood police and community activists can assist in addressing these issues, but obviously they cannot do so without help and involvement of the Garda.

The Government has introduced a vast range of supports be it better housing, education programmes for the disadvantaged, facilities such as training or workshops to help rehabilitate those who have had a difficult lives — perhaps through no fault of their own. These are important issues. Trying to save people in society, often from themselves or from the bad luck they have experienced in their lives, is important.

I assure Deputy Kenny that I am in contact with the Garda Síochána and that I, and some of my Cabinet colleagues, will shortly meet senior Garda in a high level meeting to discuss the issue of wanton vandalism on the streets of urban and rural Ireland and other related matters.

In terms of legislation and actions we are down to very hard places. I accept Deputy Kenny's point that we may need to examine them. We have used all the obvious mechanisms open to us; what remains is quite draconian but we may have to give some thought to it. The Minister for Justice, Equality and Law Reform in conjunction with the Garda Síochána is considering whether more stern action is required.

Deputy Eamon Gilmore: The Taoiseach is reported in today's newspapers as quite rightly describing the murders at the weekend of Paul Quinn and John Daly as horrendous and of describing the killers as vicious thugs who must be treated accordingly. He stated further that as a community we have to stop being tolerant of these people. The community is not tolerant of crimes such as murder, shootings and what we saw over the weekend. It does appear as though the Government, which the Taoiseach leads, may be tolerant of it. I do not blame the Government every time there is a murder or a shooting but I blame it for the failure to have the criminals apprehended and put away and, to break the cycle of crime.

Since Deputy Bertie Ahern became Taoiseach, there have been 141 gun murders in the State, but only 20 convictions, a ratio of 1:7. I know he cannot stop every murder, but it is not unreasonable to ask that the Government has in place a system of policing, investigation and prosecution under which there is a better than even chance that the killers will be apprehended, tried and convicted. A conviction rate of 1:7 is clearly a failure. It needs to be recorded also, although I do not blame the Taoiseach for this, that the pattern of violent crime has changed somewhat and those involved in crime are younger and more vicious. John Daly was only 18 years when he received a nine year sentence. Many killers and violent criminals are in their teens or at best early 20s.

The people who are in touch with a community, such as teachers, youth workers and neighbours of some of these people, would be able to give a short-list of those who are likely to be the criminals of tomorrow. Only the Garda Síochána are not on top of the situation, because in my opinion, unlike the teachers, youth workers and neighbours in the communities, the Garda are not in the community. We do not have a community policing system that people can be in touch with. In the ten years since he became Taoiseach, children of ten or younger are on a conveyor belt to criminal activity, growing up on crime. The people who deal with these children in schools or neighbourhoods know where their future is heading. What advice do you give to a primary school teacher who has a ten year old child in his or her class who is disruptive in the classroom, bullying in the school yard, and perhaps from a dysfunctional family and who believes the child is heading for trouble? Who does he or she ring, what supports are there to try to lead that child away from crime and prevent the probable string of victims who will be left in that child's wake?

In short how does the Taoiseach propose to break the cycle of crime so that we do not see a repeat year after year of what we are seeing week after week?

The Taoiseach: Deputy Gilmore raised a number of points. There is no doubt that early

intervention in the community with programmes such as the breakfast scheme, the preschools and the additional facilities in disadvantaged schools, such as lower pupil-teacher ratios and after school projects are preventive measures. Most of these schemes did not exist before I became Taoiseach. In Cherry Orchard, an area that had a high level of crime and other difficulties, we have provided a high level of facilities in the new model school to help child protection. We will continue to do that. It is essential that Fás or other schemes help to save young boys and girls from getting into crime.

There is one area in the State where we have 75 Garda working in a fairly small community, where a few years ago six or seven gardaí were trying to deal with the situation. That is the level of resources it takes. There are still dysfunctional families who will not co-operate. What the members of the Garda who are in the front line are saying is that the reason the Garda record is so good in the cases of non-gangland murders, where the detection rate is very good, is because of the information it gets from the community, as we have seen in Galway. In areas of gangland crime, the situation is different, and even those who are threatened will not speak. Nobody associated with those being killed will speak. The Garda, unlike the teacher, the doctor or the politician, needs evidence. The system of justice is evidence based. The Garda brief me about this or that gang, but if there is no evidence, the Garda cannot prosecute. The reason that people can walk around is that the law in a civilised society does not in some cases operate in a way that catches these people. This difficulty is not confined to Ireland but exists elsewhere. If one wants to go a different route, one must think very carefully about the downsides to it. The Garda Síochána cannot be in every driveway, every pub car-park and every highway watching the known criminals and their associates, however, it is putting significant resources into Operation Anvil and other such initiatives in trying to follow up cases and get information. That task is horrendously difficult in this city and in at least one other city. That does not mean anyone has given up. We have tough criminal justice legislation, but people have the right to silence, and will sometimes not co-operate even when it is in his or her own interest to save his or her life. That is creating pressure for the Garda Síochána. That is a fact. The Garda know this better than you or I.

Deputy Eamon Gilmore: I know the Garda have to collect the evidence and perhaps it would have a better change of getting evidence if members of the force were working more in the community than they appear to be. The availability of gardaí in some communities is very low. I suggest that a Garda presence in the community would increase the possibility of getting evidence. Second, the Taoiseach has been urged by the Court of Criminal Appeal to have a statutory

basis for a witness protection programme. The Labour Party has proposed this on a number of occasions, and I suggested it would make it easier for people to provide evidence to the Garda. Third, I suggest the National Drugs Strategy be implemented in full, as it appears to be on the backburner, and we know that crime is related to drug activity. It would be helpful also if the Taoiseach were to legislate to make membership of a criminal gang a criminal offence. I suggest there is a need to introduce reforms into the court system, so that the cases can be brought to trial more quickly than currently, because one of the difficulties that exposes witnesses to intimidation and to fear is the prolonged period between the committal of the crime, the arrest of the suspect and the case being brought to trial. The five suggestions I have put forward would help what the Taoiseach has rightly described as the difficulty the Garda has in assembling evidence to put these people away.

The Taoiseach: I accept those constructive suggestions and at least two or three of them are being examined, particularly in regard to the court system, the length of sentences and how the cases are dealt with. It is very difficult in gangland crime to get statements. We are all aware of the reasons for the difficulties, because we know the consequences. We can never give up on this issue, but there are dangers. There are other ways of dealing with these matters, but they are fairly tough. I do not disagree with any of the Deputy's suggestions.

In regard to the courts, it is not their speed of operation that matters; it is the type of court and how they operate. We have had experience of operating the kind of court where cases are not just based on witnesses coming forward. Cases in the Special Criminal Court were based on the word of members of the Garda who had information. We will re-examine this possibility if necessary but it is not entirely how we would like to operate. However, if gangs continue to act as they do, as legislators we will be forced to reconsider these issues, although this must be done carefully.

Death of Former Member: Expressions of Sympathy.

The Taoiseach: During the summer recess we heard of the death of our former colleague, John Wilson, former Tánaiste, distinguished Minister and Member of this House for 20 years. On this occasion, I wish to convey my sincere condolences and those of my Fianna Fáil colleagues to his wife, Ita, his son, John, his daughters, Claire, Siobhan, Lucy and Maria, his grandchildren and his brothers and sisters.

I also join with the people of Cavan and Ireland in remembering one of that county's and this country's most loyal servants and best loved and respected politicians. John Wilson, as many

in this House will know because they served with him, was one of the friendliest, most energetic and most formidable elected representatives that this House has ever seen. Along with being a superb politician, he was an accomplished sportsman and a dedicated scholar. Born in Cavan in 1923, he was educated at St. Mel's College, Longford, the University of London and the National University of Ireland. He graduated with an MA and a Higher Diploma in Education. He was a secondary school teacher at Gonzaga College and also a university lecturer. During his teaching career he was an active member of the ASTI and was a past president of the association.

John loved languages. He was fluent in Irish, Greek, Latin and Spanish. He was very pleased that he could speak Russian and he also dabbled in a number of other languages. He could be found around the House reading weeks old newspapers in various languages. As a young Member of this House I remember asking him why he read newspapers that were a few weeks or a month old. He said it was to keep up to date with the language rather than for the news worthiness of the articles.

As a younger man, John was famous for his exploits on the football field. He proudly wore the Cavan jersey many times. He won five Ulster Football Championship medals, a National League medal and two All-Ireland medals, including a medal at New York's Polo Grounds when Cavan defeated Kerry in 1947 in that famous final. In his passing the GAA community has also lost a legend of the game and showed him due respect.

In politics, where I worked with John, he will be remembered for his knowledge, insight and wisdom on a broad range of political issues of interest at local constituency level and at national level where he performed at the highest level. This Chamber and the corridors of the House will be a lesser place for the passing of John Wilson. Since he left the House he continued to serve on the Fianna Fáil National Executive and as vice president of our party. For many years his wit, courtesy and friendship was recognised by Members on all sides of the House.

From the time he entered this House in 1973 and for the next two decades the people of Cavan-Monaghan gave John a very strong mandate to represent their interests in this House. He took great pride in this mandate and always sought to ensure that the interests of Cavan were heard loudly in the corridors of power. As a Minister and as Tánaiste, John continued to work tirelessly for Cavan and for the country serving for periods in the Departments of Education, Transport, Posts and Telegraphs, Tourism and Transport, the Marine and Defence. He is still recognised as a Minister of great ability with a long list of achievements on behalf of the Irish people.

In later life, John's name became synonymous with the quest to end the heartbreak that the Troubles caused to so many communities. I had

[The Taoiseach.]

the opportunity for a number of years as Taoiseach to work with him in his role as an independent commissioner for the location of victims' remains. He sought to relieve the heartache of many families. He became particularly close to those families and put in huge effort to try to bring closure to many of the families involved. I appreciated his commitment to that cause. He was deeply committed to this effort and there are many families throughout the island who remain thankful for his unswerving dedication to that important task.

There is no doubt that John will be remembered for a long time as a sportsman, a scholar and a fine politician. He will be remembered fondly not only in this House, but in the minds of Irish people for many years to come. We thank his family and the Fianna Fáil Party for allowing John to work with us for so many decades in so many posts, before he was elected to this House in an organisational capacity and after he left this House in an organisational capacity. He was always immensely proud of Cavan and of Ireland. He held this House in high regard as the Chamber of the people. I assure the Wilson family that both his county and his country are proud of his extraordinary contribution. People showed that all over the country but particularly in his native Cavan during his funeral. Ar dheis Dé go raibh a anam dílis.

Deputy Enda Kenny: I would like to commiserate with the Taoiseach as the leader of Fianna Fáil and with the Fianna Fáil Party on the passing of Seán MacLiam. John Wilson was born on 8 July 1923 and he died on 9 July 2007. During the 84 years between those two dates he lived a full, honourable and deeply connected life to his family, his constituency, his party, his principles and, above all, to his country. On behalf of the Fine Gael Party, I am honoured to pay tribute to somebody for whom I had a very deep measure of respect and who was both a gifted and good man. He was, as everybody who knew him knows, a person of great wit and charm, a very formidable adversary in this House and a proud and passionate member of the Fianna Fáil Party. That party is a lesser party for his passing.

John Wilson was always an impressive man in so many ways. In politics, since he was first appointed by the late Jack Lynch to the Fianna Fáil Front Bench, he impressed in his constituency, he impressed here in the House and he impressed in the many roles he played in Irish politics and, through that, in Irish life. His professorial image in the House, with that great mane of silver hair, is something that will remain in people's minds for many years. Through the years of his public service he held portfolios that impacted significantly on the day to day life of this country — Tánaiste, Minister for Defence, Education, Transport, Communications, Posts and Telegraphs, Tourism and the Marine. I know he

was particularly proud, because I spoke to him about it, of his work for the families of the disappeared. I am quite sure those families were reassured and comforted in the knowledge that John Wilson's sincerity and conviction in attempting to determine their loved ones whereabouts was genuine.

In education, tá a fhios ag gach duine gur thug sé buntáiste faoi leith do ghaelscoileanna na hÉireann ó thaobh na Gaeilge de, mar thug sé buntáiste faoi leith do na muinteoirí as ucht an Ghaeilge a bheith mar theanga labhartha acu.

On the sports field, he was a talented and physically and mentally tough individual. That is evidenced by his experience of winning five Ulster Championships when football was much more physical than it is today. His obvious delight in beating Kerry in 1947, something my county has not repeated in a long time, is still recalled with great pride.

I had the privilege of knowing John Wilson for many years and of serving with him on various committees. His contributions to debates were always well informed, eloquent and given in his particular staccato style. No person in my 32 years in Dáil Éireann has ever whipped a pair of spectacles off his face as fast as John Wilson. No film star ever drew a six gun with the speed of retort of the Wilson glasses. Much of what is said in the House is Greek to many, but this was literally so in John Wilson's case. He was a distinguished linguist and livened up many dull days in the Dáil. His jousts in Latin and Greek with Deputy Dick Burke, who preferred to be called Richard, were eloquent in the extreme. Whether they were talking about a two-teacher primary school in a remote part of a constituency or a major school development, the Wilson-Burke debates were a joy to behold. One might not know Agamemnon from Achilles or whether he was praising one or burying one, but he had his own way of doing so.

When he passed on we lost an esteemed colleague and some of us lost a good friend. His wife, Ita, and his children lost not only a loving husband but an adored and adoring father. John, Claire, Siobhán, Lucy, Maria and all his grandchildren were truly blessed to have such a father and grandfather. His brothers and sisters will grieve his loss in their lives. In their presence today, I am proud to be involved in this tribute to the memory of a man who lit up their lives in so many ways.

John Wilson was a towering figure in Cavan politics for many years. He exuded energy and the power that comes from people of deep conviction in their beliefs. He departed this world 210 years, to the day, after Edmund Burke, whom he greatly admired and often quoted. Edmund Burke wrote:

It is by imitation far more than by precept that we learn everything. What we learn thus we acquire, not only more efficiently but more

pleasantly. This forms our manners, our opinions, our lives.

That was a lesson John Wilson knew, lived and taught by example. Go ndéana Dia grásta ar a anam dílis.

Deputy Eamon Gilmore: I join the Taoiseach and Deputy Kenny in expressing my sympathy and the sympathy of the Labour Party with the family of the late John Wilson. There are few people of whom it can be said more truly than of John Wilson that he led a full life. He was an outstanding sportsman, a great teacher, a scholar and an outstanding public servant. His commitment to public service and to the country continued well beyond his time in this House.

I knew John Wilson for some time before I became involved in party politics. I met him first in 1976 when I was president of the Union of Students in Ireland and he was Fianna Fáil spokesperson on education. He was always courteous and good humoured. I found him a great listener and, better than that, I found him to be very effective because many of the things I said to him appeared in the Fianna Fáil election manifesto in 1977. After the 1977 election I decided to put his effectiveness to the test. I wrote to him immediately after his election congratulating him on his appointment and we were one of the first groups he met. Over a period he delivered increases in student grants and degrees for graduates of regional technical colleges. A shortage of primary school teachers was solved by introducing one year courses in colleges of education for university graduates. Teachers who qualified under this system are still known as Wilson grads. An anomaly in the student grant scheme clearly caused him some political difficulty. We explained the problem and I could see that he reflected on it. He spoke in Latin and Greek and made a number of classical allusions, none of which I can remember. He told me he would not be put into the desert to suffer for the sins of his predecessor, and he went on to resolve the problem.

I had great personal affection for him. He is a loss to his family and to public life. He will be remembered fondly for his achievements in politics and sport and for his good humour and nature. Ar dheis Dé go raibh a anam.

Deputy John Gormley: Unlike previous speakers I did not know John Wilson. Nevertheless, on my behalf and on behalf of the Green Party I express sympathy to his family and to the Fianna Fáil Party. John Wilson was a man of many talents. He was a linguist, a classical scholar, an able politician, a tireless worker, an actor, a republican and a teacher. Of course, he will be remembered most in Cavan for the fact that he played in the memorable All-Ireland final in the Polo Grounds in New York. To be part of that event alone gives him legendary status in his own county. John Wilson had many strings to his bow. His academic

pursuits brought him to Maynooth and Galway before completing his studies in London. His teaching career brought him to several schools and universities throughout the country, including my constituency. His teaching career was the catalyst for his involvement in national politics through his presidency of the Association of Secondary Teachers in Ireland. He was a founder member and chairman of the national committee of the European Association of Teachers.

His involvement with Fianna Fáil was a successful one. He was successful electorally, regularly topping the poll in Cavan-Monaghan. While he went on to hold Government positions, he never lost sight of his duty to his constituents. This was despite the fact that he sat on his party's Front Bench for the duration of his time in the Dáil, a significant achievement. His wide-ranging ministerial appointments demonstrate his capacity. His contribution to his country through holding six ministerial portfolios and the position of Tánaiste cannot be underestimated.

He continued to make a significant contribution to Irish society upon leaving this House by becoming involved with the Irish delegation in talks with the British Government on the future of Northern Ireland in the early 1990s. The Taoiseach has referred to the fact that, as chairman of the Victims Commission, he liaised with members of the provisional IRA to assist in finding the bodies of the disappeared.

For all these reasons, it can be said he led a full life. If those of us present lead lives half as full we will have made a major contribution to society. My sympathies and those of the Green Party go to his wife, Ita, his daughters, Siobhán, Lucy, Claire and Maria, and his son, John. Ar dheis Dé go raibh a anam uasal.

Deputy Caoimhghín Ó Caoláin: I join the Taoiseach and other Dáil colleagues in expressing our sympathy to the wife and family of the late John Wilson. I also extend sympathy on behalf of the Sinn Féin Party in the House to the Taoiseach and the Fianna Fáil Party on the loss of their long-serving colleague.

John Wilson's record of service has been reflected by a number of speakers and I will not repeat the various posts he held. Unquestionably he performed with distinction in each of them, through the various portfolio responsibilities he held here, in his role as Tánaiste and subsequently with the Victims Commission and the Independent Commission for the Location of Victims' Remains. I had occasion to engage with him in his role as victims' commissioner in bringing people who had been displaced during the years of the conflict in the northern part of our country and I found John Wilson, on each of those occasions, very facilitative, open and courteous at all times, which showed throughout his political life. I contested five general elections with John, three of them as candidate, and on every occasion he

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[Deputy Caoimhghín Ó Caoláin.]

demonstrated himself as a man of great courteousness, never acrimonious and fair. That is the way I wish to pay my due respect to him.

He was an impressive figure in every regard. He had a great intellect and was a striking figure in every respect. He was a champion of his native county of Cavan in every endeavour he undertook. He served not only Cavan but the constituency of Cavan-Monaghan from 1977 up to his retirement in 1993. He is remembered fondly throughout County Cavan and he will deservedly rank in the thoughts and the generational memory of the people of County Cavan for many decades into the future. On behalf of my colleague representatives in Sinn Féin, I extend our sympathy once again to Mrs. Wilson, to his son and daughters, his nephew, Senator Diarmuid Wilson, who is present in the Chamber this afternoon, and to all his colleagues in the Fianna Fáil Party. Ar dheis Dé go raibh a anam dílis.

Minister for Health and Children (Deputy Mary Harney): I also express my sympathy to Ita and her five children on John's sad passing, to her son, John, and her daughters, Claire, Siobhán, Lucy and Maria, to his brothers, sisters and grandchildren and to his nephew, Senator Diarmuid Wilson. I first got to know John Wilson before I entered this House in 1974, when he was president of the Trinity College Fianna Fáil cumann. He took a keen interest in young people and in encouraging them into politics. He was almost a father figure to the students who belonged to that cumann and was the first person to bring some of us to visit Leinster House, some time in 1974 or 1975. He inspired many of us back then as a man of enormous intellect but he was also a very compassionate man. John Wilson was a republican and was very proud of his roots in Cavan but he was also a constitutional politician and was never ambivalent nor wavered in his view that constitutional politics were the only way forward on this island. He was, as others have said, a great scholar, a linguist and a man who had a particular interest in Greek and Latin. My predecessor as leader of my party, Mr. Michael McDowell, was one of his former students who used to speak fondly of all he learned from John Wilson. When I mentioned that fact to the Minister for Foreign Affairs, Deputy Dermot Ahern, he suggested that Mr. McDowell had maybe not learned quite enough.

Deputy Brian Hayes: The Minister will be a target now.

Deputy Mary Harney: He certainly was a great teacher, a great university lecturer and, as we know, a great sportsperson. The last time I saw him was in his role as head of the Independent Commission for the Location of Victims' Remains and he played a very important role in that regard. It was welcome that, in recent years,

he was able to play such a strong public service role because John Wilson, above all else, was a very committed public servant. May he rest in peace.

Minister of State at the Department of Health and Children (Deputy Brendan Smith): I welcome the opportunity to join in the tributes to the late John Wilson, who was a personal friend and colleague of mine for many years. I had the privilege and honour of working with John Wilson in each Department in which he served as Minister and, latterly, in his role as Tánaiste. That experience was hugely influential and beneficial in shaping my outlook on public service. John was elected initially as Deputy for Cavan and subsequently for the constituency of Cavan-Monaghan. His popularity at local level was evident with the huge endorsement he won from his electorate at successive elections. John served the people of Cavan-Monaghan extremely well and played a leading role in securing investment in many projects, investments that have brought many benefits to the people of the constituency. He served with distinction in seven Departments and had a great working relationship with all his constituency colleagues.

Before his election to Dáil Éireann John had a noted career as a teacher at second and third level and as a trade union leader. For many people throughout this country who love our Gaelic games, John Wilson was first widely known as a star of a golden age for football in County Cavan. He won a glittering array of medals at all levels, including two senior all-Ireland football titles, one national league, five Ulster championships and numerous county championship medals with his beloved Mullahoran, as well as Leinster colleges medals. His passionate support for all sports, particularly Gaelic games, continued throughout his life. He was not, to say the least, best pleased with the fortunes of our county teams in recent years. A noted linguist, he lost no opportunity to promote our language and, although steeped in his native language, games and culture, he was able to look beyond Ireland and absorb the traditions, literature and history of Europe.

At an advanced age, he accepted the request of Government to take on the onerous task of victims commissioner and member of the Independent Commission for the Location of Victims' Remains, and that appointment allowed him to bring all his political and life experience and compassion to deal with extremely sensitive and difficult issues. His report, *A Place and a Name*, brought home to all of us the need to deal comprehensively and with compassion with the concerns and needs of victims of the Troubles. The title of the report says much on its own — if a title ever conveyed a message that was it. The report was John Wilson's final contribution to public life and was an extremely important contribution for many people on both sides of the

Border, particularly throughout the province of Ulster.

To John's wife, Ita, who was so supportive of his work over the years, and their daughter Maria, who are both with us today, I again extend my sincere sympathy. I also extend my sympathy to other family members, Siobhán, Claire, Lucy and John, to John's sisters, May and Agnes, and his brothers, Aidan and Eugene, and to our Oireachtas colleague, his nephew, Senator Diarmuid Wilson. Ar dheis Dé go raibh a anam uasal.

Deputy Rory O'Hanlon: I join the Taoiseach and my colleagues in paying tribute to John Wilson. First, I extend my sympathy to Ita, John, Siobhán, Maria, Lucy and Claire. John was a big man, in stature and in heart, who had tremendous intellectual ability. He had a burning desire to work for the people of Ireland, never forgetting his roots in Cavan. I got to know John in the early 1970s when he was TD for Cavan and, in 1977, when Cavan-Monaghan became a constituency for the first time, we were both elected to the Dáil. John was a great constituency colleague and was always supportive of any initiative that would better the lot of the people in both Cavan and Monaghan. As a Cabinet colleague he was very loyal and used his talents to very good effect. When he left the House he became the commissioner for victims of the Troubles in Northern Ireland and his work was very much appreciated, particularly in the Border counties. He was a distinguished sportsman, a distinguished scholar and a great raconteur, and it was always great to be in John's company.

As Members will appreciate, I fought seven elections with John. At election time there was always fair competition for votes in Cavan-Monaghan and John allowed, on a number of occasions, that he had no difficulty consulting me as a doctor at any time but would certainly not do so during election time. I think he was afraid I might send him home to bed. Ar dheis Dé go raibh a anam dílis.

Deputy Margaret Conlon: I wish to be associated with the expressions of sympathy to Ita and the family of the late John Wilson. I consider it a privilege to have known John. I first met him in the late 1980s when I served on the national executive of the party. At that time I valued his excellent guidance and wisdom. As has been said today, he was a man of tremendous ability, both on and off the football field. He had many achievements in seven different Departments. He represented the Cavan-Monaghan constituency with great distinction. His foremost aim was to represent all his constituents in an effective manner. All sides of the House will agree he discharged this duty to a very high standard at all times. His constituents held him in high regard and this was evident at his funeral. His was an impressive style and he exuded charisma when he

entered a room or stood up to speak. One might expect to be entertained in several languages by one of the finest orators I have ever met.

To John's wife, Ita, to his children, John, Claire, Siobhán, Lucy and Maria, and his nephew, Senator Diarmuid Wilson, I offer my deepest sympathy on their great personal loss. As a new Deputy for Cavan-Monaghan, I can only aspire to his achievements. His will be a hard act to follow. Ar dheis Dé go raibh a anam dílis.

Deputy Seymour Crawford: I join my party leader and other Members in expressions of sympathy to the late, great John Wilson. John served in this House for 20 years. He was a decent, hard-working and honourable servant of the people. He was easily recognised in a crowd because of his distinctly long hairstyle. He was a giant in every way. He was well-liked by people from all sides of politics and sectors. As a Minister and as Tánaiste he played a major role at national and international level. Originally, he was best-known for his role on the football field, an area in which he had a proud record.

I was first honoured to get to know John Wilson when I was at a senior level in the IFA. I was at many meetings with him during that time. He had a great interest in the Irish position at that level and in the Northern Ireland process. In later years, he played a major role in the peace process to help to solve some difficult problems.

I extend my sympathy to his wife, Ita, his family, grandchildren, his nephew, Senator Diarmuid Wilson, his Fianna Fáil colleagues in Cavan-Monaghan, which he proudly represented, the Taoiseach and the Fianna Fáil Party.

I am sure when John Wilson is looking down on us today, he will be smiling at all the nice things being said about him. He certainly deserves them.

Members rose.

Requests to move Adjournment of Dáil under Standing Order 32.

An Ceann Comhairle: Before coming to the Order of Business, I propose to deal with a number of notices under Standing Order 32. I will call on Deputies in the order in which they submitted their notices to my office.

Deputy James Bannon: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance namely, the discrimination against working mothers, whose skills will be lost to the labour force indefinitely due to the proposed removal of subventions for children of lower and middle income parents in community-based child care facilities, which, from January 2008, will only be available to parents on social welfare, creating a direct threat to our economy.

Deputy Charles Flanagan: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the need for an urgent and comprehensive Government response to the ongoing murders in the State which this year so far number 58, 17 of which have been ruthless and callous gangland killings.

Deputy Martin Ferris: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the proposal to decommission the coastguard stations at Dublin, Malin Head and Valentia Island; the proposed decentralisation of coastguard stations to Drogheda on the east coast and an unspecified location on the west coast; the lack of consultation that has taken place with the trade union IMPACT on these proposals and the impact they will have with the loss of 17 jobs in Valentia and similar job losses in Malin Head and Dublin.

Deputy Simon Coveney: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the threat of strike action from the Technical Engineering and Electrical Union, the issuing of strike notice to the ESB and the potential threat to natural energy security should the Moneypoint power plant cease to generate power as a result of industrial action; the need to find an acceptable resolution to the dispute at the Labour Relations Commission to ensure fair treatment for workers and to avert the threat of strike action.

Deputy Kieran O'Donnell: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the conspiracy of silence by the Fianna Fáil Ministers for Transport, Deputies Noel Dempsey and Martin Cullen, the Department of Transport and the Marine and the Dublin Airport Authority on the withdrawal of the Shannon to Heathrow slots by Aer Lingus. In light of their incompetence, will the Government immediately move to reverse this illogical decision by Aer Lingus and grant full independent status to Shannon Airport Authority?

An Ceann Comhairle: Having considered the matters raised, they are not in order under Standing Order 32.

Deputy Seán Barrett: On a point of order, will the Ceann Comhairle give some guidance on Standing Order 32? It would help if we knew exactly what matters can be raised under Standing Order 32.

Deputy Pádraic McCormack: Yes, instead of wasting time.

Deputy Seán Barrett: It is incredible that we are facing a possible ESB strike and gangland killings and yet we do not have an opportunity

under this Standing Order to have an urgent debate on such matters. It would be in the interest of every Member if the Ceann Comhairle was kind enough to give some guidelines as to what can be allowed under the Standing Order.

Deputy Emmet Stagg: Nothing can be raised under the Standing Order.

Deputy Michael Ring: It can be discussed on the Joe Duffy show and "Morning Ireland" but not in the House.

An Ceann Comhairle: There is no difficulty in forwarding a copy of Standing Orders to the Deputy. The Deputy will be well aware that I am here to implement Standing Orders——

Deputy Seán Barrett: It is the interpretation of the Standing Order that I am asking about.

An Ceann Comhairle: ——not to frame them.

Deputy Dermot Ahern: The Deputy can go up and see the Ceann Comhairle.

Order of Business.

The Taoiseach: It is proposed to take No. 7, motion re Establishment of Committees of 30th Dáil; No. 8, motion re Pre-budget Estimates for Public Services 2008; and No. a3, Criminal Procedure (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 on the conclusion of No. a3; No. 7, motion re Establishment of Committees of 30th Dáil, Nos. 1 to 16, shall be moved together and decided without debate by one question, which shall be put from the Chair; the proceedings on No. 8 shall, if not previously concluded, adjourn at 7 p.m. tonight and shall be brought to a conclusion at 7 p.m. tomorrow night and the following arrangements shall apply: the speech of a Minister or Minister of State and of the main spokespersons for the Fine Gael Party and the Labour Party, who shall be called upon in that order, shall not exceed 20 minutes in each case; the speech of each other Member called upon shall not exceed ten minutes in each case; Members may share time; a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed ten minutes; the Second and Subsequent Stages of No. a3 shall be taken tonight and the following arrangements shall apply: the proceedings on the Second Stage shall, if not previously concluded, be brought to a conclusion at 10.15 p.m.; the opening speeches of a Minister or Minister of State and of the main spokespersons for the Fine Gael Party and the Labour Party, who shall be called upon in that order, shall not exceed 20 minutes in each case, the speech of each other Member called upon

shall not exceed ten minutes in each case, Members may share time, and a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed ten minutes; the proceedings on Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at 10.30 p.m. tonight by one question, which shall be put from the Chair, and which shall, regarding amendments, include only those set down or accepted by the Minister for Justice, Equality and Law Reform; Parliamentary Questions next for answer by the Taoiseach on EU matters shall be taken on the same day as the statements on the EU Council meeting, Lisbon, scheduled to be taken on Wednesday, 24 October, 2007, and shall be moved to be taken first as ordinary Oral Questions to the Taoiseach on that day. Private Members' business shall be No. 22, motion re agrifood industry.

An Ceann Comhairle: There are five proposals to be put to the House. Is the proposal that the Dáil should sit later than 8.30 p.m. agreed to? Agreed.

Is the proposal for dealing with No. 7, motion re establishment of committees of 30th Dáil, agreed to?

Deputy Enda Kenny: We do not agree to this. I listened to the Government Whip this morning saying that everything had been agreed here and that all was hunky-dory. We on this side of the House wrote about the proportions under the d'Hondt mechanism but have arrived at this situation, in any event. It seems to me as if acceptance of the committees is tantamount to accepting the terms of reference set out here. The terms of reference do not make sufficiently clear that any Member of the House is entitled to attend at committee proceedings. I have had complaints from a number of Deputies of various parties that, when attending committee meetings in the 29th Dáil, there was considerable difficulty in being called by the respective chairmen to ask questions or make contributions if they were not named members. While it is not within the House's remit to accommodate everybody on every committee, we should obviously be flexible in assuring that Members elected to the House, wherever they come from, are entitled to attend, participate and be seen to participate in committee proceedings. I believe the Taoiseach will accept that, too.

The Taoiseach: I accept that.

Deputy Emmet Stagg: I accept the point on terms of reference. The usual difficulty with committees, however, is that their members do not attend very well — never mind Members who are not members of the respective committees. I therefore do not foresee that as a difficulty. Essentially, we are dealing today with the prin-

ciple of establishing the committees and agreeing their terms of reference. The next stage in that regard is important and I just want to put down a marker. This House decides on the make-up and membership of the committees, not any particular party. That should be noted and made clear.

Deputy Caoimhghín Ó Caoláin: This is a very vexed issue for me. With respect to the Chief Whip and the Taoiseach I ask them to pay heed to the points I am making. I have endeavoured over a protracted period to ensure access for me and my colleagues in the Sinn Féin Party to committees to be established by this motion. As we speak there is no such facilitation. The confusion, with respect to the Chief Whip, is fuelled by the information he has provided over a period at respective Whips' meetings. A formula involving the division of 11 Members from the floor of this Chamber onto each of the committees, comprising six for the Government parties and five for the Opposition — broken up into four Fine Gael Members and one Labour — excludes the other voices in this House. Yet the Chief Whip advises in the most recent missive to the Whips' meetings and in engagement I have had with him, directly, that Sinn Féin, with four Members, is entitled to at least three seats; the other Independent Deputy not aligned to the Government arrangement is also entitled to representation.

Whatever the issue about four or three as regards the Sinn Féin membership, I have been meeting with the other parties in Opposition, primarily Fine Gael, over the recent past, as it has the understanding, at least, that it has the lion's share of Opposition opportunities. The Labour Party has just one member on each of the committees and is hardly going to vacate access in order to accommodate another party representative.

Deputy Eamon Gilmore: We have not agreed that.

Deputy Caoimhghín Ó Caoláin: Coming into the Chamber today I was offered access to one committee and none of my party colleagues is being accommodated at all. This is a travesty of the democratic process. It is fuelled by the confusing information that is issued from the Chief Whip's office and by him, directly, to each of the other party representatives — and we are represented at Whips' meetings. This cannot proceed in this form.

As my party's sole Deputy ten years ago, I had access to serve on a committee. Over the duration of the last Dáil we each had this opportunity, and our record of attendance and participation is absolutely second to none. We are here to play our part in the democratic process in the Houses of the Oireachtas. I appeal to the Taoiseach and the Chief Whip at this point and to each of the other Opposition party leaders to recognise there is a responsibility on everyone to ensure fairness

[Deputy Caoimhghín Ó Caoláin.]

and respect for the mandate that has sent us to Leinster House so that we are accommodated in access to the committees and preferably to those of choice, as indicated by us to both Government and Opposition. We have not been accommodated and I cannot agree to support the motion on the Order Paper now before the House.

I ask the Taoiseach to respond to the points I have made. It strikes me as ridiculous that a Member of this House and a party leader has to stand up and make an appeal for fair access to the committee system, one which we are trying to promote as an effective and efficient tool of engagement within the Houses of the Oireachtas. It can be no such thing if it is to go forward on the basis of what is being proposed and suggested to me by the various voices, both from Government and Opposition, to whom I have repeatedly spoken over several weeks. Every effort has been made on our part to ensure agreement through engagement. Once again it appears that the numerically smaller voices just do not count where the bigger players are concerned. That is not the case. We have an entitlement, as of right, and I want this affirmed this afternoon before we proceed. If access for my party colleagues and I cannot be assured we certainly will oppose this motion and will use every opportunity to continue to highlight this absolutely undemocratic and unjust approach on the part of the major parties in the House. I say shame on each and every one of them that we are in this position today as regards this motion. I should have much preferred to have been able to say there was no problem and we looked forward to participating, as we have demonstrated year on year over the past decade.

The Taoiseach: I have a short reply. For our part the Government Chief Whip will do his best to accommodate the Sinn Féin representatives. Generally, the Whips must try to do that. I cannot give assurances as it is a matter for the Whips. Certainly, they will endeavour to try to address the matter.

An Ceann Comhairle: Is the proposal agreed?

Deputy Caoimhghín Ó Caoláin: No, it is not agreed. I just want to respond to that——

An Ceann Comhairle: In accordance with Standing Orders, the Deputy had his intervention and the Taoiseach responded. I must now put the question.

Deputy Caoimhghín Ó Caoláin: I have to say “endeavour to try” is not good enough.

Question put: “That the proposal for dealing with No. 7 be agreed to.”

Deputies: Vótáil.

An Ceann Comhairle: Will the Deputies claiming a division please rise?

Deputies Caoimhghín Ó Caoláin, Aengus Ó Snodaigh, Arthur Morgan, Martin Ferris and Tony Gregory rose.

An Ceann Comhairle: As fewer than ten Members have risen, I declare the question carried. In accordance with Standing Order 70, the names of the Deputies dissenting will be recorded in the Journal of the Proceedings of the Dáil.

Deputy Caoimhghín Ó Caoláin: I hope the Taoiseach will take on board——

An Ceann Comhairle: The Deputy cannot discuss it further.

Question declared carried.

An Ceann Comhairle: Is the proposal for dealing with No. 8, motion re Pre-Budget Estimates for Public Services 2008, agreed? Agreed. Is the proposal for dealing with No. a3, Second and Subsequent Stages of the Criminal Procedure (Amendment) Bill 2007, agreed? Agreed.

Deputy Aengus Ó Snodaigh: On a3——

An Ceann Comhairle: We have finished with that.

Deputy Aengus Ó Snodaigh: I stood up and the Chair ignored me.

An Ceann Comhairle: No, the Deputy did not. Is the proposal regarding the parliamentary questions next for answer by the Taoiseach on EU matters agreed? Agreed. I call Deputy Kenny on the Order of Business.

Deputy Enda Kenny: The electricity (transfer of transmission assets) Bill is not due until 2008.

(Interruptions).

An Ceann Comhairle: Deputy Kenny without interruption, please.

Deputy Enda Kenny: I will shut up for a while.

An Ceann Comhairle: Deputy Kenny without interruption. We need to have order in the House while Deputy Kenny is asking questions on the Order of Business.

Deputy Enda Kenny: I was going to thank you for the picture you sent around to everybody today, a Cheann Comhairle. That is an innovation. I do not know if you circulated the scrolls and pictures of people because you have left the rank of ordinary Deputy to become the Ceann Comhairle.

An Ceann Comhairle: It was simply unanimity.

Deputy Enda Kenny: Would the Taoiseach like to comment on the difficulties being encountered in respect of Moneypoint? I refer to the possibility that the biggest electricity generating plant in the country could be shut down. He might comment on that in the context of the electricity (transfer of transmission assets) Bill, which is not due until 2008. Does the Taoiseach have a sharper fix on that?

The Taoiseach: That legislation is due next year.

Deputy Eamon Gilmore: What are the Government's plans for the introduction of legislation to give effect to the boundary changes outlined in the Constituency Commission's report, which we received today?

The Taoiseach: As I have not seen the booklet, I do not know what is in it. I have not thought about the legislation either.

Deputy Tom Kitt: An electoral (amendment) Bill will be introduced next year.

The Taoiseach: The Chief Whip tells me it will be next year.

Deputy Caoimhghín Ó Caoláin: Section C of the Government's list of promised legislation, to be introduced by the Department of Health and Children, mentions eight Bills, the heads of which have not yet been approved by the Government. It has been indicated that the publication of each of the Bills is expected some time in 2008. Can the Taoiseach give a more accurate forecast of when the Bills will be processed? When does he expect the heads of the Bills to be agreed? Will he urge the Department to have the heads of the Bill advised to each of the Opposition parties in this Chamber? On the nurses and midwives Bill, a hugely important Bill which affects the vast majority of people not least those who work in the front line of provision of these services, when does the Taoiseach expect the heads of that Bill to come before the House?

The Taoiseach: The draft general scheme of the nurses and midwives Bill, which will modernise the regulatory framework in that sector and update and amend the Nurses Act 1985, is at an advanced stage. The legislation is due in 2008.

Deputy Alan Shatter: Is it intended to produce legislation arising from last week's High Court decision to allow people to effect a change of gender, with regard to their birth certificates, as a result of medical intervention?

The Taoiseach: No legislation is promised. The judgment will be examined by the Department, as always.

Deputy Alan Shatter: Under the 2003 legislation, when the courts hold that our law is contrary to the European Convention on Human Rights, the Government has a limited timeframe in which to indicate whether legislative changes will be made. Will the Government give such an indication within the timeframe specified in the 2003 legislation?

The Taoiseach: I cannot answer the Deputy's question until the examination has been finished.

Deputy Alan Shatter: The Government should complete the examination pretty quickly.

Deputy James Bannon: When can Deputies expect publication of the noise Bill, which is urgently needed if we are to address noise pollution in our neighbourhoods? The nuisance caused by industrial and domestic noise pollution is a major environmental issue. Can the Taoiseach indicate when the Bill will be introduced in the House? I would like the legislation to provide for the establishment of noise control officer in each local authority area—

An Ceann Comhairle: The Deputy cannot address the content of the legislation.

Deputy James Bannon: —who will impose fines when people break the law.

The Taoiseach: It is due next year.

Deputy Joanna Tuffy: When does the Government intend to take steps to ratify the Aarhus Convention and to introduce related legislation to ensure that the public has information, can participate in decision-making and can access justice in environmental matters?

The Taoiseach: I will have to check that for the Deputy. I will let her know.

Parliamentary Committees: Motion.

Minister of State at the Department of the Taoiseach (Deputy Tom Kitt): Before I move this motion, I would like to point out in relation to No. 13 within this motion, that wherever "Transport and the Marine" occurs, it should read "Transport".

I move:

(1)(a) That a Select Committee, which shall be called the Select Committee on Agriculture, Fisheries and Food consisting of 11 members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider—

[Deputy Tom Kitt.]

(i) such Bills the statute law in respect of which is dealt with by the Department of Agriculture, Fisheries and Food;

(ii) such Estimates for Public Services within the aegis of the Department of Agriculture, Fisheries and Food;

(iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159, concerning the approval by Dáil Éireann of the terms of international agreements involving a charge on public funds; and

(iv) such other matters;

as shall be referred to it by Dáil Éireann from time to time;

(v) Annual Output Statements produced by the Department of Agriculture, Fisheries and Food; and

(vi) such Value for Money and Policy Reviews conducted and commissioned by the Department of Agriculture, Fisheries and Food as it may select.

(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (iii), (iv), (v) and (vi), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Minister for Agriculture, Fisheries and Food (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on Agriculture, Fisheries and Food to consider—

(i) such public affairs administered by the Department of Agriculture, Fisheries and Food as it may select, including, in respect of Government policy, bodies under the aegis of that Department;

(ii) such matters of policy, including EU related matters, Agriculture, Fisheries and Food is officially responsible as it may select;

(iii) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;

(iv) such Statutory Instruments made by the Minister for Agriculture, Fisheries and Food and laid before both Houses of the Oireachtas as it may select;

(v) such proposals for EU legislation and related policy issues as may be referred to it

from time to time, in accordance with Standing Order 83(4);

(vi) the strategy statement laid before each House of the Oireachtas by the Minister for Agriculture, Fisheries and Food pursuant to section 5(2) of the Public Service Management Act 1997, and for which the Joint Committee is authorised for the purposes of section 10 of that Act;

(vii) such annual reports or annual reports and accounts, required by law and laid before either or both Houses of the Oireachtas, of bodies specified in paragraphs 2(i) and (iii), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Minister for Agriculture, Fisheries and Food; and

(viii) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas,

and shall report thereon to both Houses of the Oireachtas.

(3) The Joint Committee shall have the power to require that the Minister for Agriculture, Fisheries and Food (or a Minister or Minister of State nominated in his or her stead) shall attend before the Joint Committee and provide, in private session if so desired by the Minister or Minister of State, oral briefings in advance of EU Council meetings to enable the Joint Committee to make known its views.

(4) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(5) The Joint Committee shall have the powers defined in Standing Order 83(1) to (9) inclusive.

(6) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the Select Committee."

—Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.

(1)(a) That a Select Committee, which shall be called the Select Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs consisting of 11 members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider—

(i) such Bills the statute law in respect of which is dealt with by the Department of Arts, Sport and Tourism and the Department of Community, Rural and Gaeltacht Affairs;

(ii) such Estimates for Public Services within the aegis of the Department of Arts, Sport and Tourism and the Department of Community, Rural and Gaeltacht Affairs;

(iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159, concerning approval by Dáil Éireann of the terms of international agreements involving a charge on public funds; and

as shall be referred to it by Dáil Éireann from time to time;

(v) Annual Output Statements produced by the Department of Arts, Sport and Tourism and the Department of Community, Rural and Gaeltacht Affairs; and

(vi) such Value for Money and Policy Reviews conducted and commissioned by the Department of Arts, Sport and Tourism and the Department of Community, Rural and Gaeltacht Affairs as it may select.

(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (iii), (iv), (v) and (vi), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Minister for Arts, Sport and Tourism and the Minister for Community, Rural and Gaeltacht Affairs (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs to consider—

(i) such public affairs administered by the Department of Arts, Sport and Tourism and the Department of Community, Rural and Gaeltacht Affairs as it may select, including, in respect of Government policy, bodies under the aegis of those Departments;

(ii) such matters of policy, including EU related matters, for which the Minister for Arts, Sport and Tourism and the Minister for Community, Rural and Gaeltacht Affairs are officially responsible as it may select;

(iii) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;

(iv) such Statutory Instruments made by the Minister for Arts, Sport and Tourism and the Minister for Community, Rural and Gaeltacht Affairs and laid before both Houses of the Oireachtas as it may select;

(v) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 83(4);

(vi) the strategy statement laid before each House of the Oireachtas by the Minister for Arts, Sport and Tourism and the Minister for Community, Rural and Gaeltacht Affairs pursuant to section 5(2) of the Public Service Management Act 1997, and for which the Joint Committee is authorised for the purposes of section 10 of that Act;

(vii) such annual reports or annual reports and accounts, required by law and laid before either or both Houses of the Oireachtas, of bodies specified in paragraphs 2(i) and (iii), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Minister for Arts, Sport and Tourism or the Minister for Community, Rural and Gaeltacht Affairs; and

(viii) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas,

and shall report thereon to both Houses of the Oireachtas.

(3) The Joint Committee shall have the power to require that the Minister for Arts, Sport and Tourism or the Minister for Com-

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munity, Rural and Gaeltacht Affairs (or a Minister or Minister of State nominated in his or her stead) shall attend before the Joint Committee and provide, in private session if so desired by the Minister or Minister of State, oral briefings in advance of EU Council meetings to enable the Joint Committee to make known its views.

(4) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(5) The Joint Committee shall have the powers defined in Standing Order 83(1) to (9) inclusive.

(6) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the Select Committee.”

—*Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.*

(1)(a) That a Select Committee, which shall be called the Select Committee on Communications, Energy and Natural Resources consisting of 11 members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider—

(i) such Bills the statute law in respect of which is dealt with by the Department of Communications, Energy and Natural Resources;

(ii) such Estimates for Public Services within the aegis of the Department of Communications, Energy and Natural Resources;

(iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159, concerning the approval by Dáil Éireann of the terms of international agreements involving a charge on public funds; and

(iv) such other matters;

as shall be referred to it by Dáil Éireann from time to time;

(v) Annual Output Statements produced by the Department of Communications, Energy and Natural Resources; and

(vi) such Value for Money and Policy Reviews conducted and commissioned by the Department of Communications, Energy and Natural Resources as it may select.

(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (iii), (iv), (v) and (vi), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select

Committee in accordance with Standing Order 92(1), the Minister for Communications, Energy and Natural Resources (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on Communications, Energy and Natural Resources to consider—

(i) such public affairs administered by the Department of Communications, Energy and Natural Resources as it may select, including, in respect of Government policy, bodies under the aegis of that Department;

(ii) such matters of policy, including EU related matters, for which the Minister for Communications, Energy and Natural Resources is officially responsible as it may select;

(iii) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;

(iv) such Statutory Instruments made by the Minister for Communications, Energy and Natural Resources and laid before both Houses of the Oireachtas as it may select;

(v) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 83(4);

(vi) the strategy statement laid before each House of the Oireachtas by the Minister for Communications, Energy and Natural Resources pursuant to section 5(2) of the Public Service Management Act 1997, and for which the Joint Committee is authorised for the purposes of section 10 of that Act;

(vii) such annual reports or annual reports and accounts, required by law and laid before either or both Houses of the Oireachtas, of bodies specified in paragraphs 2(i) and (iii), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential infor-

mation regarding, any such matter if so requested either by the body concerned or by the Minister for Communications, Energy and Natural Resources; and

(viii) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas,

and shall report thereon to both Houses of the Oireachtas.

(3) The Joint Committee shall have the power to require that the Minister for Communications, Energy and Natural Resources (or a Minister or Minister of State nominated in his or her stead) shall attend before the Joint Committee and provide, in private session if so desired by the Minister or Minister of State, oral briefings in advance of EU Council meetings to enable the Joint Committee to make known its views.

(4) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(5) The Joint Committee shall have the powers defined in Standing Order 83(1) to (9) inclusive.

(6) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the Select Committee."

—*Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.*

(1)(a) That a Select Committee, which shall be called the Select Committee on Education and Science consisting of 11 members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider—

(i) such Bills the statute law in respect of which is dealt with by the Department of Education and Science;

(ii) such Estimates for Public Services within the aegis of the Department of Education and Science;

(iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159, concerning the approval by Dáil Éireann of the terms of international agreements involving a charge on public funds; and

(iv) such other matters;

as shall be referred to it by Dáil Éireann from time to time;

(v) Annual Output Statements produced by the Department of Education and Science; and

(vi) such Value for Money and Policy Reviews conducted and commissioned by the

Department of Education and Science as it may select.

(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (iii), (iv), (v) and (vi), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Minister for Education and Science (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on Education and Science to consider—

(i) such public affairs administered by the Department of Education and Science as it may select, including, in respect of Government policy, bodies under the aegis of that Department;

(ii) such matters of policy, including EU related matters, for which the Minister for Education and Science is officially responsible as it may select;

(iii) such matters across Departments which come within the remit of the Minister of State with special responsibility for Life-long Learning, Youth Work and School Transport as it may select;

Provided that members of the Joint Committee on Enterprise, Trade and Employment shall be afforded the opportunity to participate in the consideration of matters within this remit;

(iv) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;

(v) such Statutory Instruments made by the Minister for Education and Science and laid before both Houses of the Oireachtas as it may select;

(vi) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 83(4);

(vii) the strategy statement laid before each House of the Oireachtas by the Minister for Education and Science pursuant to section 5(2) of the Public Service Management Act 1997, and for which the Joint Committee is authorised for the purposes of section 10 of that Act;

(viii) such annual reports or annual reports and accounts, required by law and laid

[Deputy Tom Kitt.]

before either or both Houses of the Oireachtas, of bodies specified in paragraphs 2(i) and (iv), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Minister for Education and Science; and

(ix) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas, and shall report thereon to both Houses of the Oireachtas.

(3) The Joint Committee shall have the power to require that the Minister for Education and Science (or a Minister or Minister of State nominated in his or her stead) shall attend before the Joint Committee and provide, in private session if so desired by the Minister or Minister of State, oral briefings in advance of EU Council meetings to enable the Joint Committee to make known its views.

(4) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(5) The Joint Committee shall have the powers defined in Standing Order 83(1) to (9) inclusive.

(6) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the Select Committee."

—Tomás Ó Ceit, *Aire Stáit ag Roinn an Taoisigh.*

(1)(a) That a Select Committee, which shall be called the Select Committee on Enterprise, Trade and Employment consisting of 11 members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider—

(i) such Bills the Statute law in respect of which is dealt with by the Department of Enterprise, Trade and Employment;

(ii) such Estimates for Public Services within the aegis of the Department of Enterprise, Trade and Employment;

(iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159, concerning the approval by Dáil Éireann of the terms of international agreements involving a charge on public funds; and

(iv) such other matters;

as shall be referred to it by Dáil Éireann from time to time;

(v) Annual Output Statements produced by the Department of Enterprise, Trade and Employment; and

(vi) such Value for Money and Policy Reviews conducted and commissioned by the Department of Enterprise, Trade and Employment as it may select.

(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (iii), (iv), (v) and (vi), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Minister for Enterprise, Trade and Employment (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on Enterprise, Trade and Employment to consider—

(i) such public affairs administered by the Department of Enterprise, Trade and Employment as it may select, including, in respect of Government policy, bodies under the aegis of that Department;

(ii) such matters of policy, including EU related matters, for which the Minister for Enterprise, Trade and Employment is officially responsible as it may select;

(iii) such matters across Departments which come within the remit of the Minister of State with special responsibility for Innovation Policy as it may select;

Provided that members of the Joint Committee on Education and Science shall be afforded the opportunity to participate in the consideration of matters within this remit;

(iv) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;

(v) such Statutory Instruments made by the Minister for Enterprise, Trade and

Employment and laid before both Houses of the Oireachtas as it may select;

(vi) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 83(4);

(vii) the strategy statement laid before each House of the Oireachtas by the Minister for Enterprise, Trade and Employment pursuant to section 5(2) of the Public Service Management Act 1997, and for which the Joint Committee is authorised for the purposes of section 10 of that Act;

(viii) such annual reports or annual reports and accounts, required by law and laid before either or both Houses of the Oireachtas, of bodies specified in paragraphs 2(i) and (iv), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Minister for Enterprise, Trade and Employment; and

(ix) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas,

and shall report thereon to both Houses of the Oireachtas.

(3) The Joint Committee shall have the power to require that the Minister for Enterprise, Trade and Employment (or a Minister or Minister of State nominated in his or her stead) shall attend before the Joint Committee and provide, in private session if so desired by the Minister or Minister of State, oral briefings in advance of EU Council meetings to enable the Joint Committee to make known its views.

(4) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(5) The Joint Committee shall have the powers defined in Standing Order 83(1) to (9) inclusive.

(6) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the Select Committee."

—*Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.*

(1)(a) That a Select Committee, which shall be called the Select Committee on the Environment, Heritage and Local Government consisting of 11 members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider—

(i) such Bills the statute law in respect of which is dealt with by the Department of the Environment, Heritage and Local Government;

(ii) such Estimates for Public Services within the aegis of the Department of the Environment, Heritage and Local Government;

(iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159, concerning the approval by Dáil Éireann of the terms of international agreements involving a charge on public funds; and

(iv) such other matters;

as shall be referred to it by Dáil Éireann from time to time;

(v) Annual Output Statements produced by the Department of the Environment, Heritage and Local Government; and

(vi) such Value for Money and Policy Reviews conducted and commissioned by the Department of the Environment, Heritage and Local Government as it may select.

(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (iii), (iv), (v) and (vi), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Minister for the Environment, Heritage and Local Government (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on the Environment, Heritage and Local Government to consider—

(i) such public affairs administered by the Department of the Environment, Heritage and Local Government as it may select, including, in respect of Government policy, bodies under the aegis of that Department;

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(ii) such matters of policy, including EU related matters, for which the Minister for the Environment, Heritage and Local Government is officially responsible as it may select;

(iii) such matters across Departments which come within the remit of the Minister of State with special responsibility for the Environment and Energy as it may select;

Provided that members of the Joint Committee on Communications, Energy and Natural Resources shall be afforded the opportunity to participate in the consideration of matters within this remit;

(iv) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;

(v) such Statutory Instruments made by the Minister for the Environment, Heritage and Local Government and laid before both Houses of the Oireachtas as it may select;

(vi) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 83(4);

(vii) the strategy statement laid before each House of the Oireachtas by the Minister for the Environment, Heritage and Local Government pursuant to section 5(2) of the Public Service Management Act 1997, and for which the Joint Committee is authorised for the purposes of section 10 of that Act;

(viii) such annual reports or annual reports and accounts, required by law and laid before either or both Houses of the Oireachtas, of bodies specified in paragraphs 2(i) and (iv), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Minister for the Environment, Heritage and Local Government; and

(ix) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas,

and shall report thereon to both Houses of the Oireachtas.

(3) The Joint Committee shall have the power to require that the Minister for the Environment, Heritage and Local Government (or a Minister or Minister of State nominated in his or her stead) shall attend before the Joint Committee and provide, in private session if so desired by the Minister or Minister of State, oral briefings in advance of EU Council meetings to enable the Joint Committee to make known its views.

(4) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(5) The Joint Committee shall have the powers defined in Standing Order 83(1) to (9) inclusive.

(6) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the Select Committee."

—Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.

(1)(a) That a Select Committee, which shall be called the Select Committee on European Affairs, consisting of 11 Members of Dáil Éireann (of whom four shall constitute a quorum), be appointed to consider—

(i) such Bills the statute law in respect of which is dealt with by the Department of Foreign Affairs;

(ii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159 concerning the approval by the Dáil of international agreements involving a charge on public funds; and

(iii) such other matters;

as shall be referred to it by Dáil Éireann from time to time.

(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (ii) and (iii), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Minister for Foreign Affairs (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2)(a) The Select Committee shall be joined with a Select Committee to be appointed by

Seanad Éireann to form the Joint Committee on European Affairs to—

(i) consider such matters arising from Ireland's membership of the European Communities and its adherence to the Treaty on European Union, as it may select;

(ii) consider such—

(I) programmes and guidelines prepared by the Commission of the European Communities as a basis for possible legislative action,

(II) non legislative documents published by any Union institution in relation to EU policy matters,

(III) acts of the institutions of the European Communities,

(IV) regulations under the European Communities Acts 1972 to 2007,

(V) other instruments made under statute and necessitated by the obligations of membership of the European Communities, and

(VI) any other document relating to European Union matters deposited in both Houses of the Oireachtas by a Member of the Government or Minister of State,

as it may select;

(iii) consider such other matters as may be referred to it from time to time by both Houses of the Oireachtas; and

(iv) represent both Houses of the Oireachtas at the Conference of Community and European Affairs Committees of Parliaments of the European Union (COSAC) jointly with the Joint Committee on European Scrutiny;

and shall report thereon to both Houses of the Oireachtas in consultation with the Joint Committee on European Scrutiny.

(b) The Joint Committee shall have:

(i) the powers defined in Standing Order 83(1) to (9) inclusive;

(ii) the power to refer a proposal for EU legislation which has been considered by it (and which has been concluded to be of sufficient importance to require additional scrutiny) to a Joint Committee on which has been conferred the power defined in Standing Order 83(4) to consider such proposals;

(iii) the power to request the attendance of Members of the Government (or Ministers of State nominated in their stead) (or, in the case of the European Council, the Taoiseach or Minister for Foreign Affairs) before the Joint Committee and provide, in private session if so desired by the Member

of the Government or Minister of State, oral briefings in advance of Council meetings to enable the Joint Committee to make known its views; and

(iv) the power to make recommendations to the Minister for Foreign Affairs (or Minister of State) on European Union matters.

(c) The following persons may attend meetings of the Joint Committee and may take part in proceedings without having a right to vote or to move motions and amendments —

(i) Members of the European Parliament elected from constituencies in Ireland (including Northern Ireland);

(ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe; and

(iii) at the invitation of the Joint Committee, other Members of the European Parliament.

(d) The quorum of the Joint Committee shall be five, of whom at least one shall be a Member of Dáil Éireann and one a Member of Seanad Éireann.

(3) The Chairman of the Joint Committee, who shall be a Member of Dáil Éireann, shall also be Chairman of the Select Committee."

—*Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.*

(1)(a) That a Select Committee, which shall be called the Select Committee on Finance and the Public Service consisting of 11 members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider—

(i) such Bills the statute law in respect of which is dealt with by the Department of the Taoiseach and the Department of Finance;

(ii) such Estimates for Public Services within the aegis of the Department of the Taoiseach and the Department of Finance;

(iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159, concerning the approval by Dáil Éireann of the terms of international agreements involving a charge on public funds; and

(iv) such other matters;

as shall be referred to it by Dáil Éireann from time to time;

(v) Annual Output Statements produced by the Department of the Taoiseach and the Department of Finance; and

(vi) such Value for Money and Policy Reviews conducted and commissioned by the Department of the Taoiseach and the Department of Finance as it may select.

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(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (iii), (iv), (v) and (vi), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Taoiseach and the Minister for Finance (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on Finance and the Public Service to consider—

(i) such public affairs administered by the Department of the Taoiseach and the Department of Finance as it may select, including, in respect of Government policy, bodies under the aegis of those Departments;

(ii) such matters of policy for which the Taoiseach is officially responsible as it may select;

(iii) such matters of policy, including EU related matters, for which the Minister for Finance is officially responsible as it may select;

(iv) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;

(v) such Statutory Instruments made by the Taoiseach and the Minister for Finance and laid before both Houses of the Oireachtas as it may select;

(vi) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 83(4);

(vii) the strategy statement laid before each House of the Oireachtas by the Taoiseach and the Minister for Finance pursuant to section 5(2) of the Public Service Management Act 1997, and for which the Joint Committee is authorised for the purposes of section 10 of that Act;

(viii) such annual reports or annual reports and accounts, required by law and laid before either or both Houses of the Oireachtas, of bodies specified in paragraphs 2(i) and (iv), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating

to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Taoiseach or the Minister for Finance; and

(ix) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas,

and shall report thereon to both Houses of the Oireachtas.

(3) The Joint Committee shall have the power to require that the Minister for Finance (or a Minister or Minister of State nominated in his or her stead) shall attend before the Joint Committee and provide, in private session if so desired by the Minister or Minister of State, oral briefings in advance of EU Council meetings to enable the Joint Committee to make known its views.

(4) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(5) The Joint Committee shall have the powers defined in Standing Order 83(1) to (9) inclusive.

(6) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the Select Committee.”

—*Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.*

(1)(a) That a Select Committee, which shall be called the Select Committee on Foreign Affairs consisting of 11 members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider—

(i) such Bills the statute law in respect of which is dealt with by the Department of Foreign Affairs;

(ii) such Estimates for Public Services within the aegis of the Department of Foreign Affairs;

(iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159, concerning approval by Dáil of the terms of international agreements involving a charge on public funds; and

(iv) such other matters;

as shall be referred to it by Dáil Éireann from time to time;

(v) Annual Output Statements produced by the Department of Foreign Affairs; and

(vi) such Value for Money and Policy Reviews conducted and commissioned by the Department of Foreign Affairs as it may select.

(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (iii), (iv), (v) and (vi), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Minister for Foreign Affairs (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on Foreign Affairs to consider—

(i) such public affairs administered by the Department of Foreign Affairs as it may select, including, in respect of Government policy, bodies under the aegis of that Department;

(ii) such matters of policy for which the Minister for Foreign Affairs is officially responsible as it may select;

(iii) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;

(iv) such Statutory Instruments made by the Minister for Foreign Affairs and laid before both Houses of the Oireachtas as it may select;

(v) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 83(4);

(vi) the strategy statement laid before each House of the Oireachtas by the Minister for Foreign Affairs pursuant to section 5(2) of the Public Service Management Act 1997, and for which the Joint Committee is authorised for the purposes of section 10 of that Act;

(vii) such annual reports or annual reports and accounts, required by law and laid before either or both Houses of the Oireachtas, of bodies specified in paragraphs 2(i) and (iii), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Minister for Foreign Affairs;

(viii) such aspects of Ireland's international relations as it may select;

(ix) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas,

and shall report thereon to both Houses of the Oireachtas.

Provided that any consideration by the Joint Committee, or a sub-Committee, of security issues relating to Northern Ireland shall be in private session and the provisions of Standing Order 93 shall apply.

(3) The following persons may attend meetings of the Joint Committee and of its sub-Committees and may take part in proceedings without having a right to vote or to move motions and amendments:

(i) Members of the European Parliament elected from constituencies in Ireland (including Northern Ireland);

(ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe; and

(iii) at the invitation of the Joint Committee or of a sub-Committee, as appropriate, other Members of the European Parliament.

(4) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(5) The Joint Committee shall have the powers defined in Standing Order 83(1) to (9) inclusive.

(6) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the Select Committee."

—Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.

(1)(a) That a Select Committee, which shall be called the Select Committee on Health and Children consisting of 11 members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider—

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(i) such Bills the statute law in respect of which is dealt with by the Department of Health and Children;

(ii) such Estimates for Public Services within the aegis of the Department of Health and Children;

(iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159, concerning the approval by Dáil Éireann of the terms of international agreements involving a charge on public funds; and

(iv) such other matters;

as shall be referred to it by Dáil Éireann from time to time;

(v) Annual Output Statements produced by the Department of Health and Children; and

(vi) such Value for Money and Policy Reviews conducted and commissioned by the Department of Health and Children as it may select.

(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (iii), (iv), (v) and (vi), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Minister for Health and Children (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on Health and Children to consider—

(i) such public affairs administered by the Department of Health and Children as it may select, including, in respect of Government policy, bodies under the aegis of that Department;

(ii) such matters of policy, including EU related matters, for which the Minister for Health and Children is officially responsible as it may select;

(iii) such matters across Departments which come within the remits of the Minister of State with special responsibility for Children, the Minister of State with special responsibility for Older People and the Minister of State with special responsibility for Disability Issues and Mental Health (excluding Discrimination) as it may select;

Provided that members of other relevant Joint Committees shall be afforded the

opportunity to participate in the consideration of matters within this remit;

(iv) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;

(v) such Statutory Instruments made by the Minister for Health and Children and laid before both Houses of the Oireachtas as it may select;

(vi) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 83(4);

(vii) the strategy statement laid before each House of the Oireachtas by the Minister for Health and Children pursuant to section 5(2) of the Public Service Management Act 1997 and for which the Joint Committee is authorised for the purposes of section 10 of that Act;

(viii) such annual reports or annual reports and accounts, required by law and laid before either or both Houses of the Oireachtas, of bodies specified in paragraphs 2(i) and (iv), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Minister for Health and Children; and

(ix) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas,

and shall report thereon to both Houses of the Oireachtas.

(3) The Joint Committee shall have the power to require that the Minister for Health and Children (or a Minister or Minister of State nominated in his or her stead) shall attend before the Joint Committee and provide, in private session if so desired by the Minister or Minister of State, oral briefings in advance of EU Council meetings to enable the Joint Committee to make known its views.

(4) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(5) The Joint Committee shall have the powers defined in Standing Order 83(1) to (9) inclusive.

(6) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the Select Committee."

—*Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.*

(1)(a) That a Select Committee, which shall be called the Select Committee on Justice, Equality, Defence and Women's Rights consisting of 11 members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider—

(i) such Bills the statute law in respect of which is dealt with by the Department of Justice, Equality and Law Reform and the Department of Defence;

(ii) such Estimates for Public Services within the aegis of the Department of Justice, Equality and Law Reform and the Department of Defence;

(iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159, concerning the approval by Dáil Éireann of the terms of international agreements involving a charge on public funds; and

(iv) such other matters;

as shall be referred to it by Dáil Éireann from time to time;

(v) Annual Output Statements produced by the Department of Justice, Equality and Law Reform and the Department of Defence; and

(vi) such Value for Money and Policy Reviews conducted and commissioned by the Department of Justice, Equality and Law Reform and the Department of Defence as it may select.

(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i),(iii), (iv), (v) and (vi), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Minister for Justice, Equality and Law Reform and the Minister for Defence (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) The Select Committee shall be joined with a Select Committee to be appointed by

Seanad Éireann to form the Joint Committee on Justice, Equality, Defence and Women's Rights to consider—

(i) such public affairs administered by the Department of Justice, Equality and Law Reform and the Department of Defence as it may select, including, in respect of Government policy, bodies under the aegis of those Departments;

(ii) such matters of policy, including EU related matters, for which the Minister for Justice, Equality and Law Reform and the Minister for Defence are officially responsible as it may select;

(iii) such matters across Departments which come within the remit of the Minister of State with special responsibility for Integration Policy as it may select;

Provided that members of the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs and the Joint Committee on Education and Science shall be afforded the opportunity to participate in the consideration of matters within this remit;

(iv) such matters across Departments relating to women's rights as it may select;

(v) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;

(vi) such Statutory Instruments made by the Minister for Justice, Equality and Law Reform and the Minister for Defence and laid before both Houses of the Oireachtas as it may select;

(vii) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 83(4);

(viii) the strategy statement laid before each House of the Oireachtas by the Minister for Justice, Equality and Law Reform and the Minister for Defence pursuant to section 5(2) of the Public Service Management Act 1997, and for which the Joint Committee is authorised for the purposes of section 10 of that Act;

(ix) such annual reports or annual reports and accounts, required by law and laid before either or both Houses of the Oireachtas, of bodies specified in paragraphs 2(i) and (v), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or

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which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Minister for Justice, Equality and Law Reform or the Minister for Defence; and

(x) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas, and shall report thereon to both Houses of the Oireachtas,

and shall report thereon to both Houses of the Oireachtas.

(3) The Joint Committee shall have the power to require that the Minister for Justice, Equality and Law Reform or the Minister for Defence (or a Minister or Minister of State nominated in their stead) shall attend before the Joint Committee and provide, in private session if so desired by the Minister or Minister of State, oral briefings in advance of EU Council meetings to enable the Joint Committee to make known its views.

(4) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(5) The Joint Committee shall have the powers defined in Standing Order 83(1) to (9) inclusive.

(6) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the Select Committee."

—*Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.*

(1)(a) That a Select Committee, which shall be called the Select Committee on Social and Family Affairs consisting of 11 members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider—

(i) such Bills the statute law in respect of which is dealt with by the Department of Social and Family Affairs;

(ii) such Estimates for Public Services within the aegis of the Department of Social and Family Affairs;

(iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159, concerning the approval by Dáil Éireann of the terms of

international agreements involving a charge on public funds; and

(iv) such other matters;

as shall be referred to it by Dáil Éireann from time to time;

(v) Annual Output Statements produced by the Department of Social and Family Affairs; and

(vi) such Value for Money and Policy Reviews conducted and commissioned by the Department of Social and Family Affairs as it may select.

(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (iii), (iv), (v) and (vi), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Minister for Social and Family Affairs (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on Social and Family Affairs to consider—

(i) such public affairs administered by the Department of Social and Family Affairs as it may select, including, in respect of Government policy, bodies under the aegis of that Department;

(ii) such matters of policy, including EU related matters, for which the Minister for Social and Family Affairs is officially responsible as it may select;

(iii) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;

(iv) such Statutory Instruments made by the Minister for Social and Family Affairs and laid before both Houses of the Oireachtas as it may select;

(v) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 83(4);

(vi) the strategy statement laid before each House of the Oireachtas by the Minister for Social and Family Affairs pursuant to section 5(2) of the Public Service Management Act 1997, and for which the Joint Committee is authorised for the purposes of section 10 of that Act;

(vii) such annual reports or annual reports and accounts, required by law and laid before either or both Houses of the Oireachtas, of bodies specified in paragraphs 2(i) and (iii), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Minister for Social and Family Affairs; and

(viii) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas,

and shall report thereon to both Houses of the Oireachtas.

(3) The Joint Committee shall have the power to require that the Minister for Social and Family Affairs (or a Minister or Minister of State nominated in his or her stead) shall attend before the Joint Committee and provide, in private session if so desired by the Minister or Minister of State, oral briefings in advance of EU Council meetings to enable the Joint Committee to make known its views.

(4) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(5) The Joint Committee shall have the powers defined in Standing Order 83(1) to (9) inclusive.

(6) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the Select Committee."

—*Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.*

(1)(a) That a Select Committee, which shall be called the Select Committee on Transport and the Marine consisting of 11 members of Dáil Éireann (of whom 4 shall constitute a quorum), be appointed to consider—

(i) such Bills the statute law in respect of which is dealt with by the Department of Transport and the Marine;

(ii) such Estimates for Public Services within the aegis of the Department of Transport and the Marine;

(iii) such proposals contained in any motion, including any motion within the meaning of Standing Order 159, concerning the approval by Dáil Éireann of the terms of international agreements involving a charge on public funds; and

(iv) such other matters;

as shall be referred to it by Dáil Éireann from time to time;

(v) Annual Output Statements produced by the Department of Transport and the Marine; and

(vi) such Value for Money and Policy Reviews conducted and commissioned by the Department of Transport and the Marine as it may select.

(b) For the purpose of its consideration of matters under paragraphs (1)(a)(i), (iii), (iv), (v) and (vi), the Select Committee shall have the powers defined in Standing Order 83(1), (2) and (3).

(c) For the avoidance of doubt, by virtue of his or her *ex officio* membership of the Select Committee in accordance with Standing Order 92(1), the Minister for Transport and the Marine (or a Minister or Minister of State nominated in his or her stead) shall be entitled to vote.

(2) The Select Committee shall be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on Transport and the Marine to consider—

(i) such public affairs administered by the Department of Transport and the Marine as it may select, including, in respect of Government policy, bodies under the aegis of that Department;

(ii) such matters of policy, including EU related matters, for which the Minister for Transport and the Marine is officially responsible as it may select;

(iii) such related policy issues as it may select concerning bodies which are partly or wholly funded by the State or which are established or appointed by Members of the Government or by the Oireachtas;

(iv) such Statutory Instruments made by the Minister for Transport and the Marine and laid before both Houses of the Oireachtas as it may select;

(v) such proposals for EU legislation and related policy issues as may be referred to it from time to time, in accordance with Standing Order 83(4);

(vi) the strategy statement laid before each House of the Oireachtas by the Minister for Transport and the Marine pursuant to section 5(2) of the Public Service Management Act 1997, and for which the Joint Com-

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mittee is authorised for the purposes of section 10 of that Act;

(vii) such annual reports or annual reports and accounts, required by law and laid before either or both Houses of the Oireachtas, of bodies specified in paragraphs 2(i) and (iii), and the overall operational results, statements of strategy and corporate plans of these bodies, as it may select;

Provided that the Joint Committee shall not, at any time, consider any matter relating to such a body which is, which has been, or which is, at that time, proposed to be considered by the Committee of Public Accounts pursuant to the Orders of Reference of that Committee and/or the Comptroller and Auditor General (Amendment) Act 1993;

Provided further that the Joint Committee shall refrain from inquiring into in public session, or publishing confidential information regarding, any such matter if so requested either by the body concerned or by the Minister for Transport and the Marine; and

(viii) such other matters as may be jointly referred to it from time to time by both Houses of the Oireachtas,

and shall report thereon to both Houses of the Oireachtas.

(3) The Joint Committee shall have the power to require that the Minister for Transport and the Marine (or a Minister or Minister of State nominated in his or her stead) shall attend before the Joint Committee and provide, in private session if so desired by the Minister or Minister of State, oral briefings in advance of EU Council meetings to enable the Joint Committee to make known its views.

(4) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(5) The Joint Committee shall have the powers defined in Standing Order 83(1) to (9) inclusive.

(6) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be Chairman of the Select Committee."

—Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.

(1) That a Select Committee, consisting of eleven members of Dáil Éireann, be appointed to be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on the Constitution to complete a full review of the Constitution in order to provide focus to the place and relevance of the Constitution and to establish those areas where

Constitutional change may be desirable or necessary.

(2) In considering such matters as it may select and see fit and on which it shall report to both Houses of the Oireachtas, the Joint Committee shall take cognisance of

(a) the work already undertaken by the Joint Committee on the Constitution in the 28th and 29th Dáileanna and the All-Party Oireachtas Committee on the Constitution since its establishment in July 1996 and re-establishment in October 1997 and again in December 2002; and

(b) the Report of the Constitution Review Group.

(3) The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann.

(4) The Joint Committee shall have the powers defined in Standing Order 83(1), (2), (3), (4), (8) and (9).

(5) The Chairman of the Joint Committee shall be a member of Dáil Éireann."

—Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.

(1)(a) That a Select Committee, consisting of 11 Members of Dáil Éireann, be appointed to be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on European Scrutiny to—

(i) scrutinise, in the context of European Union issues and measures to be taken by the Council of Ministers of the European Union—

(I) any proposals under the Community treaties for legislation by the Council or the Council acting jointly with the European Parliament,

(II) any document which is published for submission to the European Council, the Council or the European Central Bank,

(III) any proposal for a common strategy, a joint action or a common position under Title V of the Treaty on European Union which is prepared for submission to the Council or to the European Council,

(IV) any proposal for a common position, framework decision, decision or a convention under Title VI of the Treaty on European Union which is prepared for submission to the Council, and

(V) any document (not falling within (II), (III), or (IV) above) which is published by one Union institution for or with a view to submission to another Union institution and which does not relate

exclusively to the consideration of any proposal for legislation,

as it may select;

(ii) consider such other matters as may be referred to it from time to time by both Houses of the Oireachtas; and

(iii) represent both Houses of the Oireachtas at the Conference of Community and European Affairs Committees of Parliaments of the European Union (COSAC) jointly with the Joint Committee on European Affairs;

and report thereon to both Houses of the Oireachtas in consultation with the Joint Committee on European Affairs.

(b) The Joint Committee shall have:

(i) the powers defined in Standing Order 83(1) to (9) inclusive;

(ii) the power to refer a proposal for EU legislation which has been considered by it (and which has been concluded to be of sufficient importance to require additional scrutiny) to a Joint Committee on which has been conferred the power defined in Standing Order 83(4) to consider such proposals;

(iii) the power to request the attendance of Members of the Government (or Ministers of State nominated in their stead) and provide, in private session if so desired by the Member of the Government or Minister of State, oral briefings to enable the Joint Committee to make known its views;

(iv) the power to request the attendance of the Secretary General of a Government Department (or a nominated representative) to discuss the six monthly reports laid before each House of the Oireachtas under section 2(4) of the European Union (Scrutiny) Act 2002 and other developments related to the European Union which fall within the remit of that Department; and

(v) the power, in accordance with Standing Order 88, to refer by way of a report, a proposal for EU legislation which has been considered by it (and which has been concluded to be of sufficient importance to require further debate) to either or both Houses of the Oireachtas.

(c) The following persons may attend meetings of the Joint Committee and may take part in proceedings without having a right to vote or to move motions and amendments—

(i) Members of the European Parliament elected from constituencies in Ireland (including Northern Ireland); and

(ii) at the invitation of the Joint Committee, other Members of the European Parliament.

(d) The quorum of the Joint Committee shall be five, of whom at least one shall be a Member of Dáil Éireann and one a Member of Seanad Éireann.

(3) The Chairman of the Joint Committee, who shall be a Member of Dáil Éireann, shall also be Chairman of the Select Committee.”

—*Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.*

(1) That a Select Committee consisting of eleven members of Dáil Éireann be appointed to be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on the Implementation of the Good Friday Agreement to consider:

— issues arising from Ireland’s role as a signatory to the Good Friday Agreement;

— ongoing developments in the implementation of the Good Friday Agreement;

— any proposals relating to the implementation of the Good Friday Agreement and related matters as shall be referred to it by Dáil Éireann from time to time,

and to report back to each House at least once a year.

(2) The Joint Committee shall have the powers defined in Standing Orders 83(1) to (9) inclusive and 93(2).

(3) The Minister for Foreign Affairs (or a Minister or Minister of State nominated in his or her stead) shall be an *ex-officio* member of the Committee and shall be entitled to vote.

(4) Members of the Westminster Parliament elected for constituencies in Northern Ireland may attend meetings of the Joint Committee and of its sub-Committees and may take part in proceedings without having a right to vote or to move motions and amendments.

(5) The quorum of the Joint Committee shall be four, of whom at least one shall be a Member of Dáil Éireann and one a Member of Seanad Éireann.

(6) The Chairperson of the Joint Committee shall be a Member of Dáil Éireann.”

—*Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.*

Question put and agreed to.

Pre-Budget Outlook: Motion.

Tánaiste and Minister for Finance (Deputy Brian Cowen): I move:

That Dáil Éireann commends the Pre-Budget Outlook incorporating Pre-Budget

[Deputy Brian Cowen.]

Estimates for Public Services 2008 published by the Minister for Finance on 18 October, 2007.

I welcome this opportunity to present to the House my pre-budget outlook, which was launched last Thursday. I look forward to hearing the views of other Deputies on this. Before I set out the details of the outlook, I will remind the House of the changes made to the overall budgetary process. The Government made significant progress in recent years since I announced in budget 2005 that I intended to make major reforms to the budgetary process, aimed at delivering a more constructive and relevant examination of how the nation's finances are run. As the latest step in the budgetary reform process, I announced on 13 September last that the Government will introduce a unified budget with effect from budget 2008 next December. That all the key announcements on the spending and revenue sides of the budget will be announced on the same day represents a more coherent approach to budgetary policy-making. It will facilitate the Government in introducing all its proposals for future service improvements within a planned, progressive and sustainable overall framework.

The Government's approach allows for transparency and democratic accountability, which are the hallmarks of my approach to budgetary reform, to be brought to bear on the expenditure determination process in its entirety. It will also accommodate a proposal made by the Committee of Public Accounts in its Report on Estimates Reform, which was published in October 2005. The committee asked for a clear distinction to be made between the pre-budget and post-budget allocations. This is the second year in which I have published the pre-budget outlook. I am incorporating in the document detailed technical pre-budget Estimates for the public services on the basis of maintaining existing levels of service. This publication represents another important step in the budgetary reform process and will enable greater transparency and understanding of how taxpayers' money is spent.

Last week's pre-budget outlook outlined the Department of Finance's assessment of the economic and fiscal picture for the coming years. The projections in the outlook, which update the budget day forecast of last December, are based on the latest information to hand. The forecasts will be reassessed as more information becomes available and more decisions are made in the context of this year's budget. When I commented last week on this year's economic developments, I indicated that this year represents a turning point for the Irish economy. While the economy performed well in the first half of the year, the current indications are that the short to medium-term outlook has changed from that envisaged on budget day last year. At that time, growth for this year was forecast at 5.3% in GDP terms, whereas

GDP growth of 4% per cent is now anticipated. Like other commentators, the Department has had to consider the national and international developments that are likely to affect activity this year.

The main reason for the more modest growth this year is the firm prospect of lower new housing output. While a small decline was assumed on budget day, in line with the prevailing consensus at the time, later data now confirm that output will be considerably lower. Interest rates have risen by 75 basis points since budget day and this, and other factors, have weighed on consumer confidence and also have impacted on the inflation performance this year. The current level of oil prices and the appreciation of the euro-dollar exchange rate also impact on the outlook.

As against this, it must be recognised that the decline in housing output is occurring at a time when other parts of the economy, such as the exporting sector, are performing well and this is partly offsetting these negative influences.

My Department's GDP growth forecast for this year is of the order of 4.75%. The current market consensus for growth in 2007 is around 5%. However, it should be noted that more recent forecasts, which take into account the less favourable new house developments over the summer, tend to be closer to my forecast.

In terms of the outlook over the next few years, I now find myself being criticised as being too pessimistic. At the time of publication, I indicated the forecasts being published were just that — forecasts based on the latest information to hand. If later information shows more favourable factors, then my Department will obviously take such new information on board. However, at present it would seem to me that it would be unwise to ignore the signs that are there for all to see.

The main factors underpinning the downward revision this year will also prevail next year. The latest leading indicators of future housing output, such as new house registrations and housing starts, have been negative for some time and clearly point towards lower output for next year. This will have a negative impact on employment trends and lower employment growth is now likely for next year. This will lower the rate of personal consumption growth.

GDP growth is expected to be 3.25% next year, which is not out of line with others that have published forecasts since the summer. This forecast is based on a considered view of economic prospects and is not slanted to achieve a purpose, political or otherwise, as some have mistakenly claimed.

Looking at the overall period 2008-10, GDP growth is forecast to average 3.5%. This level of growth is lower than we have experienced in recent years and it will have implications for us all. For instance, lower levels of activity are assumed to result in some employment losses in the construction sector. As a result, the rate of

employment growth is expected to slow to 1.25% next year from an estimated 3.5% this year. Consequently, unemployment is forecast to rise from 4.5% this year to 5.5% next year. In this regard, a provision for an increase of 10,000 in the live register has been made in the pre-budget Estimates for 2008. Immigration is forecast to continue, albeit at a slower pace. The slower pace of economic growth and less favourable labour market conditions are expected to result in a moderation in the rate of wage inflation.

However, I emphasise that we must not lose sight of the fact that our overall growth performance is nevertheless impressive by international standards and one that many of our European partners would be very happy with. It should also be noted that the economy's fundamentals are strong. Provided we manage the current temporary slowdown well, the economy is expected to revert to its trend growth rate by the end of the forecasting horizon in 2010. In this context, the International Monetary Fund has recently noted that Ireland's economic success has been underpinned by outward-orientation, prudent fiscal policy, low taxes on labour and capital and labour market flexibility.

Apart from setting out the economic position, the pre-budget outlook also confirms the emerging budgetary position for this year as signalled at the end of September Exchequer returns. A cash deficit of up to €1 billion is now in prospect, somewhat more than forecast at budget time and reflecting the weakness in some taxes, mainly as a result of the weaker property market. However, in general Government terms a surplus of 0.9% of GDP is still expected for this year. This means that in ten of the last 11 years we will have achieved surpluses on the general Government account.

The tax shortfall of €1 billion that now seems likely for 2007, along with the reduced economic forecasts for the period 2008-10, means that tax revenue over the period will be lower than previously envisaged. Fewer resources will mean that choices will have to be made and actions prioritised. The pre-budget outlook sets out the technical budget arithmetic and on that technical basis, the overall budgetary position at this stage points to a deficit of 0.4% of GDP in 2008 and 2009 and a balanced budget in 2010. These technical budgetary projections will be affected by any change between now and budget day and by any policy decisions on spending or tax in the budget.

I will now deal with the pre-budget Estimates included in the outlook. In a sense this is the major innovation of this year's budgetary process. For the first time, the House is being provided with full Estimates-level detail on the estimated cost of maintaining existing high levels of public service in 2008. This detail is being provided in October, a month earlier than the previous Abridged Estimates and in advance of the policy formulation process for the 2008 budget and

Estimates. Dáil Éireann is now being provided with a clear opportunity to make its mark at this stage of the budgetary debate. I am looking forward to a constructive and informed debate on where our priorities are, and where they should be in the future. I invite Deputies from all parties to avail of this opportunity to the fullest and to set out clearly their own priorities for resources and how this should manifest itself in terms of improved services for the people of this country.

As the pre-budget Estimates are presented on an "existing level of service" basis, new policy initiatives and significant improvements on existing policies are not included at this stage. These will be announced together with the tax measures on budget day in December and provided for in full in the budget Estimates.

For now, the focus should be on the level of services that are currently being delivered with the over €58.500 billion euro that the Government is allocating for 2008. This in itself is a remarkable level of resources and represents an increase of almost 30% over the level of spending in 2005. In my view it is quite right and proper that such resources have been made available by the Government. We have been living through times of unprecedented economic strength and we have had the opportunity to make good on some of the historic challenges in our public services -not only the deficit in our capital infrastructure but also the deficits in our social infrastructure and in the nature and level of public services in their most general sense. We have allocated resources under all of these headings.

The pre-budget Estimates show that the total gross current spending next year on existing services will be almost €51 billion. This is a 4.8% increase over this year's Estimate and a 30% increase over the 2005 level. We have made available these increased resources in order to achieve better results in terms of public services. My colleagues will wish to give details on what is being delivered with these funds. However, a preliminary overview will give Deputies a sense of the tremendous social benefits that are being achieved with the existing level of public services.

The pre-budget Estimates provided for about €16.1 billion in gross current spending in the Department of Social and Family Affairs. This is an increase of €784 million over the 2007 allocation, and means that total resources in this area have increased by around one third, or €4 billion, over the past three years. As a result of this level of provision, the State contributory pension has been increased to €209.30 per week and the weekly non-contributory pension currently stands at €200 per week. The rate of fuel allowance has been doubled to €18 per week and the free electricity and gas schemes have been enhanced.

Other adult social welfare rates have also significantly increased since 2005, with the lowest social welfare rate increasing by almost 25%, well ahead of consumer price inflation, to a level of

[Deputy Brian Cowen.]

€185.80 per week and thereby achieving the target set out in the national anti-poverty strategy.

Child benefit rates have increased significantly in recent years. Separately, the new early child care supplement has been introduced to give further help to parents. The family income supplement thresholds have also been increased significantly, to give more support to larger families. Carers have received special support in recent years. For example, the pre-budget Estimates provide for a respite care grant to all full-time carers and a new half-rate carer's payment to certain carers who are also in receipt of another social welfare payment.

In the area of health, the pre-budget Estimates provide for €15.1 billion in gross current spending in 2008, an increase of almost €1 billion over the 2007 allocation, when the special provision for the long-term repayment scheme is factored out, and brings the total increase over the past three years to almost €4 billion or 33%.

The pre-budget Estimates provide for the full range of improvements introduced over recent years. BreastCheck, the national breast screening programme, under which 124,000 women have been screened in the past two years, will commence national roll-out later this month. The National Treatment Purchase Fund is provided for. This service will have arranged treatment for over 72,000 patients by the end of 2007 and has contributed to a reduction in waiting times for most common procedures to between two to five months, compared to two to five years before the advent of the fund in 2002.

Approximately 4,500 additional front line staff have been deployed since 2005, made up of medical and dental personnel, nurses and other health professionals such as speech and language therapists, physiotherapists, social care and social workers, psychologists and environmental health officers. The service provided by these front line staff has a real impact on the quality of health care being experienced by people across the country. Today, the number of people holding a medical card stands at more than 1.25 million, an increase of approximately 108,000 since 2005. The number of persons holding a GP visit card is more than 73,600.

The pre-budget Estimates provide for €8.4 billion in gross current spending on education. This is an increase of approximately €500 million on the 2007 allocation and brings the total increase over the past three years to more than €1.75 billion or 27%. This has enabled us to reduce the staffing schedule at primary level from 29:1 to 27:1 since 2005, thereby reducing average class sizes.

Approximately 3,400 additional primary teachers have been appointed since 2005, and the pre-budget Estimates include provision for an additional 1,100 teachers next year to maintain the improved pupil-teacher ratio and provide for

special needs and language support requirements in light of demographic changes. An additional 300 post-primary teachers have been appointed since 2005 and 2,500 additional special needs assistants have also been appointed.

The primary capitation grant has increased by more than 22% to €163.58 per pupil this year. The post-primary capitation grant has also increased to €316 per pupil over the same period. The "three for two" seating arrangement on school buses was fully phased out and all children carried on school buses now have an individual seat fitted with a seat-belt. During the past ten years more than 30,000 places were created at third level, bringing the overall number of full-time places to approximately 136,000.

In addition, more than €1 billion has been invested in educational infrastructure since 2005. This has delivered 28 new schools with construction underway at a further 16 new schools. Moreover, 77 large-scale school refurbishments or extensions have been completed and development is underway at a further 44 schools. More than 2,800 small scale projects were also facilitated in schools during the period.

The pre-budget Estimates encapsulate and represent a great deal of achievement on the part of the Government to date, and set the scene for continued progress in 2008. On the capital side, the pre-budget Estimates set out the existing level of service position, in advance of budget day decisions on spending and as such they broadly repeat the 2007 capital provision for each Department. However, full provision for capital expenditure in 2008 will be announced at budget time, consistent with the multi-annual capital investment framework and the continued roll out of the national development plan. An aggregate unallocated capital provision is made in this context in the budgetary tables in Part 1 of the pre-budget outlook. In this regard, the Government will continue to implement the national development plan as its overarching priority. This approach will underpin continued economic as well as social progress in the years ahead.

The pre-budget figures show that keeping in place the recent improvements in our public services and dealing with the expansion in our population requires a substantial increase of 4.8% in resources. This increased level largely reflects higher pay and extra demographic pressures. As such, it makes it incumbent on all of us to ensure the money is well spent and resources are managed effectively and for managers to stay within overall staff levels by re-allocating and prioritising key areas. This also means focusing on front-line and essential services within approved funding levels.

The Government is determined to ensure that all of the increased resources made available will lead to corresponding improvements in our public services. This is the reason I put in place a robust and comprehensive value for money framework over recent years to ensure we can get

the maximum value out of every euro spent. This framework includes the following measures: the publication in February 2005 of new guidelines for the appraisal and management of capital expenditure proposals in the public sector; additional value for money measures in major capital and ICT projects and consultancies codified in Department of Finance circular of 25 January 2006, in particular the appointment of project managers for all capital projects with responsibility for monitoring and managing project progress; the introduction of value for money and policy reviews in place of expenditure reviews spearheaded by a new central expenditure evaluation unit in the Department of Finance; reforms to public procurement including the introduction of the national public procurement policy framework for implementation by public bodies and, from 2007, reforms to public construction contracts and the system for employing construction-related consultants.

In addition, as part of the general focus on what is achieved with public moneys, annual output statements were introduced for each ministerial Vote group. These will be examined by the relevant Dáil committees. Early next year, for the first time, Ministers will report on what outputs they achieved with the money they were given this year as well as setting out their output aims for 2008.

The pre-budget outlook and the pre-budget Estimates for 2008 envisage sustainable economic growth into the medium term at a level which is healthy by international standards and which reflects Ireland's status as a vibrant, maturing economy on the European and global scene. As our growth prospects ease we must be more responsive to change and prioritise our spending to ensure the best value is achieved.

The pre-budget Estimates are a testimony of the high level of public services we have attained. It is timely to reflect upon what will be achieved with the €58.5 billion in resources to be made available in 2008 and to keep in mind the economic policies which will enable us to sustain further social improvements in the years ahead. I look forward to hearing the contributions of Deputies from all sides in setting out the economic and social priorities which should inform the future course of policy-making in our country. I commend the motion to the House.

Deputy Richard Bruton: Members of the House will remember as I do that one of the turning points of the extremely tight Nixon-Kennedy campaign in 1960 was when a poster of an unshaven Richard Nixon was put out with the caption, "Would you buy a used car from this man?" A number of people will look at the Minister for Finance, Deputy Brian Cowen and wonder whether it is appropriate here.

Deputy Richard Bruton: The glossy high-performance car they were encouraged to buy last May was going to hum and produce large amounts of tax revenue to fund numerous doctors, gardaí, teachers and tax relief. Suddenly, one finds it is spluttering and shuddering and will not deliver any of these. People will take a long and hard look at what is happening. We have been here before as Fianna Fáil talked up the economy prior to elections but as soon as those elections were over we discovered all types of unenvisaged cutbacks would be implemented.

The Government has built a reputation for economic management on the back of a debt-driven property boom. We have had major growth in revenue sources coming from this property boom but as it is stripped away we see the reality of how the boom has been squandered and how the Government has handled the resources given to it. We had high spending without reform and large increases in bureaucracy without matching delivery at the front line.

We never see a Minister step up to the plate to take responsibility when anything goes wrong whether it be with regard to nursing homes or, as Deputy Kieran O'Donnell highlighted recently, problems such as those concerning Shannon when miraculously Ministers were not informed although everyone else seemed to know. The worrying aspect is that at present Ireland is going through a difficult transition forced upon us by the forces of global and climate change. We are presented with major challenges for which the Government has not prepared us well. This is the background to what we are debating.

The document produced last Thursday shows that in 2008 the Government will be €2.2 billion off the tax revenue it projected last year. The Minister proposes to make up this by switching a promised €1,800 million in surplus on the general Government debt into a deficit. The first line of the manifesto which Fianna Fáil produced prior to the election, when it sold itself as the great economic manager, was that it would not run budget deficits but would run the economy prudently to have budget surpluses. At the first test we see the Minister providing for a budget deficit.

The difficulty is that while one can run a budget deficit for an unexpected blip, the Minister projects a number of years ahead where all the promises made and factored into the manifesto are gone. People are right to worry that the Government will choose the soft option of pushing ahead with manifesto commitments, funding them on the back of borrowing. This asks the next generation to pay for Fianna Fáil manifesto commitments. Alternatively, we will see what we saw in the past when the stealth tax route was adopted to fill the large hole in the Government's finances concealed prior to the 2002 election and which emerged afterwards. Many families and businesses were left to carry the cost.

The tax projections for 2010 which the Minister for Finance had in the manifesto are exactly €4.9

Deputy Martin Mansergh: Not in the least.

[Deputy Richard Bruton.]

billion off what is projected in this pre-budget outlook. The commitment the Minister had in his manifesto for new spending programmes and tax reform in 2010 was an identical figure. What these tax projections mean is that there is a black hole that wipes out the entire Fianna Fáil manifesto promises by 2010. I presume the Minister hopes there will be some recovery in the last two years. Even if it recovers on the scale he projected originally, back to 4.5% growth, to the low rate of inflation, the best he can hope for is that he will be able to fund 20% of his commitments by 2012. That is the reality. That is what this book tells us.

There is a need to have honesty from the Minister, instead of talk about wanting to hear what Deputies have to say. We want to hear what the Minister has to say about commitments he has made to people — 4,000 extra teachers, 2,000 extra gardaí, 2,000 extra consultants, 500 extra public beds in addition to the 1,500 PPP beds, the cutting of PRSI, the cutting of the top rate of income tax, indexation to wages of all bands and credits. What is going to give? Let us see the Minister's options list and what is affordable next year in order that we can have the meaningful debate that he says this new structure is designed to promote. This is not a meaningful debate because the Minister is not contributing anything. We have his manifesto but we have no meaningful contribution from him on the options we face for the coming election. We know what he wants to do but we know he cannot do it so we have to see a reduced form as to what he thinks is realistic for the coming year. We are not getting that.

This is a dialogue in which the Minister expects others to contribute while he says nothing about the most important thing that jumps out, that is, the gaping black hole in the middle of the Fianna Fáil manifesto which is underpinning the programme for Government. If the Minister wanted a meaningful debate today, we would be listening to that. People do not have memories as short as the Minister thinks. Let us not forget the last time we were to have 80% paying at the standard rate of tax but that was air-brushed out of reality. The Minister does not even report on that in the budget any more. Children under the age of nine were to be in classes of under 20. That promise has been forgotten about. When the Minister goes to the electorate, tells people this is what he will do and ignores them afterwards he devalues the currency of politics. That is a big problem I have in looking at this.

We will have to look hard at the issue I have been banging on about at every hand's turn, that is, delivering real efficiency in the way public services are run. The expenditure review system introduced in 1997 was supposed to have a rolling programme every three years when the entire amount of public spending would be scrutinised with a view to identifying efficiencies. That was allowed to rust and almost be abandoned under

this Government's regime. It was reintroduced by the Minister last June in a very mealy-mouthed way. This is not the type of expenditure review we expected, that was built into the public service Act in 1997. We are paying for that failure. We are paying also for the failure of the Government to use benchmarking, a golden opportunity to reform delivery of public services at the front line so that there would be less bureaucracy and more delivery. That opportunity was squandered. No serious reform proposals were put on the table by Government. In fact, there was no serious negotiation whatsoever around that issue, it was simply a question of paying the ATM machine as one prominent trade union leader and a Member of the House described it. That was another missed opportunity. In the area of health this can be seen in spades.

The Government started to spend money rapidly in the health area but it was not delivering results. The Minister said the problem was that managers were not close enough to the front line so the eight health boards were expanded to 11 health boards. This means there are many more managers close to the action. When this did not work the Government abolished the 11 health boards and created a new Health Service Executive, bringing in a whole new layer of management. Anyone who is seeking approval for a medical card will be aware that is the reality as three people are required to sign off on it where previously one was sufficient. We do not see delivery at the front line and, further, this body is not even accountable. Where is the drive for value for money, efficiency, and service delivery in any of this? The reality is this has passed the Government by.

The Government has had the soft option of being able to lie back on its couch and watch the money tumble in from the property boom and do nothing about reforming delivery. That is why people hurt at the front line. At the first test the HSE is closing beds, people who expected home care packages are not getting them and those in hospitals such as Beaumont, which cannot cope in its accident and emergency unit, are left there because the promised step-down facilities are not available. More people are left in expensive €1,000 per day beds when they should be in beds that cost €250 per day. Where is the economy in that? This is not delivery or value for money, driven by front-end needs of patients.

The Minister can speak about value for money frameworks and so on but this has not been consistently pursued. Nobody has been made responsible for targets at the front line and when things go wrong nobody is there to take responsibility, neither Ministers nor anybody further down the line. That is where we have been sold short. The spending bonanza is coming to an end. Since 2000 the Government's current spending has been at a rate 40% faster than the rate of growth in the economy. It has driven the proportion of GNP represented by current spending from less than

25% in 2000 to 31% today. That is a huge growth in the wedge of spending that has to be funded by taxation. It was being funded for a number of years by the golden goose laying eggs in the form of stamp duties, housing taxes, VAT and so on from the property boom. That golden goose has stopped laying and funding for those services will have to come from ordinary taxation. The tragedy is that we did not squeeze out the efficiency. Those golden years when money was available were not used to reform to provide a strong, well-functioning system. There are creaking systems in crucial areas such as health. We will rue the day we did not have a Government more alert and more hungry to deliver change and public service reform when it was needed.

I thank the Minister's officials, some of whom are present, for the courtesy of briefing me and colleagues on this new approach which I appreciate. I am more dismayed at what is not being revealed than what is being revealed. The Minister had an interesting analysis in his statement where he broke down the percentages. I cannot remember them exactly — 36% related to demographic change, another 35% to the impact of decisions already taken and there was other public service pay. I do not blame the officials but when I asked to see the background, the demographic spend and the carryover programmes in each Department, that information was not available. In his contribution the Minister produced figures, which I presume are categorical because they come from the Minister for Finance, but there is no backup.

If we are to have a meaningful debate on any of this spending we need to know the amount of money that is being provided for demographic growth in, say, the health area. In my area, an extra 8,000 people per year are leaning on the Mater and Beaumont structure, which is not capable of handling that number. I would like to have seen the demographic provision for extra service on the north side to deal with this population strain. No figures are available for demographic growth. The Minister asked for suggestions. I have many suggestions if he is serious about reforming Beaumont and the Mater, which are in a chronic state. He has to provide capacity and he cannot back out of that. There will have to be step-down capacity in order to manage what is a very expensive modern hospital in an efficient way. It should be possible to move people from beds into convalescence but that cannot be done in Beaumont. People wring their hands and ask why the accident and emergency unit in Beaumont is in crisis again. That is because it has nowhere to put patients who should be in convalescence. That is the reality. A facility that was due to open in November will not now open. The promises made are not being delivered, apparently, because of the latest round of cutbacks. This is short-sighted because it means more people will sit in the accident and emergency unit

and more will suffer misadventure because they are not being seen.

We cannot have a meaningful debate until the Minister starts to put some of that information into the public domain so that we can have something like equality of information to debate the options. The Minister has claimed that this would accommodate the proposal from the Committee of Public Accounts. It is not fair to pretend that he is fulfilling the requirements of that committee's proposal. It stated it wanted existing levels of service, and new spending and tax decisions brought together. However, it also stated that the Dáil must have the opportunity to see the details early and have meaningful debate with *ex-ante* choices, which we would be in a position to amend. This would mean that the Minister would propose options for improvement in particular areas and we could have a meaningful debate on which options are best.

This is not that sort of debate. We are not being given the opportunity to veer money around and consider, for example, what is the possible provision for step-down beds next year or whether we could make more room for step-down beds so that we could run expensive hospitals like Beaumont more efficiently without the need for people to sit in accident and emergency departments. We cannot have that debate because the Minister is not giving us the information to allow us to do so. The Minister knows as well as I do that this debate is simply going through the motions and we will have a vote tomorrow night. In no sense are we engaged in scrutiny if we are supposed to be scrutinising the options and weighing up the better thing to do. If that is what the Minister wants, as implied in the proposal of the Committee of Public Accounts, then we need a completely different system from what he is offering us.

The notion is that budget secrecy is contained on the other side of the House with the Minister having all the wisdom, which we wait to drop from his lips like pearls to be picked up from the ground. That is not the way a modern society works any more and our budgeting process must change to reflect that. We want to have a meaningful impact on the choices taken. This change of bringing tax and spending together will only be cosmetic without that facility for advance debate on the choices. The Minister keeps saying he is only delivering on the recommendation of the Committee of Public Accounts. However, he is selling short the vision of that committee. On budget day it will be the same with a big list of spending, another big list of taxation and no real debate. It will be a case of take it or leave it. The Whips will be brought in, we will vote and it will all be over. It will be the same as it has always been and it is not a meaningful change.

I would like to have seen some of the proposals from Fine Gael's document. For instance five-year costings for any new spending proposal should be published in advance. We should also

[Deputy Richard Bruton.]

see five-year performance targets for the programme so that we can see what it should deliver. For example next year we will have a new nursing homes subvention scheme that will be entirely different from any we have ever had. We ought to have five-year projections of what it will cost, who will be the beneficiaries and how it will develop. I am sure it will be a good thing to do and is a well thought out idea. However, we still need to see the costings. From past experience we have seen good ideas like this, for example medical cards for certain categories of people, balloon out of control because no one felt the obligation to carry out accurate five-year costings. That should be part of the meaningful process in which we are now engaged. We know that change is coming up the track: it is a Government decision.

When I asked the very worthy Department of Finance officials if I could see the Government decisions that have been taken and details of their required funding for next year, I was advised that was a political decision. However, these are decisions the Government has already taken and they are in the public domain. While I accept it is a political decision as to whether they will proceed, what they will cost is not a political decision and we should be entitled to that detail to allow us to start to have more meaningful debate. However, that is not what we are getting. We have been sold a pup if the Minister believes this represents meaningful reform.

I welcome the output statements. However, we have been down this road before with the strategy statements. The Departments of Education and Science, and Transport and the Marine are the worst in this regard. What they regard as output statements are input statements. The Department of Education and Science will state we are to have more teachers. However, it does not outline what this will deliver. Output statements should address what will happen to literacy and dropout rates, and what will happen to children with special needs. That is what an output statement is. Outcomes and outputs are different from inputs, which are teachers and, in the transport area, buses and tracks. Output statements on transport relate to what happens to passenger numbers and the modal split. This is what we ought to see if we want our output statements to trigger meaningful debate about spending choices and how well Departments are doing. However, with some notable exceptions, many big Departments are just producing documentation that does not stand up to real performance indicators. The Minister for Finance would not accept them as performance indicators. What is being done in the UK is light years ahead of what is being done here.

Nonetheless I thank the Minister for an interesting debate and I look forward to the next phase of this budget cycle.

Deputy Joan Burton: I move amendment No. 1:

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

“notes the Pre-Budget Outlook incorporating Pre-Budget Estimates for Public Services 2008, published by the Tánaiste and Minister for Finance on 18 October, 2007 and having regard to the statement by the Minister that 2007 represented a turning point for the Irish economy, calls on the Government to take all necessary steps to:

- maintain infrastructure development as provided for in the National Development Plan;
- continue investment in the health and education systems; and
- protect the living standards of those on low incomes.”

I have no doubt the anthem for this year’s budget will be “after the ball is over” because that is the dilemma we are facing. Our grandmothers were fond of telling us that doctors differ and patients die. I wonder what they would say about economists and the Department of Finance forecast. One prediction is for zero growth in 2008, others including the Department of Finance predict 3% and the *Sunday Independent* for its own curious political agenda plumps for the 5.5% forecast given by the wise experts of NCB. Internationally the IMF is honest enough to admit evidence of a significant slowdown and a confirmation of the credit crunch that has left the financial markets in sustained turmoil for months — and it is not getting any better.

It has not gone away, you know, just because there are no queues in front of banks. Just today Standard & Poor’s had some salutary warnings about Irish growth prospects should the downturn in housing construction persist with implications for the credit ratings of Irish construction firms and banks because they are so inextricably entwined together. So who is right? It is like doctors who are a trifle confused about the proper strength of medication to be given to the patient. God help the patient who must trust their judgment and God help the Minister who must rely on what the dismal scientists have to tell him.

However, that is as much sympathy as the Minister will get from me in the context of the budget. If he has budget difficulties, the Minister has only himself to blame. He took a strictly political view this time last year and opted to spend at a rate that could not be repeated. He then, no doubt reluctantly, allowed his Taoiseach to throw caution to the winds and make profligate promise after promise in the run up to the general election in May. Looking at the Fianna Fáil general election promises, the taxation commitments for 2008 come to more than €1 billion and its spending promises total €888 million. That is nearly €2 billion in promises for 2008. The Minister is responsible for standing over that. Promises were made of €300 pensions, lower taxes for everyone

and significant reductions in PRSI. Now after the ball is over the Minister is facing up to a headache. As that song goes it is "many the hopes that have vanished after the ball". The Minister might ask for the Solpadeine quickly because that is what he seems to need from the economic side.

Today it is more than the hopes of a jilted lover that have vanished. The reputation of the Minister and his party for economic wizardry and competence has vanished also. The Minister, perhaps in an unguarded moment in a press conference last week, said that he could not be expected to manage the wind, that we could not shape the wind and that we could just hope it was on our backs. The Minister is managing the nation's economic fortunes in the hope that it will be all right on the night. It used to be a wing and prayer but today Fianna Fáil does not do the prayer, faith, certainly not charity and, therefore, what we are left with is hope. The Minister conceded that the favourable international winds of recent years allowed him to spend so politically but he must recognise the winds have changed and his scope to deliver growth is severely hampered. I cannot believe the Taoiseach could announce such a set of election promises in March without the full knowledge that oil prices would remain high, housing construction was slowing and would remain stagnant for a long time and no significant foreign investment project announcement was on the cards for Ireland in 2007.

This is the man who boasts of his immense intelligence network that lets him know about anything that is stirring. Could he or the Minister for Finance not have known, given their close association with house builders, how stagnant the market was and the automatic chain reaction that would result, affecting the Exchequer and the economy generally? We can only conclude that they set out to deceive and they succeeded in that exercise in the crucial months before the country went to the polls. I cannot have sympathy for the Minister if he is faced with headaches in framing the budget. He brought them on himself promoting expectations of continued growth in the spring and, with equal sincerity, promoting pretty much the exact opposite now that the leaves are falling in the autumn.

I do not propose to engage in an exercise that talks down the economy, as that would be a futile exercise for anyone foolish enough to attempt it, but we must be realistic about significant trends and challenges. The Opposition has a proper duty to put the Minister on the spot to test his capacity to handle difficult times as well as boom times. I refer to a number of the trends and studied ambiguities within the pre-budget report, one of which concerns investment inflow. Suddenly Ireland has fallen out of favour. In 2006 the State experienced a respectable flow of foreign direct investment and a high rating in international league tables for such super mobile investment but in 2007 good news has not been reported with no

major announcement to boast of and clear indications that these funds are looking elsewhere for a more favourable home than Ireland offers, despite its generous tax regime.

The CSO states the complete value of foreign investment has fallen by no less than €13 billion in 2006. Overall at €170 billion, it is still a very good figure but a further reduction in value would seriously erode confidence. The loss of value will mean a significant switch in our economic climate. The earliest years of the Celtic tiger era were fuelled primarily by foreign direct investment and not by tax cuts. The Progressive Democrats Party is wrong in this regard because the tax cuts followed the period of growth initiated by my colleague, Deputy Quinn. In 2007, this sector's contribution to economic growth has reduced significantly and there is little evidence the Minister has a back up policy to turn this around.

The low corporation tax regime, important though it is, no longer has the cachet it once had and many other countries offer packages that are as good, and often more competitive, than Ireland. Investors must look at Ireland and wonder why key skills in science and engineering have such a low status that few students are attracted to pursue associated courses in our universities. How can the Government expect companies that rely on these skills to invest here when young people demonstrate such little interest in acquiring them? The economic Ministers and the Minister for Education do not pay enough attention to this issue. However, every August we witness ritual hand wringing by them about the scarcity of graduates in science and related disciplines.

A precedent for this was mentioned recently. In 1957 the US was shaken out of its complacency when the Russians sent the Sputnik into space. Within a short period, the US education system got its act together and upgraded its attention to science, maths and engineering with spectacular rewards, which it still reaps. The Government should examine how the US did this and the painstaking approach adopted to reverse the decline in science education. The Minister and myself debated this issue in Donegal last July but the Minister for Education and Science still has not indicated that she is even aware of this issue, even though she is the lead Minister in the development of science and technology in education.

I refer to a number of other issues. Ten days ago Fingal County Council announced an ambitious programme of more than a dozen primary and post-primary schools to cope with the massive increase in population in areas such as Castleknock, Blanchardstown, Mulhuddart, Balbriggan and Swords. It is unusual in my experience of government in Ireland — I am sure the Department of Finance was as surprised as I was — for a local authority to announce significant capital commitments for new schools, given the current expenditure implications for spending

[Deputy Joan Burton.]

on staff and so on. The commitment to new schools is absolutely essential. Has this additional capital commitment, which featured prominently on radio and television, been provided for in the context of the population increases to which the Minister referred in framing the pre-budget outlook? Where is it included in the Estimates? What is the status of capital commitments on school funding? Will we have to wait until budget day or later to find out the detail of the schools building programme and the consequent staffing commitments for the new schools? Is the Minister for Education and Science even aware of this commitment? Has she paid the Minister for Finance a visit to discuss Fingal County Council's correct identification of areas that need new schools?

A further area of commitment on the part of Fianna Fáil during the general election campaign involved a climate change programme and a significant reduction in carbon emissions. The pre-budget document gives no indication as to the Minister's thinking on these important issues. I do not know whether he intends to propose tax changes that will reduce carbon emissions and encourage people to save energy. It is a limited document when one considers this is one of the critical questions not only facing Ireland but the world. The general understanding following the election was that a serious climate change and carbon reduction programme was one of the cornerstones of the deal between Fianna Fáil and the Green Party to form a coalition Government. However, the pre-budget document is silent on what the deal will mean on budget day. This is an important issue because it features prominently in the programme for Government.

The Government also made a significant commitment, which I strongly support, regarding overseas development aid. As the economy slows, we need to know what will be the impact of this commitment on an ongoing basis on the Exchequer. The commitments on climate change, ODA and the construction and staffing of new schools arising from population increases are as significant as the commitment to the national development plan but if the Minister is facing a levelling off or a reduction in expenditure capacity, we need to know how he proposes to approach them. The pre-budget outlook does not tell us very much about his thinking. In the run-up to the election, the Minister's approach to spending was almost entirely political. Now that the budgetary situation has turned around, he must act in the national interest.

The Minister asked about the Labour Party's commitments. In the event of cutbacks, we want to ensure those who are marginalised and disadvantaged are not further reduced in circumstances. We seek to maintain the commitments made to the development of key infrastructure, which forms the basis of future economic growth. Now is the time to review areas where adminis-

trative overheads and vanity projects have led to wasteful spending. The issue for the Minister and for Fianna Fáil is whether they have the bottle to adopt this type of approach.

In the course of the general election, the Minister made specific commitments to lower both the higher and standard tax rates. He promised to reduce significantly and reform PRSI, not just over a five-year period but on an annual basis. He further promised to index bands and allowances for PAYE taxpayers. The first line of the section on tax promises in Fianna Fáil's election manifesto referred to indexation, tax bands, PAYE and personal credits. Fianna Fáil promised to undertake all these reforms within the expected tax take.

Now that the Minister has acknowledged that the tax take for next year is likely to decline even further than it did this year, the question arises as to which of these promises will be jettisoned on budget day? In terms of ordinary workers and their families, the key objective the Minister must deliver is to maintain the value of income tax credits, bands and allowances in line with inflation. If he fails to do so, there will be a repeat of the situation from 2002 to 2007, where the failure to expand tax credits, bands and allowances for inflation meant they were effectively frozen and thus constituted the largest stealth tax of all for ordinary workers and their families. Some 50 stealth taxes were introduced in those early years of cutbacks under the Minister's predecessor, Charlie McCreevy. The most significant of these was the failure to index the various tax credits and bands.

Where does the Minister stand on this? What is the use of a pre-budget outlook if he is not prepared to impart his thinking on the pre-election promises that must now be curtailed? He may hope the electorate will have forgotten these broken promises by the time of the next election in 2012. This time, however, it will be a case of: "Fool me once, shame on you; fool me twice, shame on me." We will look closely at the package announced by the Minister on budget day to see whether he takes the electorate for a complete bunch of suckers now that the election is safely over.

The recent chaos in the health services has led to significant suffering for many individuals. I do not know whether this is a tactic *pour encourager les autres*, that is, to ensure other overspending Departments get back into line as quickly as possible. The Labour Party amendment proposes that in examining the pre-budget outlook, the emphasis, looking forward to budget day, should be on maintaining critical infrastructure investment, protecting the marginalised, poorest and most disadvantaged from cuts, and protecting key areas such as health and education.

The Government has put forward proposals to change and reduce funding for community crèches. These operate in some of the poorest areas in all our constituencies. Now that the EU

funding for this service is due to end later this month, my understanding is that the Government proposes to revert to offering funding for crèche places only to those in receipt of social welfare assistance. This means that families on the most minimal incomes could soon face commercial crèche prices for community crèche places. These can be as high as €200 per week in Dublin. This is a recipe for introducing another poverty trap. The pre-budget outlook is silent as to the intentions of the Government in this area.

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): I welcome the opportunity to contribute to this discussion on the pre-budget Estimates for 2008, published last week by the Tánaiste and Minister for Finance. They mark a significant development in reform of the Estimates and budgetary process. The Government's objective is to create a more unified and transparent approach to the budgetary framework and to provide greater transparency in terms of the allocation of resources.

The Government wishes to focus on value for money. In response to Deputy Burton, I contend that it is in everybody's interests to move away from the rhetoric on child care and instead seek ways to deal with the proposals before us. Those proposals emanated from a value-for-money exercise undertaken by the Department of Health and Children in regard to the previous six-year programme, which was largely funded by the Exchequer. The claims in leaflets emanating from those campaigning on this issue that it was all EU money are disingenuous. Deputy Burton too referred to the cessation of EU funding in this area. The reality is that the Government has allocated significant resources to child care in the past six years. More money will be allocated in the next six years. That should be acknowledged.

The issue to consider is how this money is allocated. I recognise the concerns raised in this regard. I have impressed upon interested parties the importance of gathering data and information so that we can form a basis for teasing out the issues involved and how serious are the problems in certain communities.

Deputy Paul Connaughton: There are serious problems.

Deputy Micheál Martin: I sought those data.

Deputy Joan Burton: I understood the pre-budget outlook was designed to address such issues. I have asked what the Government proposes to do.

Deputy Micheál Martin: That is disingenuous. Deputy Burton knows the pre-budget Estimates were not designed to deal with a detailed scheme under the aegis of one Department. We should not use this process as an opportunity for propaganda. What is of primary concern within this

framework is the outcome, which is about looking after those most vulnerable and disadvantaged. This is the focus we wish to develop.

I welcome the publication of the 2008 Pre-budget Estimate for the Department of Enterprise, Trade and Employment, which amounts to more than €1.522 billion in Exchequer funding. This represents an increase of €28.68 million on the 2007 allocation. In addition to the Exchequer allocation, the national training fund, NRF, will contribute more than €402 million to my Department for the training and upskilling of the labour force. The combined Exchequer and NTF allocations will allow my Department and its agencies to continue to focus on the delivery of key services that will support Ireland's competitiveness.

Improving our competitiveness is vital if Ireland is to maintain economic growth in the years ahead. It is all the more important in the context of an ever-changing global environment and an increasing number of aspiring competitors in the global market place. To improve our competitiveness, we must anticipate and adapt to international challenges. The strategy for science, technology and innovation, which was published last year, represents a vision to make Ireland renowned for the excellence of its research and innovation. It is an integral part of the national development plan and adopts a whole-of-Government approach to transforming further the State's research and development base.

For 2008, investment in science, technology and innovation programmes under my Department's Vote will amount to more than €289 million. This funding will allow Ireland to continue to build its science base and ensure that we have the capacity to attract foreign direct investment and improve competitiveness through innovative products. Although it is early days in the delivery of the Government's science strategy, substantial progress is already being recorded. Science Foundation Ireland, SFI, made a total of 832 awards across all of its programmes to the end of 2005. By the end of 2008, it is projected this will have almost trebled, to a total of 2,401 awards. In 2008, SFI will continue to fund the existing eight centres for science, technology and engineering, or CSETS. To support and develop programmes with commercial potential, 155 projects will be supported under Enterprise Ireland's commercialisation fund. More than 50 research and development projects will be supported by the IDA in 2008.

People have raised the legitimate question of whether the STI strategy is delivering for Ireland. Total research and development spending across all sectors of the economy reached about €2.33 billion in 2006, up more than 14% on 2005. Gross expenditure on research and development has increased by 26% in nominal terms between 2004 and 2006. Research and development spending in the business sector rose by more than 17% in

[Deputy Micheál Martin.]

2006 compared to the previous year, to reach €1.56 billion.

Expenditure in excess of €2 million in research and development activity by Enterprise Ireland assisted companies rose from a base of 21 companies in 2003 to 40 in 2006, with such progress expected to continue throughout 2008. It is in line with the target set for 2013 that 100 will achieve this level of spend. Enterprise Ireland client companies spending €100,000 or more on research and development rose from 462 in 2003 to 620 in 2007, with such progress expected to continue throughout 2008. It is also in line with the target set for 2013 of 1,050 companies spending €100,000 or more on research and development projects.

Separately, 54 research and development projects were supported by the IDA in 2006, with about 50 to be supported in 2007 and 2008. Some 140 projects were approved in 2005 under Enterprise Ireland's commercialisation fund, which rose to 155 in 2006. That progress is expected to continue throughout 2008. We have more licensing between third level institutions and industry, and there is also patenting etc. under Enterprise Ireland schemes.

A host of companies, such as Lucent Technologies, Wyeth Biotech, Guidant, Cisco, GlaxoSmithKline, Pepsico, Intel, IBM, Bristol-Myers Squibb, Servier, Merrill Lynch, Merck Sharp & Dohme, Dawn Farm Foods and others, such as Bell Labs and Georgia Tech, are now choosing Ireland as a home for their research activity. That would have been unthinkable in the past, so we are making the transformation to a knowledge-based economy, and one that is looking to create Ireland as a very significant and attractive location for investment in science and technology.

Parallel with this is the key target of upskilling the labour force. Last year we published the national skills strategy, which set ambitious targets for upskilling the population. The national training fund will provide €402.9 million in 2008 for the training and upskilling of the labour force, directed at a range of activities, such as Skillnets and FÁS. FÁS will also receive substantial Exchequer investment for an extensive range of programmes addressing the needs of both individuals and companies. In total, the body will receive more than €1 billion in 2008 from the national training fund and the Exchequer.

In addition to upskilling those already in the workforce, FÁS funding will provide training and support for people seeking employment including people with disabilities. Funding for specific employment and training programmes for people with disabilities will amount to €77 million in 2008. People with disabilities can also avail of mainline FÁS programmes and services. Funding for FÁS employment programmes, including community employment and jobs initiatives will total €419.5 million in 2008.

The promotion of appropriate strategies to encourage a competitive economy is balanced, in my Department's pre-budget Estimates, with the protection afforded to consumers and workers. The establishment of the National Consumer Agency on a statutory basis this year was a watershed in the drive to protect consumer rights. Funding for the agency has been increased by €2 million in the 2008 pre-budget Estimates, to €10.397 million, an increase of 24% in the 2007 allocation.

The increased allocation to the NCA for 2008 will allow the agency to deliver on its mandate, particularly in areas such as consumer advocacy, research, information, enforcement, education and awareness. It will champion the cause of the consumer while working with businesses to help them understand and comply with their regulatory obligations.

Funding for the National Employment Rights Authority has been increased in 2008 by more than €1 million, or 12%, to €9.6 million. This increase takes account of the recruitment of additional staff which has been ongoing in 2007. The establishment of the National Employment Rights Authority was a key element of the social partnership agreement, Towards 2016. The agreement provided for a trebling of the number of labour inspectors to 90 by the end of 2007 and for associated legal accounting administrative support staff. The labour inspectors will be based in Dublin, Cork, Shannon and Sligo, as well as the new head office of the authority in Carlow, which opened in July. That was a good example of successful decentralisation.

Deputy Paul Connaughton: The Government has a long way to go. The Minister should have left that comment out.

Deputy Micheál Martin: I expect the authority to be fully staffed by the end of 2007 and there is an ambitious business plan in place for 2008 focusing on the promotion and enforcement of employment rights.

The Labour Court, the Labour Relations Commission and the Employment Appeals Tribunal, which are all funded through my Department's Estimate, provide further supports where necessary to workers — and indeed to employers — as part of the employment rights and industrial relations mechanisms under my Department's remit. These areas have had their allocations increased in the pre-budget Estimates in line with standard inflationary increases to allow them to maintain their high level of services. Funding to the Health and Safety Authority has also been increased in line with standard inflators to ensure occupational health and safety continues to receive attention.

I draw the attention of Deputies to an increase provided in my Department's pre-budget Estimate for the workplace innovation fund, with the allocation amounting to €2.75 million. This rep-

resents an increase of €1.8 million on 2007, in line with previously stated partnership commitments. This has been a significant contributor to social partnership in the Irish economy.

We are determined to provide value for money and concentrate on outcomes in key strategic areas which will ensure the continuation of Ireland's competitiveness. The key areas of skills, research and development, consumer awareness and advocacy, as well as a commitment to fair practice and the proper application of labour law, will be key elements of this year's pre-budget Estimates for my Department.

Deputy Paul Connaughton: If only it was as simple as the way the Minister finished up his speech. It is a pity those concepts are not actually put into practice. I have listened to the same comments from one budget to another and they never seem to work out.

The outlook for this year's budget is an entirely different kettle of fish to last year's example. At that time there was not even a cloud in the sky, although some of the underlying problems now besetting the economy were beginning to emerge. However, we were approaching a general election and there could be no impediment on the return to Government by Fianna Fáil.

This is not the first time Fianna Fáil pulled this stroke. People may have very short memories but the same comments were made before the 2002 general election. We remember the so-called swingeing cuts the then Minister for Finance, former Deputy McCreevy, made to correct the position. That was the fashionable phrase we had for two years. It was not that the Minister was reneging on promises but rather he was correcting a position when the general election was over.

Is it not strange that in the 12 months leading up to the last general election, everything seemed absolutely rosy as the economy was being talked up without the possibility of a problem? I understand Fianna Fáil, based on election promises, indicated that based on the growth in the economy of 3% to 3.5% over the next three years, the programme for Government set out last May would have been possible. Economists now seem to agree the growth in the economy should be between 3% and 3.5% over the next three or four years. If the Government figures were predicated on this growth rate, why is the Minister for Finance now literally frightening people in the last couple of weeks before the budget with this very dour forecast?

There are several issues the Irish people will be sore about next budget day if they do not come about. The people were given an absolute understanding, given the growth rate I have spoken about, that the top and standard rate of tax would be reduced and there would be indexation of the bands and allowances. Everything I hear coming from the Minister for Finance, the Taoiseach and

everybody else speaking about the forthcoming budget seems to suggest the Government is trying to sidestep these matters.

Acting Chairman (Deputy Ciarán Cuffe): Will the Deputy adjourn the debate?

Deputy Paul Connaughton: I will have much to say the next time.

Debate adjourned.

Private Members' Business.

Agrifood Industry.

Deputy Michael Creed: I move:

That Dáil Éireann,

noting:

- the inadequate consumer information offered by the current Irish labelling regime and the Government failure to legislate appropriately;
- the need to end the labelling abuse which is allowed by the 'substantial transformation' loophole;
- the legitimate consumer and industry concerns about the continued importation of meat from countries where production systems do not meet EU standards;
- the threat to the viability of meat producers posed by the rising cost of animal feed and incoherent Government policy in this area; and

in light of:

- the economic importance of the agri-food industry, which accounts for 10% of employment, 8% of GDP and 25% of net foreign earnings;

calls on the Government to:

- protect consumers and farmers by introducing comprehensive labelling legislation and banning substandard imports;
- protect consumers and farmers by closing the legal loophole which allows foreign produce to be passed off as Irish; and
- ensure that the regulatory regime as it applies to the importation of animal feed is reformed so as to provide easy access to feed importers and farmers to animal feed at affordable prices.

I wish to share time with Deputies McHugh, Flanagan, Connaughton, Crawford, Doyle and Clune.

7 o'clock

Acting Chairman: Is that agreed? Agreed.

Deputy Michael Creed: What we are talking about here is the combined and shared objective of primary food producers and consumers to have food they produce and purchase properly labelled with reliable information regarding safety, origin and nutritional value and other critical information that should rightly be attached to it. In economic terms, we are talking about a beef industry worth in excess of €1.5 billion per annum, a pig industry worth €450 million per annum — which employs in the region of 7,000 people — and a poultry sector worth approximately €250 million per annum. We are also talking about the 100,000 plus farm families and the many more individuals employed in processing, distribution, marketing and other related sectors. We are further talking about an indigenous Irish industry that has proved itself capable of competing with the best at a global level. More important, however, we are talking about consumer rights and, specifically, the exposure of Irish consumers, through flawed, piecemeal and dangerous labelling legislation, to substandard food masquerading as Irish produce in our supermarkets, shops and restaurants. As a result, people are also being exposed to very real health risks.

At the core of this debate is the fact that the Government — like its predecessor — is reckless in light of the facts regarding the dangers associated with the continued importation of Brazilian beef into Ireland and the EU. In mid-July, the Minister for Agriculture, Fisheries and Food, Deputy Coughlan, in an article in the *Irish Farmers' Journal*, said, "There are issues with traceability and tagging, but Brazilian beef is a threat to trade, not a threat to health". This statement, quite apart from being far removed from the facts and representing a betrayal of more than 100,000 Irish beef producers who comply with the highest standards of production relating to traceability, animal welfare, etc., begs a number of questions I want the Minister to answer this evening. I acknowledge the presence of the Minister of State, Deputy Sargent, but I regret that the Minister is not in the Chamber.

Deputy Trevor Sargent: The Minister is on her way. She is flying in from Brussels.

Deputy Michael Creed: Why, within hours of an outbreak of foot and mouth disease involving a single animal on one farm in the UK, did the Minister and her EU colleagues move immediately to ban UK exports of beef to other member states when no such action is deemed necessary in respect of Brazil, where the disease is epidemic? If the UK decided in the immediate future to vaccinate its national herd against foot and mouth disease, why, under the current European Commission regime to protect consumers, should its beef exports be banned for six months

when all Brazilian beef is so vaccinated and is allowed free entry to the EU? The Minister and her colleagues at the Council of Ministers and the Commission are dangerously undermining public confidence in the European Union and its institutions. This is happening at a critical time in the context of an impending referendum on the new European Union treaty in Ireland in 2008.

Brazilian beef is used by the large multiples to benchmark the price to primary producers. It is putting Irish farmers out of business. Brazilian beef threatens our biosecurity and those who produce it use angel dust, also known as clenbuterol, and other growth promoters. In terms of beef production, Brazil has been found wanting by the European Union Food and Veterinary Office in the areas of the testing of chemicals used in parasite control; the authorisation, distribution and control of veterinary medicines; the lack of international accreditation of its laboratories; and the use of angel dust, which has significant effects on consumers.

Brazilian beef is dangerous for Irish consumers. Why is the Minister aiding and abetting the European Union Commission in a cover-up of the unacceptable standards and dangerous practices — these would not be tolerated in the EU — associated with the production of Brazilian beef? In so doing, why is she undermining the commitment of Irish beef farmers to produce a high-quality, traceable and safe product. Her actions are nothing short of national sabotage.

Many independent and highly regarded commentators recognise the predicament faced by Irish food producers. Recently, Dr. Patrick Wall, of European Food Safety Authority — formerly of the Food Safety Authority of Ireland, FSAI — commented on the lack of a level playing pitch. His successor at the FSAI, Dr. John O'Brien, who stated in today's newspapers, "It is unacceptable that consumers may be purchasing foodstuffs where the labelling is incorrect, lacking clarity or is simply portraying the product as something it is not". Need I say more about the shambolic labelling regime that is currently in place? Add into the mix substantial transformation and one has the proverbial coach and four being driven through the regime. When one asks where consumers come into play in all of this, one realises that they do not do so. Brazilian beef, chickens from China, pork from Phuket can all, through the waving of the magic wand that is substantial transformation, be legally passed off as Irish. This practice must end and clear country-of-origin labelling of Irish meat is essential.

The "Green Ireland" label has been Fine Gael policy for a long period and if the Minister wishes to run with it, we will back her all the way. Consumers need clarity on this issue. At present, many Irish brand names are passing off cheap imports as Irish produce and abusing their position of trust with their loyal customers. This is nothing new. As long ago as 2002, the then Department of Agriculture and Food's food

labelling group called for an end to this behaviour, as well as extending country of origin labelling to sheep, pig and poultry meats. Needless to say, nothing has happened in respect of these matters in the interim. The only thing that did happen is that farmers went out of business as a result of the Department's inaction and consumers were exposed to unnecessary risks.

The beef labelling regime, which applies to 43,000 retail premises, is, as currently constructed, a joke, with only five auditors attached to the scheme and a 2004 report indicating widespread evasion of responsibility by the sector. I understand that 42% of the 90 samples taken during the compilation of the report to which I refer were shown to be in breach of the regulations.

I acknowledge the role of the Department of Health and Children in introducing new legislative changes in this area. However, five years is too long to wait for relatively straightforward changes. Lessons need to be learned for the current shambles and they also need to be learned in the area of enforcement. Is it too much to ask, in the interest of consumers and a multi-billion euro industry, that a single authority be vested with enforcement powers, rather than, as is the case under the current regime, the Food Safety Authority of Ireland, the Department of Agriculture, Fisheries and Food, local authorities, the National Consumer Agency and the Department of Transport and the Marine all having a role? The latter is a recipe for disaster. We could take lessons from the introduction of the smoking ban, when 80 additional environmental enforcement officers were recruited. Surely the agrifood industry is of such significance and magnitude that it deserves a similar response in the context of enforcement.

As the Minister is no doubt aware, the price of compound feed, which is a critical input in the beef, pig and poultry sectors, has increased dramatically in the second half of 2007. There are many reasons for this including a global drop in production as a result of drought in Australia and a switch from food to fuel in the United States and South America in particular. These developments have driven prices upwards.

Irish farmers need access to 3.1 million tonnes of imported cereals. A major obstacle to sourcing this feed is the absence of a streamlined approvals regime among the Food and Drugs Administration regime in the United States of America, the European Food Safety Authority and the Food Safety Authority of Ireland in respect of new varieties of genetically modified, GM, grains. We invest countless millions in the Food Safety Authority of Ireland and the European Food Safety Authority and it is remiss of us to not accept their scientific findings.

As I told the Minister of State during Question Time, we adopt a flat earth approach if we do not accept the scientific findings of these authorities. This problem reached farcical proportions this year with the attempts to import the Herculex

maize strain. With conflicting signals coming from different corners of Agriculture House, the Department finally abdicated its responsibility on two critical votes at EU level and, in so doing, damaged our credibility for the future, delayed access to Herculex for feed importers and farmers and contributed to the increased costs farmers have had to pay for food.

Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Trevor Sargent): The Deputy is making it up.

Deputy Paul Connaughton: The Government did not look.

Deputy Michael Creed: In all of this, the Department has given hostages to fortune in respect of the legitimacy of GM feeds here and must clarify its position on this issue as a matter of urgency. Clean and green and GM feed are not, to my mind, mutually exclusive terms. GM feed has been, and continues to be, a critical component of the food chain here for over a decade. To pretend anything else is dishonest.

Deputy Trevor Sargent: Deputy Creed should talk to customers; they are mutually exclusive to them.

Deputy Michael Creed: I heard the Minister of State's comments at the Anuga fair in Germany where he said that the answer to the Brazilian threat lay in organic production. We favour organic production but if the Minister of State thinks a multi-billion euro industry can turn itself around overnight and not have a GM component in its feed regime, he will put hundreds of thousands of Irish farming families and people in the food processing sector out of business.

We favour GM feed being made available to farmers and also favour the organic sector. We are in favour of consumers having choice. The Minister of State's approach in his Department is to eliminate choice, ban GM feed and put everybody into the organic sector. That is a recipe for closing down the Irish food industry overnight and is something this side of the House will not stand for.

Deputy Trevor Sargent: The Deputy should talk to the customers and then he will find out what is the real story.

Deputy Paul Connaughton: Every day, they speak with their feet. The Minister of State knows that.

Deputy Trevor Sargent: They think we are clean and green.

Deputy Paul Connaughton: What percentage has organic farming risen by in the past five years?

Acting Chairman: Deputy Connaughton has had his say and should allow the speaker to proceed. I must keep order in the House.

Deputy Joe McHugh: To follow on from and concur with my colleague, Deputy Creed, we are facing a serious issue here. The first thing we must do is be honest in the debate. At the moment, our consumers are misled and misinformed. We have only to look at a few examples. Recently, I came across an example of cheese made in the UK but which is packaged as Irish. The reason for this is that such cheese contains one small ingredient of Irish origin. There are examples of wholesale meat coming in from Argentina and Brazil and being packaged as Irish and examples where Irish companies abroad package their goods as Irish.

We are not looking to ban competition but to promote Irish goods. As my colleague said, we have a policy in respect of the green Ireland brand. The Minister takes ownership and has an opportunity or open goal in terms of protecting the consumer. The consumer is always right but is being misled and misinformed. Sometimes there is a country brand on the packaging but it could be in small print or made in New Zealand or Denmark so there is a vast array of anomalies within the packaging and labelling sector which we must address.

I am very keen to speak on the record of the House about the effort and diligence of Irish farmers. From my work in my constituency of Donegal North-East, I know about the effort they put into cross-compliance and sometimes unworkable departmental regulations. Irish farmers bought into it on the basis that there would be a quality Irish product that would help increase the price but prices are not rising. I know there is talk that Irish beef has increased in price in the past two years but in terms of 1980s prices, prices are not increasing when one takes index-linking and inflation into consideration.

We are looking at a situation where the operations of small farmers throughout the length and breadth of this country will close down. I refer specifically to pig farmers. Pig farmers, who represent the third most important agricultural output sector in this country, are being crippled in terms of the 35 cent per kilogram increase in maize from this time last year.

The Minister of State says that we are being disingenuous and dishonest but in respect of the Herculex maize strain and GM food we need to bring in, the reality is that people tonight will be eating beef from outside this country from cattle fed on GM food. It is contradictory and hypocritical to say we should ban that import.

It is also important to state on record in this House that GM food can be sold as a bad thing in terms of looking for best practice but one should look at the potato crop over the past 30 years. How many times did the potato crop change through genetic modification? We are still

eating potatoes and the same should go for the Herculex maize strain. This is where we need to be sincere and honest in terms of not misleading the consumer about the product they are eating.

We should learn from the example of the UK whose pig industry went to the wall because it operated under double standards. Strict welfare legislation was introduced in respect of the pig sector but the protections were not introduced in respect of imports. That is the issue here tonight. We are not introducing protections against imports of foreign beef that does not go through the rigid mechanisms of cross-compliance. From various IFA deputations to Brazil, we know for a fact that food from animals affected by foot and mouth disease is coming into this country and we must follow up on this evidence.

In respect of pig farmers, we have a labelling system that was introduced so that the consumer could feel safe but it is not being adhered to. I hoped the Minister would be here tonight because, as the Minister of State is, no doubt, aware, she engaged in scaremongering throughout the general election campaign, particularly in my own patch, to the effect that people should not vote for Fine Gael because it would go in with the Green Party. I know the Minister of State has visited Donegal on various occasions and on different missions. I have visited farmyards there and if the Minister of State had visited some of these farms before the general election, he would have been chased out and hunted by people telling him that his party was planning to go in with Fine Gael in the next election and would drive farmers out of business.

Deputy Trevor Sargent: I found them very friendly.

Deputy Johnny Brady: I would not say they were rolling in money.

Deputy Joe McHugh: Deputy Brady knows that this is the case. He knows this because the Minister visited the farmyard in County Meath as part of a very infamous trip to that county. He knows about the scaremongering that went on. To use an agricultural term, the Minister of State does not have an open door but he has an open gate, as Deputy Creed noted. He should take ownership of this issue because there is a direct correlation between what we have on our tables and our welfare and health. I ask the Minister of State to take what we are calling for into consideration and put some effort and sincerity into the debate. We on this side of the House will back him because it is a policy that we have had on our table for a very long time. I seek the Minister of State's indulgence in respect of this debate and the matter of labelling enforcement.

Deputy Charles Flanagan: Fine Gael has been campaigning for the introduction of comprehensive food labelling and the banning of substand-

ard food imports at national and EU level for many years now. However, successive Fianna Fáil-led Governments have steadfastly looked the other way and made plain their disinterest in food consumers and the future of Irish farming. I have a number of questions for the Minister of State. Are environmental health officers sufficiently resourced to enforce the Health (County of Origin of Beef) Regulations? Has his Department taken sufficient action to ensure that businesses selling beef are aware of their statutory obligations in respect of labelling? Does he accept that it is his responsibility to ensure that these regulations are being adhered to?

The Food Safety Authority of Ireland, FSAI, recently revealed that food labelling in this country is an utter shambles. A recent FSAI survey found, for example, that 25% of honey labelled as Irish is of foreign origin. What action will the Government take in response to this research report? As the Government's own literature states, "most of the legislation on food comes from the EU". This Government and the Oireachtas committee chaired by Deputy Johnny Brady have become lazy and apathetic about generating rights-enhancing legislation for consumers and neglected to take a proactive approach to protect the Irish agrifood sector, which accounts for 10% of employment, 8% of gross domestic product and 25% of net foreign earnings.

We are now patiently waiting to see if Commissioner Markos Kyprianou chooses to ban EU imports of substandard beef. What is certain is that if the EU belatedly takes this action, it will be no thanks to the efforts of Government, the Minister, Deputy Coughlan, or Fianna Fáil. The consistent intransigence in regard to the crippling difficulties that the continued importation of South American beef has caused for farmers speaks volumes about the true views of Fianna Fáil on this matter.

Time and again the Minister has been briefed on the inequity and inconsistency of subjecting EU farmers to stringently high standards while allowing the market to be swamped by cheaper South American beef which does not meet, nor is it required to do so, the same lofty standards as EU-produced beef. Last July, the Minister, Deputy Coughlan, famously defended Brazilian beef and undermined the IFA after it presented a report on production standards in Brazil to the European Commission.

The reality is that Brazilian beef falls down considerably in the areas of traceability and effective foot and mouth disease controls. Governments in the United States of America, Japan, South Korea, New Zealand and Australia have been willing to ban substandard beef but our Government is willing to stand idly by while our indigenous beef market buckles under the inequity and unfairness of the *status quo*. Farmers throughout the length and breadth of my constituency in Laois-Offaly are angry and frustrated by the Government's attitude and Fianna Fáil's

inaction on this matter. Fine Gael has a different approach and I compliment my colleague Deputy Creed on tabling this motion which we will debate tonight and tomorrow night.

The value of Fine Gael's approach to food labelling was recently highlighted by a survey conducted by the IFA at this year's National Ploughing Championships in Tullamore in my constituency. The IFA survey, conducted at the request of the Food Safety Authority of Ireland, found that a majority of consumers here associate Irishness with brand names, even though these brands may not contain Irish products. The fact that the majority of the 2,110 people surveyed came from the farming community which has a high awareness of labelling and the importance of sourcing Irish produce highlights starkly the need for this Government to take on board Fine Gael's proposals on food labelling, as outlined by Deputy Creed.

The Government's approach to this matter is a no-brainer. It is time the Government took action to give food labelling the priority it deserves and took decisive action to protect the interests of the agri-food industry and the consumer.

Deputy Paul Connaughton: I want to introduce some realism into this debate given that the Minister of State responsible for this area is present. I was surprised by some of his interjections he made but I will listen to what he has to say on this matter.

Deputy Trevor Sargent: I will listen to what the Deputy has to say as well.

Deputy Paul Connaughton: A calf was born on my farm at 6 a.m. this morning.

Deputy Seán Sherlock: Congratulations, Deputy.

Deputy Paul Connaughton: Thank you, Deputy.

What will happen to our beef industry over the next two years will determine whether it will be worth my while and that of 100,000 other Irish farmers to get up at 6 a.m. and spend two hours dealing with a difficult calving. A million or more other calves will be born on Irish farms this year. Multiples of that number of calves will be born on Brazilian and Argentinian farms. While Ireland is a member state of the European Union, Brazil and Argentina are not member states of it, but with their scale of production, better weather conditions, lower feed and wage bills and with the way the system has been set up worldwide, they will be able to undercut the price of our beef exports on the European market.

We must export eight out of every ten animals reared on Irish farms. My calf and the other million calves that will be born this year must undergo the most stringent compliance measures, which are much more stringent than those apply-

[Deputy Paul Connaughton.]

ing to Brazilian and Argentinian calves. Irish farmers must comply with these measures to ensure that consumers can trace beef products for sale back to my animal and other animals which is possible because of the records documenting their lives from farm to fork.

I had to tag both ears of that new born calf this morning. His details were forwarded to the CMMS computer system in Cork today and I will receive a full passport for that animal in a few days' time. Every animal has a full passport, which is not something every member of the population has. I must enter that animal's birth in a herd book, of which I am sure the Ministers of State are aware. I must also enter every injection that animal will get during his life. I must have separate special storage space for all medicines and needles. I must have proper wintering facilities and I must care for this animal as if he was a family pet. I must test the animal for TB every year and if I have a TB reactor, I will not be able to buy or sell animals until two consecutive tests have been successfully completed. I must record the animal foodstuffs I buy. If an animal contracts foot and mouth disease or BSE, my herd will be slaughtered. This process is overseen by several on-farm inspectors.

A farmer was fined 1% of his total grant aid the other day because he was not able to advise the Department the breed of the bull that impregnated his teenage heifer. In other words, he could not say from where the bull came and he lost 1% of his total grant aid. That illustrates the process of cross-compliance. It is a long way from what is happening in Brazil. The system in place there is light years behind us.

Deputy Mary Coughlan: The Opposition leaders are not present to hear what the Deputy has to say.

Deputy Michael Creed: This is no laughing matter.

Deputy Mary Coughlan: I am delighted that the Deputy has been elevated to a new position.

Deputy Paul Connaughton: That is the way the Minister passes over this issue.

I have illustrated the hard fact. Like every other farmer, I am delighted to go through that system. In terms of organic farming, I put it to the Minister of State, that this is as near as we can get commercially to organic farming. When my calf is slaughtered in two years' time I do not want to discover——

Deputy Michael Creed: That the animal has died in debt.

Deputy Paul Connaughton: —that he will die in debt and that an animal reared under much worse conditions thousands of miles away is

allowed free rein on the Irish market, and because of a lack of proper labelling, people do not know what they are eating.

I put responsibility for agriculture at the Minister's door. She has been talking for long enough on this matter and understands the situation. When a person dines in a restaurant or in a hotel, I cannot understand why it is not clearly indicated on the menu the country of origin of the meat on offer; such indication is only happening on a patchy basis.

The Minister and Ministers of State opposite have the power. They may say that, in referring to the calf that was born on my farm this morning and the thousands of other calves that will be born this year, I am bringing the debate down to a low level, but that is where this process starts. I hope the Minister will not be on the opposite side of the House in a few years' time.

Deputy Johnny Brady: There is no doubt that she will be here.

Deputy John Browne: She will be here for the next five years.

Deputy Paul Connaughton: The Minister is making a terrible mistake in her approach to this matter. As was rightly said by my colleagues, the minute there was an outbreak of foot and mouth disease in England the Minister rightly said on television that she would pull down the shutters and ban the import of beef to this country. Why did she not take that approach and ban a product of lesser quality, of unknown quality or quality over which nobody could stand? Why are we not making a racket about this at the Council of Ministers and requesting the banning of the importation of such substandard products into Europe? It is one thing to talk about this issue in Ireland but we export eight out of every ten animals to the European market, which is where we face the real competition. What are the Minister and Ministers of State doing about it? They are behaving like lambs; there is not a word out of them. It appears that when the Minister, Deputy Coughlan, goes to Europe——

Deputy Michael Creed: She should talk to her MEPs.

Deputy Mary Coughlan: There appears to be selective amnesia in the minds of Members opposite.

Deputy Paul Connaughton: —she has no influence where it counts most. It is one thing to have influence in County Donegal but it is another matter to have it where she is paid to have it, namely, in the heart of European politics. She does not have it there and that is what is wrong.

I am in favour of organic farming, but if the Minister of State, Deputy Sargent, believes, as

Deputy Creed said, that we can organise a huge commercial enterprise like Irish agriculture to be totally organic——

Deputy Trevor Sargent: Some 5% of it, Deputy.

Deputy Michael Creed: That is what the Minister of State said would be our answer to Brazilian beef imports.

Deputy Trevor Sargent: I did not.

Deputy Paul Connaughton: The Minister of State does not believe that; he is too sensible to believe that. He is playing politics here and I am surprised he is carrying on like that.

Deputy Trevor Sargent: I said 5%, Deputy.

Deputy Seymour Crawford: I welcome the opportunity to speak on this motion. Unlike some of my colleagues I have been present for previous debates on this area and I have been talking about this matter for the past 14 years. While they may be depressed at the reaction tonight, I am not surprised. There is a total lack of commitment to deal with this situation.

I live in the heartland of chicken and pigmeat production. Farmers tell me that chicken can be imported from anywhere, packaged and sold as Irish. How do we know the way the product was produced or its background? We have the same situation in the beef industry. It is imported from Brazil, with all the limitations on traceability that implies.

Deputy Brady, the Minister of State, Deputy Browne, and I visited Chicago several years ago. On American farms we saw the use of steroids in milk, hormones in beef and God knows what in chickens and everything else. Irish farmers must compete with those products on world markets. Talk about us being whiter than white while allowing unlabelled products is unacceptable.

In a few minutes we will be told that the Department of Health and Children deals with labels. We are dealing with the Government and surely it meets at least once a week when the Dáil sits. It is up to the Minister for Agriculture, Fisheries and Food to ensure the Minister for Health and Children is dealing with it. A scheme was agreed in respect of beef but personnel to man the scheme were not provided and so nothing is happening.

The cost of feed and the cost of buying it in the future is causing major problems for pig and poultry farmers at present. They do not know what the future holds. The Minister promised she will do all she can but she also promised that in respect of the nitrates directive. The small pig farmers who hoped she would do something for them are now gone, she no longer has to worry about them. I urge the Minister to introduce a labelling system so that people can buy the raw

materials to feed their products and allow the industry to live.

Deputy Andrew Doyle: A calf was born on my farm too this morning. I am not sure if it was born at 6 a.m. At 4 p.m. my 13 year old son rang me to tell me a second was born. He has to run things.

Deputy Trevor Sargent: It was a busy day.

Deputy Andrew Doyle: Both calves are alive but I have not yet sent away my forms. I am not as committed to that part of the process as is Deputy Connaughton.

In 1973 28% to 30% of weekly disposable income was spent on the household basket. This figure is currently at 12%. People can afford to make a choice. Food labelling allows them to make an informed choice. The one thing worse than no labelling is misleading labelling. It is opportune that Dr. O'Brien from the Food Safety Authority launched a campaign to allow people to make informed purchasing decisions based on accurate, clear food labelling information. The onus was on the industry to provide honesty and truth in labelling. Deputy Creed has outlined the effects of substantial transformation. It is time we changed it.

Regarding affordability of choice, the Irish housewife or house husband can go the shop, supermarket or restaurant and can choose to be a patriot by supporting an industry that accounts for 25% of our foreign income, 10% of our employment and 8% of our GDP. They also have a choice regarding health. Other Members have outlined the implications of importing food from countries where we are unsure of the way the animals are raised.

World market price was once described to me as the lowest common denominator in animal welfare and animal health. Every possible corner is cut. This motion seeks protection for the consumer and the producer, which is not unreasonable. It is opportune that this initiative has come from the Food Safety Authority.

I do not have all the answers to GM crops. I would prefer if we could honestly say we can produce enough food but there are not enough GM free soya beans produced in the world to feed the planet. The world population is increasing. Countries that heretofore could not afford to buy food and be customers in the market can now afford it and can buy food from Australia, South American or other main areas of food production. I refer to countries like India, China and so on. If we cannot afford to produce enough food, it will be produced elsewhere. In this country we know the quality of food and the way it is produced. I ask Members to support the motion.

Deputy Deirdre Clune: The debate is about providing information to the consumer and giving confidence to consumers that the products they buy in our shops are not labelled in a misleading

[Deputy Deirdre Clune.]

way. The food industry is important to Ireland, with 200,000 people working in it. It accounts for 25% of our exports and is worth €7 billion to our economy. Ireland has a long tradition of food production and a reputation for high quality food. Our clear, green image is used to promote our food nationally and internationally. This is something of which we are proud. I commend Deputy Connaughton for pointing out to consumers the regime he must comply with in respect of one newborn calf. This is not the case in countries thousands of miles away, outside the European Union. We must inform those who go to supermarkets what they are buying.

An IFA survey was carried out at the ploughing championships recently and underlines the consumer confusion that exists. More than 2,000 people were interviewed, most of whom I assume were from the farming community. Some two thirds believed that branded products were of Irish origin. This shows that labelling is misleading. The thrust of this motion is to establish a method of closing the loophole whereby substantial transformation can be disregarded. At present, if one imports bacon from outside the EU and cuts it up as rashers it can be packaged as Irish. By sprinkling some spices or breadcrumbs on chicken from Asia we can classify it as Irish and cutting up and repackaging beef allows it to be reclassified as Irish. That is misleading and wrong. It does not give Irish producers a fair chance and downgrades the high quality food that we produce on this island.

Many issues have been raised. We need to identify labelling whereby we can promote Irish products within the EU and abroad. I urge the Minister to consider the green label system, which is Fine Gael policy. We all know the fuchsia product from west Cork, what it means and that it is a quality product. Similarly, the green label could identify Irish products and sell them within Europe. Most importantly, I ask the Minister to close off this outrageous loophole that allows produce from countries that do not have the same standards as us to be passed off as Irish.

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Go raibh maith agat a Cheann Comhairle. I dtús báire, ba mhaith liom mo chuid ama a roinnt le mo chomhghleacaithe, na Teachtaí Johnny Brady agus Séamus Kirk. I propose the motion be amended as follows:

To delete all words after “Dail Eireann” and substitute the following:

“noting the economic, social and environmental importance of the agri-food industry, acknowledges the Government’s continuing commitment and proactive approach to the development of a consumer focused, innovative and sustainable sector in line with the AgriVision 2015 Action Plan and as enunciated in the national development plan; com-

mends the specific actions taken by the Government for this purpose including:

- the introduction of an €8.7 billion agri-food package in the national development plan;
- the efficient delivery of €1.3 billion annually in single farm payments;
- the capital investment programme for the meat and dairy industries as well as investment in research and development;
- the protection of consumer and animal health including the strict application of EU regulations controlling the importation of products of animal origin; and
- the active pursuance at EU level of improvements in the EU labelling regulations while, at the same time, improving national meat labelling regulations.”

I am delighted to have the opportunity to outline to the House this Government’s strategy in leading the development of a consumer focused, competitive, innovative and sustainable agri-food sector and the proactive manner in which we are driving this strategy. This Government and previous Fianna Fáil-led governments have not wavered in their commitment to agriculture and the agri-food sector. This commitment is based on a firm belief that the sector is the most important indigenous industry in Ireland, not only in economic terms but also for the social and environmental benefits which it brings to the country.

Deputy Michael Creed: On a point of order, would it be possible to obtain a copy of the amendment? It is not attached to the Minister’s speech.

An Ceann Comhairle: The amendment is on the Supplementary Order Paper.

Deputy Mary Coughlan: I have a copy here if the Deputy wishes to see it.

We have successfully led the sector through many changes and challenges. Our vision for success, as articulated in the AgriVision 2015 Action Plan, is focused on ensuring that our agri-food sector compares to the best of our competitors especially on the EU market. This same vision is clearly reflected in the partnership agreement Towards 2016 and the national development plan, underlining the commitment of all sections of the industry to this forward-looking agenda.

Our agenda for the future of the sector responds in particular to the altered EU policy environment. The need for market responsiveness is now paramount. Therefore, our plan sets out the specific actions needed to move further away from the simple production-led system of the past to one which has an increasingly com-

petitive, market-driven approach and which respects the need for sustainability.

The drive for greater competitiveness will require real commitment, effort and investment by the sector. The Government recognises that this will not be easy and is determined to assist this process in real and practical ways involving the investment of taxpayers' funds and changes to long-standing policies where required.

The Government's commitment to the industry is demonstrated in a very tangible way by the provision of an €8.7 billion package for the sector in the national development plan. This investment in the industry is based on the Government's strategy for the development of a competitive, consumer focused, innovative and sustainable agri-food sector. Our target is to ensure that the agri-food sector attains optimal levels of efficiency, competitiveness and responsiveness to the demands of the market while respecting and enhancing the social and physical environment.

Following the last CAP reform, after extensive consultation, we chose to fully decouple EU payments from production.

Deputy Michael Creed: What has that to do with labelling?

Deputy Mary Coughlan: Farmers embraced this change —

Deputy Michael Creed: The motion is about labelling. It is not about the Common Agricultural Policy. This is an insult to the House.

Deputy Mary Coughlan: Farmers embraced this change because it would allow them to produce for the market rather than having to concentrate on the requirements of a plethora of premia schemes. Perhaps the Deputy does not wish to hear about what the Government is doing in this area.

A vital first step in implementing the new CAP was to provide farmers with confidence in the new system.

Deputy Michael Creed: I want to know what the Minister is doing about labelling.

Deputy Paul Connaughton: We know only too well what the Government is doing.

Deputy Michael Creed: On a point of order, the Minister is obliged to reply to the motion.

An Ceann Comhairle: That is not a point of order.

Deputy Mary Coughlan: Farmers needed to be assured that their single payment would be delivered in good time. Perhaps I could outline what Fine Gael did when it was in Government. Let us talk about the debacle of reducing our national herd to less than half a million when—

Deputy Michael Creed: A Cheann Comhairle, the Oppositions get few occasions to raise issues. We raised the specific issue of labelling —

An Ceann Comhairle: Order, please.

Deputy Mary Coughlan: Let us talk about the swan songs of the Fine Gael Government.

An Ceann Comhairle: The Minister must be allowed to finish her speech without interruption.

Deputy Mary Coughlan: A vital first step in the implementation of the new CAP was to provide farmers with confidence in the new system.

Deputy Michael Creed: This is an abuse of the system and process.

An Ceann Comhairle: The Deputy has made his point.

Deputy Mary Coughlan: Farmers needed to be assured that their single farm payment would be delivered in good time.

Deputy Johnny Brady: They are all angels on the Opposition side.

Deputy Michael Creed: This has nothing to do with labelling.

Deputy Mary Coughlan: This placed a huge onus on my Department and my Department delivered the goods. Not only has payment to more than 90% of applicants been made in December of each year but both last year and this year, I managed to get agreement at EU level for an early 50% part payment under the scheme from 16 of October. Again, my Department was able to deliver on the earlier targets and last year more than €1.9 billion was paid in direct aid to farmers.

Deputy Michael Creed: What has that to do with labelling?

Deputy Mary Coughlan: This was the first building block in constructing continued success for the sector in the new era—

Deputy Michael Creed: The motion is about labelling.

Deputy Mary Coughlan: I am interested in the sector and its future.

An Ceann Comhairle: I ask the Deputy not to be disruptive.

Deputy Mary Coughlan: —where income support is decoupled from production. This only represents the start. Many more building blocks are being put in place to ensure we achieve our ambitious objectives for the sector.

[Deputy Mary Coughlan.]

The €8.7 billion agri-food package the Government is making available to the industry under the national development plan represents another significant part of the Government's response to the changed circumstances. This package will not only improve competitiveness through, among other things, support for on-farm investment but will enhance our rural environment and secure farmers' income in the long-term. For consumers and the food industry, because it strengthens our scientific base, it will underpin quality, nutrition and safety of our food supply chain.

The biggest single element of the agri-food package under the national development plan is the rural environment protection scheme, known as REPS. REPS, as befits its name, recognises the multi-functional model of agriculture that lies at the heart of the Common Agricultural Policy, under which farmers are seen not only as food producers but as custodians of the environment and providers of public goods. Through REPS, farmers can deliver benefits to society as a whole in terms of the protection of the rural landscape, increased biodiversity and improved water quality. A measure of the success of REPS is that since the scheme started in 1994, farmers have drawn more than €2 billion in benefits. Last year my Department paid out €330 million and by the end of the year there were 59,200 participants in the scheme.

In August I launched REPS 4, which will run until 2013. It offers payment rates which are 17% higher than the previous version. The average farmer in REPS 4 will qualify for a payment of €7,200 a year over five years. REPS 4 is co-funded by the EU and the Irish taxpayer—

Deputy Michael Creed: The Minister has not a leg to stand on with regard to labelling. That is why we are getting this ráméis.

Deputy Mary Coughlan: —to the tune of €3 billion over the period to 2013 and for the first time the National Exchequer funding, at €1.6 billion, is more than the EU contribution. That demonstrates our commitment to agriculture. Also, for the first time, I made REPS available to the more intensive farmers, particularly those in the dairy sector. I know that many of these farmers will welcome the chance to farm in a more environmentally friendly way while remaining commercially successful.

Another issue that arose out of environmental considerations was the need to help farmers who need to make investments to comply with the nitrates directive. I introduced the revised farm waste management scheme in March 2006 for this purpose. A total of 48,580 applications were received from farmers under this scheme by the closing date and more than 33,000 approvals have issued to farmers to commence work.

I wish to deal with the issue which is at the core of this debate, namely, the protection of con-

sumer and animal health. It is important that the debate on this issue is conducted in an objective and factual basis. An emotive approach using scare tactics misrepresents the position.

When we talk of consumer health, we refer to food safety. There is clear evidence that our food safety controls are working. These controls include the production of animal feed, processing of raw material, control on imports and controls at transport and retail stages.

Deputy Michael Creed: Is Brazilian beef safe?

Deputy Mary Coughlan: The regulatory controls on food safety operate on an EU-wide basis and member states cannot take a unilateral approach to these controls.

In Ireland, the Food Safety Authority of Ireland, FSAI, has overall responsibility for food safety although my Department operates many of the necessary controls under service contract to that body. At EU level, the European Commission and more particularly, the Food and Veterinary Office of the Commission, is responsible for both food safety and animal health controls.

With regard to animal health, my Department has an unparalleled record in dealing with animal diseases. BSE has been brought under control, the last outbreak of foot and mouth disease here was dealt with in an exemplary manner and it is clear that the public has confidence in the proactive approach of my Department to the current foot and mouth disease outbreak in England. Our controls of imports of animals, animal products and animal feed are fully compliant with EU regulations. The regulatory controls on animal diseases apply on an EU-wide basis.

On the issue of beef imports from Brazil, the approval of countries to trade with the EU is a matter for the European Commission. Notwithstanding this, I have been in frequent contact with the EU Commissioner for Health and Consumer Protection, Mr. Markos Kyprianou, on the application of EU policy requiring that imports of animal products from outside the EU meet standards at least equivalent to those required for production in, and trade between, EU member states.

Deputy Paul Connaughton: He has taken no notice of the Minister.

Deputy Mary Coughlan: I spoke to the Commissioner again yesterday on this matter. He assured me the Commission will not hesitate to take the appropriate protection measures if a product, imported from a third country represents a risk for the health of EC consumers, livestock or plants. In September 2006, a senior Commission official visiting the Houses of Oireachtas gave a similar assurance to Members. I have consistently expressed the view that Irish farmers deserve fair play in the market place. I am aware Irish farmers are required to ensure

their production systems and farm practices comply fully with a range of EU directives. In this context, I brought to the Commissioner's attention the IFA's published report on beef production in Brazil.

Deputy Michael Creed: The Minister undermined the report.

Deputy Paul Connaughton: She frustrated it.

Deputy Johnny Brady: The Deputies would be better to read the Minister's speech and not interrupt her again.

Deputy Mary Coughlan: Subsequently, a detailed response and assessment of the position was issued by the Commission. The Commission confirmed its intention that a further Food and Veterinary Office, FVO, mission will take place in Brazil next month.

A Cheann Comhairle, if Opposition Members continue to interrupt, I will have to ask them for more time.

Deputy Paul Connaughton: That is too bad.

Deputy Michael Creed: If the Minister only spoke to the motion from the start, she would not need more time.

Deputy Mary Coughlan: I have asked that the Commission reassess the authorisation of exports from Brazil in the light of the outcome of these missions. Any deficiencies already highlighted must be properly and promptly addressed.

The other important issue with imports of meat from third countries is that such meat should be clearly identified as such so that consumers have full knowledge of its origin before purchasing it.

Significant progress has been achieved with meat labelling over the past several years. I collaborated with the Minister for Health and Children to ensure legislation was enacted last year requiring that all beef sold or served in the retail or catering sector carries an indication of country of origin. This goes much further than most, if not all, EU member states. This legislation also allows for the extension of country of origin labelling to other meats. The extension of this requirement to other meats is not as straightforward as it is for beef, however.

The Department of Agriculture, Fisheries and Food has been involved in consultations with the Department of Health and Children on draft new regulations to require operators in the retail and catering sectors to provide country of origin information on poultry meat, pigmeat and sheepmeat. A public consultation on the proposed legislation conducted by the Food Safety Authority of Ireland concluded on 19 October 2007. Following consideration of any views received, it will be necessary to submit the draft regulations to the European Commission for approval. This will impose a minimum of a three month delay

before the Commission can consider approval of the legislation.

Last year the European Commission undertook a consultative process on a range of issues, under a document entitled, Labelling: Competitiveness, Consumer Information and Better Regulation for the EU. As part of Ireland's submission to the Commission, we raised the definition of "substantial transformation". The concept of substantial transformation is the basis used in the EU, and elsewhere, to define the origin of goods as being from the country where the last substantial economic change was made to them.

In the submission to the Commission, we recommended the term "substantial transformation" be strictly interpreted. It is essential this process not be used to hide the true origin of products and that labelling systems be adapted to ensure consumers are not misled as regards the true provenance of a food. We would, therefore, advocate specific rules on country of origin labelling similar to the way in which this is done in the EU rules on beef origin.

I will continue to press for a satisfactory resolution to this issue in the current EU review of the general labelling directive. The Commission is expected to present a proposal on this matter in late 2007 or early 2008. I have raised this issue bilaterally with several of my EU ministerial colleagues and will continue to do so.

Reform of the regulatory regime on the imports of animal feed will provide easy access to animal feed at affordable prices. Current feed prices are exceptionally high due mainly to reduced cereal harvests in major producing countries because of drought and the diversion of cereal crops to the production of bio-fuel, particularly in the US. The EU Council of Agriculture Ministers has, in response to the pressures on the international cereal and feed markets, agreed to suspend the obligation to set aside 10% of arable land. This will increase cereal output by ensuring more arable land is available for cereal cultivation in 2008. I am also pleased the European Commission has introduced a scheme of aids to private storage for pigmeat which should provide some assistance to that sector over the coming months. This initiative was in response to my request, and that of other member states, for support for the pigmeat industry. At yesterday's Council of Ministers meeting, I called on the Commission to introduce export refunds for pigmeat and the Commission undertook to keep the market situation under review. There was a strong support for this position from many member states.

Deputy Michael Creed: What did the Commissioner say?

Deputy Mary Coughlan: I accept there is a potential problem arising from the EU authorisation process for GM products which could affect availability of protein feeds for animals. Maize

[Deputy Mary Coughlan.]

and soya which are the main sources of protein in farmed animal diets, account for over 80% of the GM crops grown worldwide. It is inevitable GM crops will form a significant part of Irish feed material imports. Approximately, 90% of the maize by-products and soya imported into Ireland in 2006 was declared as coming from GM crops.

Deputy Michael Creed: That is one for the Minister of State, Deputy Sargent.

Deputy Trevor Sargent: It already has happened.

Deputy Mary Coughlan: Under EU rules only GM products which have been approved under the EU authorisation process can be marketed within the EU. EU legislation was introduced in response to the concerns expressed by EU consumers about the safety of GM produce. The new legislation, which is considered to be among the most stringent, governs the assessment and approval procedures for GM crops, food and feed, ensuring the highest possible standards are in place to protect the citizens of the EU from a food safety and environmental safety aspect.

It was only in the past 12 months that delays in the GM authorisation process began to impact on feed supplies. There is no doubt the lack of synchronisation in the GM authorisation processes used in the US and the EU has presented problems for feed importers in Ireland. The speed with which the EU authorises GM products will be an issue because US agriculture has new GM crops cultivated each year.

A tighter timeframe between the two authorisation processes would significantly reduce the possibility of unauthorised GM events admixing in consignments, particularly maize by-products, being exported to Europe. It would also allow European pig producers to source whole GM maize as a substitute for costly wheat. Part of the time lag arises from delays in assessing GM events submitted to the European Food Safety Authority for approval. I welcome recent statements from EFSA indicating it recognises a problem has arisen. It is engaging with the US authorities to identify ways of minimising the time lag between the two processes.

The Government is actively implementing a clear strategy for the development of the agrifood sector and has demonstrated its ability to react to the unpredictable challenges that confront the sector from time to time. The Government will not be found wanting in taking the necessary and appropriate actions in defending and promoting the best interests of all stakeholders in our most important indigenous industry.

I commend the amendment to the House.

Deputy John Browne: Hear, hear.

Deputy Michael Creed: How does that fit in with our GM-free status?

Deputy Mary Coughlan: Deputy Creed should read my speech.

Deputy Johnny Brady: I commend the Minister for Agriculture, Fisheries and Food, Deputy Coughlan, on the wonderful job she has done since her appointment in 2003 in leading the drive to develop a sustainable, competitive and consumer-focused agrifood sector. She has a wide brief that covers many issues such as competitiveness of agricultural production, development of the food production sector, maintaining food safety and quality and improving animal health and welfare. As outgoing chairman of the agriculture committee, I congratulate her on her reappointment as Minister. Each of the different farmers' organisations was glad she was reappointed because they have great faith and confidence in her.

I congratulate my former constituency colleague, Deputy Wallace, who may be my constituency colleague again after today's announcement, on her appointment as Minister of State at the Department of Agriculture, Fisheries and Food. I also welcome Deputy Sargent's appointment as Minister of State at the Department of Agriculture, Fisheries and Food, with responsibility for food and horticulture.

Deputy Michael Creed: Deputy Johnny Brady should say it like he means it.

Deputy Johnny Brady: As a former chairman of the agriculture committee, I recall Deputy Sargent, although not a member of the committee, making numerous contributions. I acknowledge the tremendous work done by his predecessor, Minister of State, Deputy Brendan Smith.

The Government, and the Minister in particular, have taken action to protect consumer and animal health. In a globalised market it is important that high standards of production, which consumers have come to expect, are applied to all our food at EU level. The Minister has constantly pointed out that produce imported from third countries must meet standards equivalent to those required of Community producers. Irish farmers who respect and produce to the highest standards, deserve fair play in the marketplace.

I share the Minister's belief that it is the right of consumers to know the origin of their food. As she mentioned, the primary legislation enacted by the Oireachtas last year, under which the beef labelling requirements on country of origin were extended to the catering sector, also allowed its extension to other meats. I am pleased to see the introduction of labelling controls for those meats is being pursued vigorously and I look forward to the controls being in place at an early stage. I firmly reject the

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notion that the regulatory regime governing the importation of animal feeds is in need of reform. I am satisfied that Ireland operates one of the most comprehensive and safe regulatory food regimes within the EU.

Deputy Michael Creed: Even the Minister agrees it needs to be reformed.

Deputy Johnny Brady: So much so, indeed, that I am told the industry from time to time refers to the regime as gold plated. Over the past two decades the main focus of regulation in the area of animal feedstuff was the part the industry could play in overall efforts to eliminate BSE from the national herd. Feed ingredients, particularly those imported from third countries, were seen as a possible source of prohibitive meat and bonemeal protein material. Stringent EU veterinary legislation implemented vigorously by the Minister and her predecessor can be considered as a vital contribution to the significant drop in BSE cases today. However, as issues surrounding the threat of BSE recede, a new concern arises, namely, the presence or otherwise of unauthorised GM material in animal feed. As I understand it, animal feed containing unauthorised GM, forms an increasingly important part of the diet of farm animals here. There is a danger that these supplies might be interrupted because of cross-contamination of feed containing authorised GM with feed that contains GM authorised in the US and elsewhere, but not yet in the EU. This could trigger a whole consignment ban on feedstuff imported here and could have implications for the supply of feed for our animals.

I welcome the fact that the European Food Safety Authority is aware of the problem of delays in improving GM events in the EU and is trying to do something about it. I am satisfied that the current regulatory regime being operated by the Minister and her officials in the area of animal feedstuff is fully effective as regards its primary purpose to ensure the full protection of consumer and animal health.

Again, I compliment the Minister and the Ministers of State and I fully support the amendments to the motion.

Deputy Seamus Kirk: I thank the Ceann Comhairle for the opportunity to contribute. I congratulate Deputy Mary Coughlan on her reappointment as Minister for Agriculture, Fisheries and Food. She has brought an innovative and refreshing approach to the challenges the industry has to face up to in Ireland and indeed in the wider dimension of the European Union. I take the opportunity to wish the Ministers of State, Deputies Trevor Sargent, Mary Wallace and John Browne, who have different and individual responsibilities in that Department, well in the years ahead. I am aware, as they are, that agriculture is still a vitally important industry in Ireland. I know they will contribute enormously

to its evolution and development in the years to come.

I consistently support fully the case for clear and unambiguous labelling of food. It is a consumer's absolute and fundamental right that that is done. There is also the right of the producer that his or her product is clearly identified as to its genuine origin and the associated high standard of animal and public health regulation under which it has been produced. I am glad that last year the Minister was able to successfully extend country of origin labelling to beef sold in all hotels, restaurants and catering establishments. As the Minister has pointed out, the extension of country of origin labelling to other meats is not as straightforward as it was for beef, especially as the European Commission has opposed the introduction by member states of legislation in this area that may be in excess of Common Market requirements. Nonetheless, the Minister, Deputy Coughlan, is pursuing with the Minister for Health and Children, Deputy Mary Harney, the introduction of country of origin labelling for other meats. I strongly believe this is the correct course of action and that consumers have a right to know the origin of their food.

I understand that country of origin will be defined as the country where the animal or bird was reared for most of its life. If the country of slaughter is different it will be necessary to indicate both countries. The proposed regulations will apply to meat and meat products containing at least 70% by weight of these meats, for example, ham, luncheon meat, pork sausage, lamb burger, chicken nugget and chicken kiev. I see this as a great way to get around the thorny problem of substantive transformation. A company may not add a pinch of salt to ham, for instance, and claim that the product originated in Ireland. The regulations are to apply in the retail, restaurant and catering sectors in the same way as they do for beef. This will mean that in the retail sector, information on origin will be shown on the label in the case of pre-packed foods and on the notice as regards food being sold loose.

In the case of the restaurant or catering sectors, the origin will be indicated on the menu and other suitable presentations. The regulations, when they are introduced, will be a major step forward in allowing Irish consumers to know where their food is coming from. I hope the Minister will ensure the new labelling regulations are introduced as soon as possible, although it is clear from her speech that there appears to be an unavoidable delay in getting the regulations through the European Commission. I am satisfied that the Government, particularly the Minister, Deputy Coughlan, will continue to fully demonstrate it is committed to the development of a sustainable and competitive agriculture sector and I therefore support the motion, as amended.

Some Opposition Members complained that the Minister, understandably, appeared to broaden her contribution on the whole issue of

[Deputy Seamus Kirk.]

agriculture. It is not possible to focus exclusively on the issue of labelling, in the context of what is a very important debate for an industry that has stood the economy in very good stead for generations. If anybody endeavours to comprehend what has happened in agriculture over the past six months and sees the unpredicted changes that have occurred in such enterprises as milk production and particularly cereals because of issues on world markets that have affected supply and demand equilibrium, it is obvious that the need for a steady hand on the tiller of this Department is vitally important. It needs someone who is prepared to be innovative and to show considerable enterprise for the industry. Irish primary producers need to ensure they are in a position to avail of the potential markets that are opening up. I commend the Minister on her efforts and look forward to her continued success in that office in the years ahead.

Deputy Seán Sherlock: I wish to share time with Deputies Martin Ferris and Mary Upton.

If Deputies Doyle and Connaughton are selling those calves, they might give me a shout because I am thinking of increasing my herd by 200%.

I speak in support of the Fine Gael motion. Between 2005 and 2006, the agrifood sector accounted for 163,400 jobs, or 8.1% of the working population. Irish agrifood exports accounted for more than €8 billion. As a country we discount the importance of this sector of the economy at our peril. At a time when increased consolidation of the agrifood sector is driving the market, we must not forget the importance of ensuring that consumer interests are maintained. We must also continue to ensure that the protection of consumer health lies at the core of agriculture and food policy.

In recent times, the standards set for Irish farmers in the production of beef and pig meat are not being subscribed to by producers from third countries who have access to Irish and European markets. In essence, Irish farmers are being asked to ensure that their produce is of the highest standard before going to market while their counterparts in countries outside the European Union can compete on an uneven playing field. The regulatory framework is clearly not working in this instance. The EU legislative framework, as it stands, works against the Irish farm family and the competitiveness of Irish agriculture is compromised as a result. More important, the health of the Irish consumer is compromised if there is so much as the slightest doubt about the standard of produce being imported into Irish markets from third countries. Brazilian beef is a case in point. Brazilian producers in many instances produce to the highest standard but there are legitimate concerns about the traceability and production methods of some Brazilian beef which finds its way on to Irish tables.

This motion rightly calls for a regulatory framework to ensure that all operators produce to the highest standard. As a country, we must ensure our competitive advantage in the production of beef. If third country producers are not operating to the same standard as ours and if there is a risk to the Irish and European consumer, the EU Food and Veterinary Office must be given the legislative teeth to expedite a ban or other such mechanism within a reasonable timeframe to address the concerns of Irish farm families and consumers. Government policy on the protection of consumers in so far as it pertains to guarding against health risks in food importation is too weak at present.

On substantial transformation, I realise that responsibility for the enforcement of labelling legislation rests with the Food Safety Authority of Ireland. The issue of substantial transformation, whereby a primary product can enter Ireland, be processed in some way and subsequently be branded as Irish, is governed by EU legislation. However, it is not good enough that the Government would hide behind EU legislation in tackling this problem, nor is it good enough for the Minister to say it can only be amended at EU level. In response to a parliamentary question I tabled on 3 October last, the Minister of State at the Department of Agriculture, Fisheries and Food, Deputy Sargent, expressed the following concern:

... this arrangement could, in certain circumstances, be used to mislead the consumers as to the origin of the raw materials used in certain products. I am not satisfied with the current legal position and the Minister has raised our concerns at EU Council level.

If the Minister of State shares my concerns, we need to know how he will address them and what proactive measures he will take to ensure the viability of producers and confidence of consumers, who should be the primary concern. It is not sufficient for him to say: "The concept of substantial transformation needs to be more clearly defined and I will continue to urge the Commission to address this problem."

A weak legislative base on labelling allows consumers to be duped into believing products of the kind in question are of Irish origin. The Government's primary concern must be to protect the health of consumers and ensure the competitiveness of Irish farming. In seeking to be proactive on this matter, we must work with the farming organisations and processors to ensure that the quality assurance mark takes pride of place on every packet leaving the factory floor. A clear marketing strategy, with a strengthening of legislation, is the key to solving this problem.

On 3 October last I asked the Minister if she would amend legislation to ensure that foodstuffs of foreign origin would not be labelled as "produced in Ireland", "processed in Ireland" or "sourced and produced in Ireland". I asked the

question to remedy the circumstances whereby consumer and producer interests are not being protected and to ensure that our comparative advantage as a nation would be maintained. I realise the Minister for Health and Children has overall responsibility for the general food labelling legislation and that food labelling is governed by Directive 2000/13/EC.

The Government stated in response to the Commission paper Labelling, Competitiveness, Consumer Information and Better Regulation for the EU, published in 2002, that there is an unsatisfactory practice at play regarding substantive transformation. The Government made certain recommendations in this regard but they have not come to fruition. Why has the Commission not acted on the Irish recommendations to date and why has the Minister not been more proactive on the matter? The Commission is now preparing to forward proposals but I understand this involves a co-decision procedure. We could be back in this House in 12 months still with no resolution to the issue of substantial transformation. I urge the Minister to fast-track the process, where possible.

Deputy Mary Coughlan: Where will the Deputy's MEPs be then?

Deputy Michael Creed: The Minister should worry about her own.

An Ceann Comhairle: I am worried that Deputy Sherlock will not get an opportunity to continue.

Deputy Seán Sherlock: On 29 September last, the *Irish Farmers Journal* reported that Reox Holdings, a subsidiary of Dairygold, was in the process of selling Breeo Foods. Breeo Foods carries top brands such as Dairygold, Shaws, Galtee Meats, Roscrea, Mitchelstown, Calvita and Sno. These brands are long-established in the minds of consumers and are perceived to be Irish in origin and content. The truth is otherwise and some of these brands are marketed in a way that suggests they are Irish. In the minds of pig producers and workers in Mitchelstown and beyond, the closure of Galtee Foods was as a direct result of substantial transformation.

If there is to be no provision in Irish law to amend legislation in the short term, the Government should ensure that labelling, through a proper marketing strategy by Bord Bia, will be implemented clearly. The Government must also allow open access to those plants that are being marketed by Bord Bia to ensure that the content of all produce is as it says on the packet or tin. I am not ashamed to say we must protect our national interest. We have a comparative advantage over other countries and we must maintain this competitive edge. The future of Irish agriculture depends upon it.

It is not my job to criticise the Government for the sake of criticism but it is necessary to critically

assess its response to agricultural issues as they arise. The Labour Party is not against the science of genetic modification and does not adopt a fundamentalist view thereon. We believe biotechnology can coexist with natural biodiversity without compromising the latter. It is in this context that we seek to ensure that the competitiveness of Irish agriculture is maintained. With that in mind, it is beyond our comprehension that the Minister for Agriculture, Fisheries and Food chose to abstain from a crucial vote on genetically modified animal feeds at a meeting of the European Council of Ministers in Brussels last month. The Minister's logic for this abstention, that is, that it did not affect the eventual outcome, is beyond belief.

We welcome the fact that the European Commission will move to approve genetically modified feed imports. The internal party machinations of the Green Party are of no concern to us. What is of concern to us is the need to ensure that the EU scientific committee moves at a pace that is in keeping with the market and provides for a level playing pitch for Irish agriculture. The Government's intransigence on this issue, by way of abdicating its responsibility, is grossly negligent and undermines our ability to negotiate on further matters of this nature.

We support the Fine Gael motion. It marks a pragmatic approach to the best means of maintaining the competitiveness of Irish agriculture while protecting the right of consumers to perfect knowledge of their purchases and ensures that Irish farming families can compete on a level playing pitch.

Deputy Martin Ferris: I thank the Labour Party for sharing some of its time with me. While I express my support for this motion, I have one reservation about it, to which I will come in due course.

Like my colleagues in this House, I have raised the issue of food labelling on numerous occasions. This extremely important issue unites food producers, retailers and consumers. Last week, an IFA delegation of pig farmers lobbied Deputies about the need to have clear country of origin labelling. Deputies from all parties went to the Mansion House last Wednesday to hear the concerns of the pig farmers and the IFA in general. The IFA pointed out the damage that is being done to the Irish agriculture industry by the failure to provide for adequate labelling. All the farming organisations — the IFA, the ICMSA and the ICSA — have pointed out that food is being sold in this country without any indication that it is not domestically produced. Processors can do this because they are able to import meat and process it in Ireland without having to state where it originated.

Consumers are buying meat products in the belief that it originated here. Customers in hotels and restaurants across this island who order what they think is Irish beef are being sold Argentinian

[Deputy Martin Ferris.]

or Brazilian beef. There is no way for them to tell where the beef originated. Sinn Féin recently introduced a motion at a meeting of Kerry County Council calling for legislation to be introduced to make it a statutory requirement that hotels and restaurants should clearly state the country of origin of all beef they sell. Processors benefit from the *status quo* because they pay lower prices for imported produce, especially when it comes from outside the European Union. It also helps them to constrict further the prices paid to Irish producers. A system needs to be introduced whereby all produce can be identified by the country from which it came rather than the country in which it was processed. That is the only way to ensure that consumers have the information they need when they want to make a purchase based on whether a product is Irish.

There are wider issues than the economic threat posed by imports to domestic producers. Recent IFA research on the Brazilian beef industry proved that beef production in that country is not subject to the safeguards and regulations which govern beef production in the EU. Those of us who watched the video that was produced by the IFA and given to the Irish media are aware of what the IFA researchers uncovered when they went to Brazil. There are health and safety concerns about the possible detrimental effect of Brazilian beef on those who consume it. Steroids and other growth enhancers which are banned in Ireland are used in Brazil. Animal welfare and consumer safety measures are flouted in Brazil. Strict mechanisms of detecting and controlling diseases like foot and mouth disease are in place in most EU states, but that is not the case in Brazil. There are no guarantees about the quality of beef that is imported from that country. In 2005, there were confirmed outbreaks of foot and mouth disease in the Mato Grosso do Sul region of Brazil, but imports continued. There is no individual traceability in Brazil. When outbreaks of foot and mouth disease take place, the Brazilian authorities do not cull animals as we do. The inoculation system that is used in Brazil helps to spread the disease in effect — it certainly does nothing to contain it.

I am also concerned about the manner in which cattle ranchers in Brazil have waged what amounts to a small-scale war on local people on whose lands they wish to encroach. An American nun, Sr. Dorothy Mae Stang, who was killed in Brazil in February 2005, is one of more than 1,200 people to have been murdered during the ongoing land-grabbing in that country. The big ranchers who force indigenous people from their lands have assumed thousands of acres for their own ends. It has been reported that thousands of people have been forced to work as virtual slaves on ranches, which is an unacceptable price to pay for cheap meat. By allowing such things to happen without any restrictions — we have not put any demands on those who import meat from

Brazil to Ireland — we are guilty of facilitating these crimes.

As a Welsh farm leader pointed out recently, if an EU farmer destroys a hedge to make room for cattle he will be heavily fined and could even be jailed. He would certainly lose his entitlements, without having engaged in any of the activities associated with the Brazilian beef industry. The conditions under which Brazilian beef is produced not only pose dangers to consumers but also give Brazilian producers an unfair advantage over EU farmers who have to comply with the rightly stringent regulations which apply across the Union. In every EU member state, there is individual traceability from the time of birth to the time of slaughter. These standards do not apply in Brazil, Argentina and other countries which do not impose such stringent regulations. Steroids and other hormones are used to increase the size and bulk of cattle in such countries. The Government and the European Commission are providing for an uneven playing pitch. Irish producers are at a disadvantage because they are being discriminated against.

It is hard to understand why the Minister for Agriculture, Fisheries and Food, Deputy Coughlan, supports the importation of Brazilian beef in light of the evidence that has been presented to her and given that the Brazilian industry represents a significant threat to Irish beef producers. It is puzzling that the Minister is almost unique among her EU counterparts in supporting the European Commission on this issue. She is clearly out of step with many members of her party. I do not know how many IFA, ICMSA and ICSEA meetings I have attended at which this issue has been raised. Although backbench Deputies from the Government parties agree with the farming organisations, they are happy to come to this House to support what is happening.

Deputy Mary Coughlan: I am the only Minister from any member state who ever raises this issue at meetings of the Agriculture and Fisheries Council.

Deputy Martin Ferris: The Minister should come to come to the meetings I have mentioned to listen to her backbenchers. It is obvious that they are speaking out of both sides of their mouths. They agree with farmers that the importation of Brazilian beef is undermining this country's cattle sector, but when they come to this Chamber they back the position that has been adopted by the Minister at EU level.

Deputy Mary Coughlan: I am not sure the Deputy understands my position.

Deputy Martin Ferris: I trust that this debate and the continued representations being made by farmers will persuade the Minister to change her mind and try to convince the Commission to

reverse its current position, in the interests of domestic and EU producers. While I hope that will happen, I doubt that it will. The motion before the House refers to the importation of animal feed, presumably with regard to the use of genetic modification in its production. Although pig producers claim that restrictions on genetically modified animal feedstuffs are among the factors responsible for increasing costs, Sinn Féin remains opposed to genetic modification and does not believe that its use in animal feedstuffs or in the growing of crops is in the best interests of producers or consumers. I am sure the Minister of State, Deputy Sargent, agrees with me in that regard.

Deputy Trevor Sargent: Certainly.

Deputy Michael Creed: Does the Minister, Deputy Coughlan, agree?

Deputy Martin Ferris: The Deputies who took the time to speak to the pig producers last week will have heard them say they believe they are prohibited from feeding genetically modified feedstuffs to their pigs. They are quite right, in one sense, but I disagree with their position because I am looking at it from a different perspective. When people buy food in shops, in some instances they are buying food that is contaminated because it has been genetically modified. A certain amount of hypocrisy is evident in this instance.

Deputy Mary Coughlan: Approximately 90% of all soya is genetically modified. Does the Deputy want pigs to starve?

Deputy Martin Ferris: Recent increases in the price of grain and other feedstuffs are affecting pig producers, who are finding it difficult to compete. The greed of the companies which produce the feedstuffs on which pig producers rely is putting pressure on the producers, which is totally and absolutely wrong. They should be given some support, but they should not be allowed to import genetically modified feedstuffs. There is a great deal of evidence to support the contention that European consumers are not in favour of genetic modification. As a result, food produce contaminated by genetically modified ingredients is at a disadvantage and will continue to be when mandatory labelling of produce from animals raised on genetically modified feedstuffs is introduced, as it should be. Surely the optimum policy for Irish food producers should be to emphasise the high quality of Irish food, which cannot be maintained if it is contaminated by the use of genetic modification. While there are concerns about the price of feedstuffs, it can be argued that many factors other than the absence of genetically modified animal feedstuffs have contributed to the recent price increases. It is too simplistic to assume that the availability of cheaper genetically

modified feedstuffs would solve all the problems faced by farmers. The disadvantages they would face in terms of market access if they were to use such feedstuffs could well outweigh the benefits that might accrue.

I support the general thrust of this motion. I urge the Government to act now to address the issue of food labelling. Country of origin labelling is essential to protect both Irish farmers and Irish consumers. I reiterate my call to the Minister to reverse her position on the importation of Brazilian beef.

Debate adjourned.

Criminal Procedure (Amendment) Bill 2007: Order for Second Stage.

Bill entitled an Act to amend the Criminal Procedure Act 1967.

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I move: "That Second Stage be taken now."

Question put and agreed to.

Criminal Procedure (Amendment) Bill 2007: Second Stage.

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I move: "That the Bill be now read a Second Time."

The purpose of this short Bill is to correct a legal anomaly that has recently come to light in the law relating to bail. The Bill addresses a difficulty that has arisen in respect of the acceptance of recognisances by prison governors. Section 22(3) of the Criminal Procedure Act 1967 provided that judges of the District Court and peace commissioners could take bail recognisances. Prison governors are also peace commissioners and in that capacity they have been able to accept recognisances from persons remanded in custody pending entry of a recognisance. However, as this function could not be delegated, logistical difficulties occurred given the turnover in governors and the fact that, following an agreed change in work practices, they are not available 24 hours a day. In order to deal with this difficulty, the Prisons Act 2007, which modernised and updated prison-related provisions generally, amended section 22(3) of the Criminal Procedure Act to provide at section 41(2) that prison governors or prison officers designated by the governor could accept recognisances from people remanded in custody by the District Court pending entering of a recognisance. This provision was commenced on 1 May of this year.

However, section 18 of Criminal Justice Act 2007 also amended section 22(3) of the Criminal Procedure Act and removed the reference to peace commissioners. This was done as several references in the 1967 Act to the role of peace commissioners had already been removed in the Bail Act 1997 and it was decided to also remove

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the reference to peace commissioners accepting recognisances in section 18 of the Criminal Justice Act, in the interests of consistency. This was done by means of the substitution of the entire subsection 22(3) of the Criminal Procedure Act 1967 rather than by deletion of the relevant phrase. The new subsection provided for judges to take recognisances but failed to refer to prison governors or other designated prison officers. That section of the Criminal Justice Act 2007 was commenced on 1 July of this year, with the implied repealing of the earlier provision in the Prisons Act.

This has resulted in certain operational implications for the prison system in that recognisances can now no longer be taken by a prison governor or other designated officer with respect to a person in custody. The recognisance must be taken by a judge and this has had serious implications for the Prison Service in terms of provision of prison escorts and the availability of judges at short notice. I wish to emphasise, however, that it has resulted in an operational and logistical problem and does not in any way affect the granting of bail or the conditions under which bail is granted. Any person affected by this anomaly would already have been granted bail by the District Court and remanded in custody pending entering of a recognisance. There is no question that any person has been released who should not have been released; the only issue at stake is the question of who is authorised to receive the recognisance that has already been stipulated by the District Court. Without this amending legislation, practical difficulties are being created and the system of the taking of recognisances becomes difficult as a matter of operations. The Attorney General has advised that the most appropriate response to deal with this situation is to bring forward legislation on an urgent basis.

This Bill will restore the position to that which was in place prior to the commencement of section 18 of the Criminal Justice Act 2007, that is to say, prison governors and prison officers designated by them could accept recognisances from people remanded in custody. On the basis that the taking of a recognisance is essentially an administrative matter, the opportunity is being taken to extend the provision to include District Court clerks in the list of persons who can accept recognisances and also to reinstate peace commissioners as persons empowered to take recognisances.

Section 1 of the Bill amends section 22(3) of the Criminal Procedure Act 1967. It substitutes a new subsection 22(3) for that inserted by the Criminal Justice Act 2007. The new subsection provides that a judge of the District Court, a District Court clerk, a prison governor, a prison officer designated by a prison governor and a peace commissioner designated by order of the Minister for Justice, Equality and Law Reform,

may take recognisances. I have decided to reinstate peace commissioners as persons empowered to take recognisances for practical reasons. However, as the role of peace commissioners in relation to bail matters has changed, I am inserting a provision whereby they must be designated by ministerial order rather than including a blanket empowerment provision. As already indicated, the opportunity is being taken to extend the provision to include District Court clerks in the list of persons who can accept recognisances.

While I appreciate that in an ideal world it should not be necessary to introduce a short piece of legislation such as this in order to tidy up what could be called a loose end, it is the case that sometimes this cannot be avoided. Minor conflicting provisions can sometimes be inadvertently overlooked when multiple Bills are being progressed within a short timeframe. In this case, a reference to prison governors and designated prison officers was inadvertently omitted. I reiterate that the net effect has not been in any way detrimental to our legal system. This accidental omission has resulted in operational and logistical difficulties for the prison service for a short period and for which reason I wish to correct the anomaly, but it has not resulted in any difficulties on a legal basis or in terms of legal interpretation. It has not affected the granting of bail by the courts or the setting of conditions to bail. Nobody is out on bail who should not be. The simple issue at stake here is the question of who is authorised to accept bail recognisances.

The concerns I have in this matter are in relation to the smooth and efficient operation of the courts and of the prison service. As I have noted, there are significant logistical issues for the Prison Service if prison governors or staff cannot accept recognisances and it is in the best interests of the smooth operation of the service that this anomaly be rectified as soon as possible. Section 2 is a standard provision and provides for the Short Title of the Bill.

I thank the members of the different parties for facilitating time this evening to deal with this urgent legislation. I look forward to the support of Deputies and to hearing their views in this matter and I commend the Bill to the House.

Deputy Charles Flanagan: I acknowledge what the Minister has said and I believe this legislation can be agreed upon. Fine Gael has no difficulty with the point involved. I accept what the Minister says and I hope the Bill can be passed this evening.

This Bill is neither long nor complex. Its purpose is simply to rectify the incompatibility of the Prisons Act 2007 with the Criminal Justice Act 2007 in respect of recognisances for the purposes of a bail application. However, it is quite significant in respect of its broader implications. During the 29th Dáil the Government bulldozed through an unprecedented volume of legislation in the area of the Department of Justice, Equality and

Law Reform. It is true that an overhaul of justice legislation was long overdue but the speed at which justice Bills passed through the Houses of the Oireachtas during the last Dáil flew in the face of democratic norms and what could be considered best practice.

Over the past ten years, Fianna Fáil and its Government partners have proven to be very adept at sidelining Parliament and the Legislature as much as possible, thereby allowing the Executive and the Minister of the day to have virtual free rein. These developments are anti-democratic and represent a most unfair treatment of the Legislature by the Executive and, in my view, represent an abuse of the parliamentary process. As long as the Executive seeks to remove itself and its proposed legislation from parliamentary scrutiny, more and more we will find ourselves in the House late at night to rush through emergency legislation to correct errors and omissions which would have been picked up if due process had been followed initially. Already this year the Government has rushed through emergency legislation to close a loophole to protect children. There was this loophole because the original legislation was not properly debated or adequately scrutinised.

The large size and complexity of most justice Acts passed during the past five years necessitated careful and detailed scrutiny. However, on a regular basis we saw the debate on legislation being guillotined or restricted. The former Minister for Justice, Equality and Law Reform, Mr. Michael McDowell, garnered a dubious reputation for introducing volumes of amendments to justice Bills only hours before they were to be debated on the floor of the House. This left little time for detailed or adequate scrutiny. Whether it was intended or inadvertent, it had serious consequences for the power, role and function of Parliament. The Minister for Justice, Equality and Law Reform, Deputy Brian Lenihan, differs from his predecessor. These practices must be brought to an end for the currency of this Dáil. It is time best practice was restored to the democratic procedures of the House.

Fine Gael is not willing to tolerate or agree to the use of the guillotine or time restrictions, unless the matter in question does not necessitate a lengthy period of debate. We are not willing to sit and watch while, repeatedly, the debate on legislation is guillotined, preventing adequate debate and proper scrutiny. The dangers inherent in rushed legislation were highlighted twice this year. Earlier this month an eminent senior counsel and leading criminal law barrister, Mr. Michael O'Higgins, warned that large portions of the Criminal Justice Act 2007 would result in a serious diminution of human rights. While he predicted the Act would result in more guilty people being convicted, he also stated more innocent people would be convicted. If that is the case, it will have serious consequences for us as legislators. The Law Society of Ireland and the Irish

Human Rights Commission are among other bodies which expressed concerns about aspects of the Act. It is serious that a host of leading criminal justice experts voiced such grave concerns about the Act, sections of which are only now beginning to have practical effect. It is worrying that their warnings went unheeded and we are left with draconian legislation, the value of which is dubious and which has, according to many, the capacity to have dangerous consequences.

The reason the Bill is before us is to restrict the necessity for District Court judges to individually adjudicate on and sign the recognisance documentation on all bail applications. Much inconvenience has already been visited upon prison staff and escort managers. It is right, therefore, that we should revert to the pre-2007 position and matters be put right at the earliest opportunity.

As the raft of justice legislation introduced in recent years is tested, we are likely to run into more and more difficulties such as problems relating to the incompatibility of new legislation with existing legislation and with the impact of many measures on the rights of citizens. Perhaps the biggest challenge for the Government which must stand over its legislative output will be whether Acts such as the Criminal Justice Act will be effective in reducing crime levels. To date, the signs are not promising. How many anti-social behaviour orders introduced under the Criminal Justice Act 2006 have been handed down to date? Where is the evidence that such measures have been effective in tackling anti-social behaviour? The courts were empowered to hand down ASBOs as and from 1 January this year. I am interested to hear how effective the Minister believes the orders have been in reducing incidents of anti-social behaviour in the many communities which suffer due to the Government's failures in this area.

Recently the codification of the criminal law was referred to by the Minister for Justice, Equality and Law Reform. He noted the idea of initiating a project to codify the Courts Acts had been mooted for many years but had not been acted on. I welcome his admission that Governments in the past ten years had failed to take appropriate action in this area. He also referred to the Department's enthusiasm for a 2004 proposal from the Law Reform Commission to co-operate in undertaking this task. The time has come to begin this complex but extremely important task and we should do so during this Dáil. It is three years since the commission generously undertook to assist the Department of Justice, Equality and Law Reform in this initiative. We have waited long enough to accept that offer of help. Matters should be progressed.

We are here to rush through legislation to close a loophole which would not have been there if the Act was debated appropriately when it was brought before the House earlier this year prior to the general election. During the past ten years successive Fianna Fáil-led Governments showed

[Deputy Charles Flanagan.]

a disdain for the procedures of Parliament. Use of the guillotine was invoked repeatedly by the Government to hinder scrutiny of its proposed legislation. This results in stifled debate.

The Leas-Cheann Comhairle's superior, the Ceann Comhairle, embarked upon a programme of—

An Leas-Cheann Comhairle: For constitutional exactitude, the Ceann Comhairle is another officeholder.

Deputy Charles Flanagan: I accept and take great note of what the Leas-Cheann Comhairle states. The Ceann Comhairle has embarked upon a public relations exercise to amplify the role and functions of the Dáil. He has undertaken to go out onto the streets and bring people from the streets into the Dáil. The best action he could take to achieve his goals is to assist the House in the debating procedure and ensure, in so far as the impartial office of the Ceann Comhairle can, that we do not succumb to rushed legislation and the use of the guillotine at the behest of the Government. We have done this in the past and this Bill shows the reason we regret doing so.

The Opposition is not willing to tolerate the repeated use of the guillotine. We require a reasonable period of notice of legislation for the Dáil Order Paper, together with a reasonable time lapse between the various Stages of Bills from Second Stage through to Report and Final Stages. It is fundamentally unfair of the Government to treat the Legislature in a way which sees legislation passed hurriedly and without the opportunity for adequate scrutiny. We will not allow the Government to push through laws about which serious questions are raised. As this Bill involves a mere technical amendment, I have no difficulty in completing all Stages between now and the close of business. However, we must learn from it and ensure it marks the end of the Government's efforts to hinder Parliament from carrying out its constitutional role. I hope the Minister's tenure will signal a return to good practice in the Justice portfolio.

Fine Gael supports the Bill. I may have questions to ask on Committee Stage which I am sure the Minister will deal with satisfactorily.

Deputy Pat Rabbitte: This is not a matter of any great moment. It is a technical matter that ought to be put right since no longer can prison governors take recognisance from people granted bail in the District Court and remanded in custody pending the entering of a recognisance. It is not the substance of the Bill that deserves treatment this evening, but rather how this situation should have come about that this logistical difficulty for the Prison Service has been inadvertently created.

I know it is not customary for ministerial colleagues to reflect on each other in terms of the

discharge of their legislative functions in the House; it is especially unlikely when they are colleagues from other brethren in another place. I notice that the present Minister for Justice, Equality and Law Reform manages to do it but in that very sophisticated and euphemistic way one might miss unless one reads carefully his text. This is what he has to say about his predecessor, Mr. Michael McDowell:

While I appreciate that in an ideal world [that is a Fianna Fáil world] it should not be necessary to introduce a short piece of legislation such as this in order to tidy up what could be called a loose end, sometimes this cannot be avoided. Minor conflicting provisions can sometimes be inadvertently overlooked when multiple Bills are being progressed within a short timescale.

That is the present Minister's view of his predecessor — these minor conflicting provisions can sometimes be inadvertently overlooked when multiple Bills are being progressed within a short timescale. This evening I was reading what the Leas-Cheann Comhairle said in terms of the legislative style of the previous Minister. Expressed somewhat more trenchantly than the Minister expressed it, that is exactly what he said about the legislative style of the former Minister, Mr. McDowell. That is the main lesson to be taken from this. This is not the first time this has happened. It happened in the sexual offences Act also. Who knows as the year goes by whether some of the other legislation rushed through will not similarly be shown to have been fallible in some way.

It is remarkable that it should come to this so quickly. The former Minister, who was a very considerable parliamentarian, especially when on this side of the House, when he changed sides, changed his view of the role of the Oireachtas. He began to see the Oireachtas as an impediment on the way to him enacting legislation that he knew was right and good for us. He thought the role of parliament was to rubber stamp the latest Bill he decided to bring before the House. That was very regrettable. As you remarked, a Leas-Cheann Comhairle, when holding the post I now hold, he often brought in more amendments to a Bill than sections in the Bill to start with. As I said on a previous occasion about the explanatory memorandum, the Minister never stood still long enough to create an explanatory memorandum in the case of much of the legislation he introduced. I wonder if this will be a lesson to us.

Precepts were laid down here for the legislative process whereby one got two weeks' sight of a Bill before one was required to address the broad principle on Second Stage. There was a similar period before Committee Stage and a short period between the end of Committee Stage and Report Stage. It is equally important that the opportunity is available at the end of Committee Stage to reflect before Report and Final Stages.

As Shakespeare would have said, that was “more honoured in the breach than the observance” in the last parliament. That was a great pity and it leaves one lacking in confidence about some of the legislation that was rushed through. That is more especially the case when one has to agree with Mr. Michael O’Higgins SC, quoted by Deputy Flanagan, that one suspects that some of it was put through for political motivation close to a general election. That was not a sufficiently good reason to bring in dramatic changes to the criminal law.

Will this abuse of parliamentary process end here? It happened frequently and not only with the former Minister, Mr. Michael McDowell, whose energy I admired in the last parliament. Other Ministers did it too. One has to conclude that it is part of the growing disdain for this House, the Oireachtas and the parliamentary process that the Executive knows best and the Executive arrogates to itself all power.

If there is one dominant party in permanent office it lends itself to that abuse of parliament. There are inevitably people, given that they are intelligent, in the permanent Government who begin to look to see which side of their bread is buttered and they tend to act to acquiesce in things that they would not acquiesce in if there was a healthy alternate Government elected by the people. One cannot blame the permanent Government for that, one has to blame us on this side of the House. It is an unhealthy situation where on the hoof a Minister can be facilitated and backed up to make changes in the law, on inadequate reflection and insufficient consultation, creating in this case this type of logistical difficulty for the Prison Service. There is no doubt it could be of greater consequence.

The Minister tells us that the only issue at stake here is simply the question of who is authorised to take a recognisance, that the terms or conditions of bail are not at issue and
 9 o'clock there is nobody on bail who is not properly entitled. I take it all of that is true. I would like to hear the Minister say when this came to light? The change in the Act that reversed the earlier provision is effective since 1 July. When did it first come to notice? Can we be sure that recognisances were not accepted by a person not appropriately designated under the law as it has stood until today? Was there any incident where a District Court judge could not be found at a weekend or whenever to comply with the law as it has been up to today given the impact of the reversing of the earlier terms? It seems somewhat remarkable that there should have been no incidents of inconvenience caused to the Irish Prison Service when a District Court judge could not be found and there was no alternative arrangement in place.

It should give us all pause for thought on the notion that legislation is the solution to all our difficulties in today’s criminal environment and the difficulties that are daily reported in the news-

papers. The law must change to accommodate and acknowledge the changes taking place in society, which are inevitable. However, it must change after a period of adequate reflection, consultation, discussion and public debate. There will always be a necessity to change the law and modernise it to enable it to combat new developments in the criminal underworld for example. However, the biggest issue confronting us at the moment is the issue of law enforcement. According to the figures the Minister gave to Deputy Shortall, of some 137 murders since 1998 there have only been 20 convictions, approximately 15%. That is clearly a cause for concern and the detection rate for gun murders has been falling. One of the new breed of vicious criminal overlords would draw the conclusion of having a reasonably good prospect of escaping detection and paying the price for such criminal activity. That ought to be the focus of the Minister and others in the House. I am not suggesting that where legislative change is necessary we should not make that change.

Regarding enforcement and all that goes with it, I started this morning with a meeting about anti-social behaviour in my constituency. The extent of the phenomenon of anti-social behaviour that ordinary law-abiding people must put up with is of great concern. In that case the people in Jobstown are extremely upset that the commitment to install closed circuit television will not proceed because of an underestimate in the budget. As the funding is now somewhat short the system cannot be installed, which is a great pity because of the extent and scale of anti-social behaviour in that area. Regarding the community policing of the area, one person has been taken off and another has been injured, which means there is scarcely any effective community policing in the area. I suspect that is repeated in many urban areas — the circumstances are somewhat different in certain rural areas. However, if we have that kind of difficulty with the enforcement of the law, the reforms introduced are either not yet working or were not sufficient in themselves, which also needs attention.

I agree with Deputy Charles Flanagan on the lesson of this particular late-night legislating. As the Minister said, in an ideal world this type of thing should not happen. One wonders how it did happen. We will hear that story in four or five years. Are the people concerned with the drafting so different and separate that there was no comparing of notes? Was the rush such that they did not have time or was it purely an accidental omission? I accept entirely the Minister’s word that nobody is on bail who should not be on bail and that no substantive issue exists here. However, I find it very difficult to accept that this has not impacted on incidents where recognisance could not be entered because of what has happened here.

I will close with a plea that we should revert to good practice in terms of addressing the heavy

[Deputy Pat Rabbitte.]

legislative schedule on the Minister's plate. In fairness to his predecessor, he put through much legislation. It must be a very heavy onus on the departmental officials. However, in this area we are dealing with life and death, freedom and imprisonment, etc. It is scarcely an area into which we should rush without permitting the kind of public debate that can tease out some of these more difficult issues rather than finding ourselves having to deal with the legislation after it has been enacted by this House. I hope the Minister at the outset of his career as Minister for Justice, Equality and Law Reform feels that he is able to say to us that the normal good legislative process will be observed in this House in the future. I do not anticipate any party on this side of the House wanting to withhold from the Minister the kind of consent we gave on this occasion if there is a necessity to put urgent legislation through the House for a genuine purpose. However, in the normal course of doing our business here we ought to be given time to reflect, take professional advice, consult and hear inputs from community and professional organisations that wish to comment about the operation of the law.

Deputy Michael Ring: I have been in this House for 13 years. I hope this Government will change its attitude from that of its predecessor of having no respect for this House. It would be very interesting to submit a freedom of information request to the Department so that we could see the notes, if any, the officials gave the Minister at the time and, if observations were made on the Bill, the identity of those who made them. The last Government was the most arrogant Government since the foundation of the State.

Deputy Seán Power: Does the Deputy remember them all?

Deputy Michael Ring: No, I do not remember them all. However, members of the Government are still at their old arrogance. They never learn. They are as arrogant now as they ever were. They think they know everything, which is why we are in here tonight rushing through legislation. If I had my way, were it not for the recent approach by the spokesmen, I would have opposed the Bill tonight. I do not suggest it was wrong to correct the stupid mistake that it was made. This was serious legislation. I want to put it into layman's terms because I am not a solicitor. This meant that we needed judges on call 24 hours a day whereas in the past a prison governor, who was a peace commissioner, could sign the documentation. I hope the departmental officials will be able to advise how much it cost the taxpayer to escort prisoners around the country looking for judges to sign documentation that could have been signed by a peace commissioner. I cannot believe the former Minister, who lectured the Opposition, the country and the Garda every day

when he was in office, is making a fortune in the Four Courts finding loopholes in legislation he may have created himself. I hope the Leas-Cheann Comhairle and the Ceann Comhairle stop rushing and guillotining legislation in the House. How many times has legislation been rushed through which has had to be amended later? This is not the first time a Minister has had to return to the House to correct bad legislation.

A total of 24 committees with 24 chairmen, vice chairmen and convenors will be set up shortly. We will have a lot of talk at these committees and I hope when legislation is sent to the committees, Ministers and their officials will go through it so that simple provisions are not left out of serious legislation. If the former Minister for Justice, Equality and Law Reform or departmental officials worked in the private sector as chief executive of a company, they would be sacked. However, nobody will ever be sacked in Fianna Fáil. Fianna Fáil rewards those who make mistakes. It does not matter what kind of mistake a party member makes because he or she will be rewarded. Nobody takes responsibility or is accountable because they are always right. They are not right in this instance and they have cost the taxpayers a great deal of money.

The only reason the legislation is before the House is District Court judges contacted the Minister and his officials and told them to get their act together because they would not be available on Saturday and Sunday nights to sign a document that an ordinary peacemaker could sign. It was stupid legislation because it was rushed and I hope that will not happen again. I also hope the Minister, when taking legislation, will listen to the Opposition. I am glad he does not have the same temperament as his predecessor, who knew everything, and he was backed up by the Fianna Fáil backbenchers when he was wrong. He thought he was a god and he could never get anything wrong. I am sure we will be in this position again because he rushed a great deal of legislation through the House. His colleagues and friends in the Four Courts are going through that legislation and we will be back in the House to close other loopholes that were missed when the legislation passed through the House.

Deputies Flanagan and Rabbitte referred to legislation that has been introduced. While there is a great deal of legislation on the Statute Book, crime and murders have increased and we have no control over anti-social behaviour. I tabled a parliamentary question to the Minister last week regarding closed circuit television systems and the reply highlighted the measly amount spent by the Department on them and the number of towns that need such systems. Deputies Rabbitte and Flanagan mentioned crime in the cities but I assure them we have the same problems with anti-social behaviour in rural Ireland as people in Dublin and we do not have sufficient gardaí. We have plenty of Acts but the Garda does not have the manpower to deal with them. It is time

resources and support were given to the Garda and that the legislation that is in place was implemented to restore law and order. We need more order than law because while we have never had as much law, we have never had less order.

I am glad the Minister is amending the stupid legislation that was enacted. We had a bright and eminent person on the Government benches who knew everything. When he rose in the morning, he could not be told anything on the Order of Business because he was right, he knew everything. Was it not simple legislation he introduced without a provision for a simple peace commissioner to sign the documents? Instead vans had to be escorted from prisons to appear before District Court judges on Saturdays and Sundays to sign documents that could have been signed by a peace commissioner and that cost the taxpayer a fortune. That does not show me there was a lot of brains on the Government benches in the last Dáil.

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am glad all speakers welcome the principle of the legislation. The poor old peace commissioner vanished under the earlier Act and is being restored as part of this legislative measure. I share Deputy Rabbitte's view that my predecessor had enormous energy. He has an impressive legislative record and he put much fine legislation in place.

Deputies Ring and Rabbitte asked about the practical effect of this issue. It was brought to the notice of the Department on Thursday, 11 October by the Courts Service. The Department sought the advice of the Attorney General immediately and alerted the Irish Prison Service to the difficulty. On 15 October the Irish Prison Service was instructed to cease the arrangement whereby prison governors or designed prison officers took recognisances from prisoners. Following discussions between officials of my Department and the Courts Service and Irish Prison Service, it became clear the issue, if not addressed urgently, would create considerable logistical difficulties for both services. Furthermore, the Attorney General advised that the only solution was legislative. In view of this, I decided a short Bill should be prepared without delay. I obtained Cabinet approval earlier to publish the Bill and, subject to Oireachtas approval, for its earlier signature by the President. I arranged sufficient time for Members to table amendments and the Upper House will be free to consider the Bill and amendments tomorrow.

Deputy Rabbitte asked how the issue has impacted in practice on the courts and prisons. The practical effect of the difficulty addressed by the legislation is that all prisoners seeking to enter recognisances must be brought before a District Court judge. That has been the position since 15 October. This creates operational and logistical difficulties for the Irish Prison Service and has placed additional strain on the prison

escort service. The Irish Prison Service is faced with difficulties regarding the availability of District Court judges, particularly at weekends, as Deputy Ring pointed out. In so far as the courts are concerned, I am advised that the impact has been minimal but, while these difficulties are manageable in the short term through the co-operative efforts of the Courts Service and the Irish Prison Service, it is not feasible to allow this to drag on. In view of the number of prisons involved — approximately 3,900 per year — the implications for the cost of the prison escort service in bringing prisoners to court, the potential for increased tensions in prisons due to the delays in releasing prisoners ready to enter recognisances early and the potential for an increased number of inquiries under Article 40 of the Constitution to the High Court, urgent legislative action is necessary and I am glad the Opposition has facilitated the passage of the legislation. On the issue of increased availability of judges, the Courts Service has made arrangements that will suffice in the short term until the legislation is enacted.

I refer to the wider issues raised in the debate. Every Minister is accountable and responsible to the House but, above and beyond that, in the consideration of legislation, it is important that Members are given time to consider the details and principles of proposals and to take soundings on them. It is not the function of the Ceannt Comhairle to dictate to the Government how time is allocated. Under Standing Orders, this is something the Government proposes or decides and that this House disposes.

However, I accept the point made by Deputies Rabbitte, Flanagan and Ring that proper consideration should be given to legislation. A substantial proportion of the legislation that comes before the Houses originates in my Department. It can be as high as one third of the total amount of legislation. The Minister of this Department is in a unique position to observe the parliamentary process. I am not sure whether I am free to speak in general terms about that process. Nevertheless, I contend it is a remarkable fact that Seanad Éireann, which is the revising Chamber and viewed as such in our constitutional arrangements, seems to be able to dispose of legislation with dispatch. Members of that House are able to conduct a Second Stage debate that focuses on the principle of the legislation and to give Bills considerable reflection and suggested amendment, a significant amount of which is accepted by Ministers in the Chamber. Progress is made smoothly to Report Stage and to the enactment of the legislation or its submission to this House if it is initiated in Seanad Éireann.

Since Members have raised the legislative process, I observe that an inordinate amount of time is spent in this House on Second Stage in considering the general principle of legislation and that a significant number of the speeches made have no great purpose other than to fill a quota

[Deputy Brian Lenihan.]

of parliamentary time or delay the exercise of legislative power by the House. This is something we must address on an all-party basis. I am not sure whether it originated in the practice of allocating rigid 20-minute slots to every Deputy. This proceeds on the assumption that every Bill is worth 20 minutes for each Deputy. In reality, some are worth in excess of that while others deserve far less. As Deputy Rabbitte reminded us, Committee and Report Stages are of particular importance in the detailed consideration of legislation. It is on those Stages that the type of legislative error we are addressing today tends to be discovered and corrected.

On the basis of the co-operation extended to me today, I will be conscious of the need, in proceedings in this House, to afford all Deputies the opportunity to consider legislation in detail. This is an important objective to which we should all subscribe.

Question put and agreed to.

Criminal Procedure (Amendment) Bill 2007: Committee and Remaining Stages.

SECTION 1.

Question proposed: "That section 1 stand part of the Bill."

Deputy Charles Flanagan: Among the officers designated for the taking of recognisances is included, in subsection (3)(c), "a peace commissioner designated for that purpose by order of the Minister for Justice, Equality and Law Reform". I assume this does not refer to a regular peace commissioner as we understand it. While the Minister said he was restoring the status of peace commissioner for the purposes of the taking of recognisances, it seems this provision refers to a designated as opposed to an appointed peace commissioner. Does this signify the introduction of a further stratum of peace commissioners, that is, the common or garden commissioner on the one hand and, on the other, the peace commissioner who is designated specifically for the purpose of taking recognisance? Is this effectively a new office of super-commissioner with special responsibility?

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): That is a fair question. The provisions of the Bill apply to existing peace commissioners. However, for any particular commissioner, or class of commissioners, to be able to exercise this function, there must be a designation either of the class or the particular commissioner. I inserted this provision on the advice of the Attorney General. There have been certain difficulties in regard to the status of peace commissioners in the Dublin area because of the creation of new administrative counties. I was anxious to ensure any difficulties that might be occasioned

thereby would be covered by the legislation and that we would not face into fresh difficulties.

There is a need to look at the position of peace commissioners in general to consider what useful functions they can perform in the assistance of the legal system. It is important that lay people should be associated with the administration of justice and that it should not be exclusively the prerogative of the legal profession.

Deputy Pat Rabbitte: The Minister said he became aware of this difficulty on 11 October. Does any question arise in the matter of a person authorised to take recognisance between 1 July and 11 October? Do any issues arise in this regard in terms of the lacuna identified in this legislation?

I welcome the Minister's undertaking in respect of his Department to observe good practice in this House in terms of the taking of legislation in the months and years ahead. However, I am not entirely sure I see the world as he does in terms of the other remarks he made. It would be entirely inappropriate for me to comment on the quality of legislative commentary in the Upper House. However, I have brought legislation to that House and noted the contributions of Members. I occasionally take the opportunity to read the transcript of a debate. I would not say it is an equal success in terms of the depth to which legislation is probed. There is undoubtedly the occasional shaft of sunlight but it is not the generality of the case.

The Minister suggested that the 20-minute speaking slots ought not to be exhausted in the case of every minor Bill. However, when I first became a Member of this House, there was no stricture in terms of the length of time allowed for Deputies' contributions on Second Stage. The time slots are a more recent innovation. I am not sure the Minister is on solid ground on this issue. Before the development of the committee system, a far greater amount of legislation was dealt with in this Chamber, where Deputies who might not be spokespersons for their parties could nevertheless contribute on legislation of interest to them. That opportunity no longer obtains. While observing all due respect for the Upper House, I am not sure the Minister's vision of how it deals with legislation with dispatch is something on which I would confer approval. The restricted number of sitting days in this House should be reviewed rather than the suggestion that time is wasted on the Second Stage of legislation.

Deputy Brian Lenihan: On the Deputy's specific question, the recognisances in question have been entered into and the bond has been made or the cash paid. We have not been advised by the Attorney General of any identified difficulty in respect of those recognisances accepted before 11 October.

Deputy Pat Rabbitte: What would the situation be, however, if there was no authorisation by law to accept the recognisances?

Deputy Brian Lenihan: The answer at this stage is that we have the recognisance. This legal question, like many others that arise in the context of an invalid practice, is best settled on receipt of advice from the Attorney General, which I will seek.

Deputy Charles Flanagan: I have a question on the designated prison officer. Can I take it from a reading of the Bill that this provision refers to a prison officer of any rank, or does it relate to a specific rank? Is there predesignation? In other words, on the passing of the legislation will it be incumbent upon a prison officer in a prison institution to have an appropriate number of designated officers or will this be done on an *ad hoc* basis? For example, if an officer was to move away, could he or she make a designation on the day, who could be anyone from the prison staff, without reference to order or rank?

Deputy Brian Lenihan: It could be any officer, but in general the practice is to delegate this power on an occasional basis to deputy governors.

Question put and agreed to.

Section 2 agreed to.

Title agreed to.

Bill reported without amendment, received for final consideration and passed.

Adjournment Debate.

Health Services.

Deputy Joe Costello: I appreciate that the Ceann Comhairle selected my issue for discussion. It is not new and relates to the Health Service Executive, accident and emergency services and the hospital system. I have raised it on a number of occasions and I am doing so today because of an incident which occurred last weekend.

I called into the accident and emergency department at the Mater Hospital at about 1 p.m. on Saturday where I met a number of people who had been in the department overnight. I was particularly concerned about one family whose elderly mother, afflicted by Alzheimer's disease, was sitting on a chair. She had pneumonia and had been in the department since 1.30 p.m. the previous day. The family wished that she would get a bed but there was no sign that this would happen. I contacted them later that evening and she still had no bed. During the evening she had

wandered around looking for the toilet, but got lost and was not found for some time. I spoke to staff in the bed management section of the hospital who indicated there was little that could be done because there were no beds available. The family telephoned me the following day and the situation was the same. At one stage on Saturday the woman in question had been in second position for a bed but on Sunday she had sunk to fifth in line. Eventually she was given a bed at 9 p.m. that evening, having spent almost three days sitting on a chair or lying on a trolley. She was not given a permanent bed but rather a bed in the admissions lounge, a halfway house between the accident and emergency department and the area where she would be given a permanent bed where she could be treated on a regular basis. She is still in the admissions lounge, a kind of limbo to where patients can move from the purgatory of the accident and emergency department without going to the heaven of an actual ward where they can be treated properly.

Clearly, it is very unsatisfactory that anybody should be placed in these circumstances, particularly an elderly person suffering from Alzheimer's disease and pneumonia. It is not satisfactory from the point of view of the staff either because they wish to treat patients properly. In order for them to do this a bed is required; otherwise patients suffer and staff are unable to carry out their duties properly.

That is the case of an individual who presented last weekend. Although she forms part of the statistics, she is a person. We receive statistics every day, Monday to Friday, from the HSE, indicating no one is in an accident and emergency department for more than 24 hours and that very few are there for more than 12 hours. Weekend arrivals are not included in such statistics, when the backlog and bottlenecks are evident. From that perspective, what we are getting is a series of statistical works of fiction rather than the facts. The Minister has had a number of years to resolve this problem. She reminded us at one stage that Rome had not been built in a day and told us that she would sort the issue out. Clearly, her solution has not worked. She must provide the necessary beds in public hospitals and stop talking endlessly about the fine beds she will provide in the private sector on public hospital grounds.

Minister of State at the Department of Health and Children (Deputy Máire Hackett): I will be taking this Adjournment matter on behalf of my colleague the Minister for Health and Children, Deputy Mary Harney, who is not in a position to attend.

The Department has made inquiries today of the Health Service Executive and is advised that the person concerned presented at the Mater Hospital last Friday afternoon. A decision was made later that day that she required admission to an acute bed but due to the lack of a suitable

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bed, she was obliged to remain in the accident and emergency department until Sunday night when she was admitted to a bed in the admissions unit. It is a matter of particular concern that the patient is an elderly woman and, as the Minister has previously stated to the House, unacceptable for older people to have to wait on trolleys for such a length of time.

There are currently 15 beds closed in the Mater Hospital due to construction work taking place at the hospital relating to the building of an essential new unit. Although it will be of no comfort to the lady concerned — I regret very much she had bad experience last weekend — improvement of accident and emergency services continues to be a top priority for the Government and the Health Service Executive. There have been considerable improvements.

Our objectives are to reduce the numbers waiting for admission, the time spent waiting for admission and the turnaround time for those who do not require admission. The HSE continues to report a significant reduction in the number of patients awaiting admission as compared with the same period 12 months ago. Over the first nine months of this year, the average number awaiting admission each day was 91.

Deputy Joe Costello: Not at the weekend.

Deputy Máire Hctor: This compares with an average of 165 patients over the first nine months of 2006, representing an average reduction of 45%. There has also been a significant reduction in the number of hospitals reporting patients waiting frequently for admission in excess of 24 hours. However, as this case indicates, hospitals can still experience difficulties in meeting the needs of those who attend accident and emergency departments. The HSE is continuing to work closely with hospitals, particularly those in the greater Dublin area, to bring about sustainable improvements in the delivery of accident and emergency services. As part of this process, an action plan for hospitals on the north side of Dublin is being prepared and due to be implemented in the coming months. The initial target waiting time of 24 hours from decision to admission is being met by the majority of hospitals but as this case indicates, we must see further improvements to ensure no patient waits for an unacceptably long period before he or she is admitted to an acute bed.

At the beginning of this month, the HSE introduced a revised target of 12 hours within which a patient should be admitted following the clinical decision to admit. The ultimate objective is a total wait-time target of six hours from the time a patient presents at the accident and emergency department to the time he or she is either admitted to an acute bed or is treated and discharged. A system-wide approach is required if the revised target and the ultimate target are to be achieved.

Such an approach will include a movement to best in Ireland standards in average lengths of stay, an increase in day surgery rates in line with international practice, a change to the way in which patients are admitted, particularly for surgical procedures, and a major drive to increase the efficiency in discharging patients from hospitals.

Following the publication of the emergency department task force report, the HSE is working with the Irish Association of Emergency Care with a view to further lowering the target waiting time, which will include the standardisation of patient processes and pathways within accident and emergency departments throughout the country. The programme for Government contains a number of new commitments in respect of the improvement of accident and emergency services. These are as follows: to increase the number of accident and emergency consultants available around the clock, to further develop chest pain and respiratory clinics to ease pressure on accident and emergency services and to establish a national network of local injury clinics. The target regarding the latter is 20 clinics within five years.

The HSE recently announced the approval of 60 additional consultant posts under the 100 plus performance incentive scheme. It expects that the additional posts will increase the number of senior decision-makers available in accident and emergency departments, as well as improving GP access to diagnostics and speeding up the delivery of diagnostic results. The additional consultants will also enable the relevant hospitals to streamline their internal processes, including discharge planning, to enable accident and emergency departments to operate at their most efficient.

The development of additional fast-track specialist consultant-led clinics was identified by the HSE emergency department task force as having the potential to improve services for patients within accident and emergency departments. An analysis of the number and optimum location of the additional clinics will need to be undertaken. Consideration must also be given to the role that might be played by the private sector in further developing the service.

The programme for Government indicates a commitment to ensure that only those in need of the high level of expert attention available at an accident and emergency department should attend for treatment and that patients should be assessed immediately and treated quickly. The development of local injury clinics is intended to help in achieving this objective.

Search and Rescue Service.

Deputy Martin Ferris: On 17 October, a decision was announced, via e-mail, to all staff by the director of the Irish Coast Guard, Mr. Chris Reynolds, to the effect that a two-tier operation

will come into being, that the marine rescue co-ordination centre will be co-located with headquarters in Drogheda and that a second centre will be established at a new west coast location. This decision was apparently taken by the Minister for Transport and the Marine, Deputy Dempsey, and relayed to the employees of the Irish Coast Guard at Malin Head, Valentia and Dublin.

Until 17 October, an agreement was in place, which was signed off by the then Minister, Deputy Dermot Ahern, to the effect that the Dublin operation would be closed and that the Valentia and Malin Head coast guard radio stations would be kept open and expanded. Staff were informed that the latter was the position but, after three years, they have been informed that matters have changed. The decision made by the Minister for Transport and the Marine, Deputy Dempsey, represents a complete U-turn on an agreement made by the then Minister, Deputy Dermot Ahern.

The station on Valentia dates back to 1914 and, as the Ceann Comhairle will testify, it is an intricate part of the life of the island and of Kerry as a whole. The staff there have saved countless lives and its history is a testament to their dedication and hard work. Valentia is by far the busiest of the three stations in operation and it receives the highest number of distress communications. What will be the status of Valentia in the wake of the announcement by the Minister? Will it be unmanned or will it be closed down?

None of this makes sense. The station was refurbished in the recent past and the staff who were working there at the time went to great lengths to ensure that everything necessary for future development was put in place. In that context, a suspended ceiling that could be removed was erected and underground cables, which are not currently in use, were laid. Every effort was made to protect the future of the station.

If the station is to be unmanned or closed down, and in light of the fact that under decentralisation staff are only obliged to relocate on a voluntary basis, what will be the position regarding the staff currently employed there? Where will these people go? Will they be compelled to move to another station? What will happen to them and their families? I am aware that there will be a new intake of staff in the coming months and that 53 applications have been made in respect of about nine vacancies. I understand that quite a number of the 53 individuals who applied listed Valentia as their preference.

Will the Minister provide an indication as to where the new station will be located? Does he intend to close the stations at Valentia and Malin Head or does he intend them to be unmanned? What is the status of the people currently employed at these locations?

Deputy Máire Hackett: I am taking this matter on behalf of the Minister for Transport and the Marine, Deputy Dempsey, who cannot be here.

The Minister wishes to dispel any suggestion of a reduction in the quality of service to those engaged in maritime activities, to which a reference to decommissioning might give rise. On the contrary, recent decisions have been taken against a background of renewed investment and support for maritime safety. The Irish Coast Guard and the maritime administration within the Minister's Department is the national authority with responsibility for the promotion, regulation and enforcement of maritime safety, which includes maritime security and emergency management.

The Minister recognises its strategic role in respect of safety and security. He has already signalled his intention of giving increased focus to this sector and to doing all possible to minimise incidents and to respond effectively when they occur. While the ultimate outcome will be positive, getting there is going to present challenges for all as they work to improve and develop the service.

The search and rescue process relies totally on clear, effective and reliable communications and is, therefore, ultimately dependent on the performance of Irish Coast Guard radio and telecommunications equipment. It is this communication infrastructure which provides co-ordination centres with the capability of receiving distress messages and communicating with and co-ordinating rescue resources. The Irish Coast Guard currently has its main radio switch and control equipment located at three manned sites around the country. These are at Leeson Lane in Dublin, Malin and Valentia. Dublin is the marine rescue co-ordination centre, MRCC, while Valentia and Malin are marine rescue sub-centres, MRSCs, each with delegated authority from the MRCC to co-ordinate responses to marine emergencies in its area of responsibility.

A Deloitte & Touche report on the Irish Coast Guard in 2002 recommended that two centres should be operated on the basis that each would be capable of supporting the entire national network. Much of the equipment at the three centres is old and in urgent need of replacement. The decision to operate the service from two centres will allow the required upgrade and replacement of equipment to proceed. Any delay in this process could leave the Department of Transport and the Marine vulnerable to serious failure in the system. Since the report was issued, consideration has been given to a number of options as to how best to proceed. These included proposals to close Dublin and retain the other two centres. Consideration was also given to retaining an east coast centre and one of the other centres.

Following the transfer of the maritime transport functions to the Department on 1 January 2006, the Minister's predecessor asked officials to review current and proposed arrangements for

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the delivery of these services. As part of this review, the needs of each of the rescue co-ordination units were finalised with a view to undertaking the necessary development and re-equipping work. As a result, the Minister has confirmed that the Irish Coast Guard and maritime administration will decentralise to Drogheda. He has confirmed that there will be a two-centre operation geographically separated as previously recommended. The MRCC will, in line with decentralisation decisions, be co-located with headquarters in Drogheda. The MRSC will be in an urban or near-urban location on the west coast. The Irish Coast Guard is to proceed with the tendering process for new integrated communications system equipment for a two-centre operation for delivery and commissioning in 2009.

It is important to stress that there is no suggestion that Malin or Valentia will be closed or disposed of as Irish Coast Guard locations nor will there be a diminution in the quality of the emergency response capability on the west coast. The stations will be retained as part of the Coast Guard infrastructure and some operations will continue to be delivered from these locations, although the precise nature of their long-term function has yet to be finalised.

It is important to emphasise that detailed proposals on the implementation of the strategic decisions have now to be finalised. The Minister has given direction for the medium to long-term development and improvement of the Coast Guard. The process of migrating from the present situation to the new developments will be planned and implemented in consultation. That process will take account of the safety needs of local communities, the ongoing improvement of the service to the public and the concerns of individual staff members.

Physical Education Facilities.

Deputy James Bannon: I thank the Ceann Comhairle for affording me the opportunity to speak on this important issue in respect of Ardscoil Phádraig in Granard, County Longford, on whose behalf I have made numerous representations for some time. As the Minister of State is aware, a state-of-the-art sports facility had been built for the students of Ardscoil Phádraig and the people of Granard under the provisions of the dormant accounts fund.

However, the cement was not even dry when, to the great disappointment of the people of the area, water damage to the roof of the new hall meant that it could not be opened to the public. A problem has arisen with the flat section of the roof which resulted in water leaking into the building from outside. This setback was a major blow to the area as the people contributed to the development on the understanding that it would be open for public use.

This project has been a huge community effort in Granard, with grant aid received not only from the dormant accounts fund but also from Longford Community Resources Limited, various clubs and, as I previously stated, members of the public. Instead of being able to enjoy this new sporting facility, which should have been opened last April, water damage brought a new funding problem as €106,000 was needed for repairs. This was a heart-breaking blow for the community and the school.

However, I am delighted that representations have paid off and that pressure kept the Government on its toes. I welcome the outcome which means that the building unit of the Department of Education and Science is funding these essential repairs under the contingency fund provisions, which will, hopefully, cover the full cost of the repairs. In this, I know I am joined by the people of Granard who will be delighted with the news. I also take this opportunity to congratulate everyone in Granard associated with this project whose untiring work helped it to become a reality.

However, as the Minister of State is aware, there are other outstanding building issues in County Longford which urgently need completion in the interests of health and fitness. Chief among them is the Lanesboro Community College sports hall, which is urgently needed to provide a healthy, fitness-based educational facility for the pupils in Lanesboro. This school had a long struggle to gain necessary funding for the refurbishment of its built environment. In this case, like that in Granard, representations and the pressure brought to bear on the Department eventually resulted in a new and safe learning environment. However, the sports hall is still outstanding. I again thank the Minister for the positive response to the problems experienced by Ardscoil Phádraig and ask her to give similar consideration to Lanesboro at the earliest opportunity.

Deputy Máire Hctor: I extend apologies on behalf of the Minister for Education and Science, Deputy Hanafin, who could not be here. I thank the Deputy for giving me the opportunity to outline the Department's current position regarding the allocation of funding under the emergency works grant scheme. The main purpose of the emergency works grant scheme is to ensure the availability of funding for urgent works to those schools that are most in need of resources as a result of an unforeseen event of a capital nature that can arise during the course of a school year.

The application process under the scheme elicits specific relevant information to enable a verifiable, speedy and equitable response to emergencies as they arise. Primary and post-primary schools requiring emergency works to be undertaken should apply under this scheme. The purpose of this scheme is solely for unforeseen emergencies. It is not intended that this scheme will be used to supplement previous applications

under other schemes that have not been successful in securing funding. All relevant and supporting information in respect of an application must be provided in order to support a claim for emergency grant aid. All applications are dealt with on an individual basis.

I am pleased to inform the Deputy that the school submitted an application for funding in respect of the roof works at the sports hall under the emergency works grant scheme and that a grant was approved on 16 October 2007 to cover these works. In addition, I am also pleased to inform the Deputy that under the dormant accounts scheme, Ardscoil Phádraig received grant approval for the provision of outdoor play facilities. I again thank the Deputy for giving me the opportunity to outline the current position to the House.

School Places.

Deputy David Stanton: I thank the Ceann Comhairle for allowing me to raise this issue this evening and I thank the Minister of State for coming in to respond. I wish to draw attention to an issue in east Cork, which is one of the highest growth areas in the country. The population in the town of Middleton and the area around it has increased by 22% from 25,000 to 30,000 in the past five years.

This raises the issue of the need for more school places at primary and second level. I am specifically concerned about second-level school places. There are four second-level schools in the area. Middleton CBS boys school is full and I understand that it was forced to turn away students this September. St. Mary's High School will be under pressure to do the same next year. St. Colman's Community College is almost full. Middleton College, which is a private college, is full, while St. Aloysius College in Carrigtohill is also full.

A situation is fast approaching where, in a few short years, there may not be enough places in east Cork for second-level students. I carried out a census of the primary schools and discovered that in the next five years, there will be 700 extra students seeking second-level places, which almost amounts to a new school.

I previously raised questions about this with the Minister and also wrote to the county manager. There are no plans to construct a new school. Will the Minister ask her officials to meet the principal teachers in all the schools? Somebody has to take leadership of this situation before it becomes a crisis, which is why I am raising it this evening. I do not want people knocking on my door in two years time because their children do not have second-level places.

The population has increased dramatically over time. I wrote to the county manager in July expressing concern about this. He replied to me but his letter revealed that there are no plans to provide a second-level school. Land can be zoned

but that does not mean it is available. As far as I am aware, land is not zoned. What kind of action has the Department taken with the schools locally to project into the future and make provision for second-level places? As far as I am aware, very little has been done.

Middleton CBS has been looking for an extension for quite some time but has not received it. St. Mary's High School needs extra science laboratories but has not received them. St. Aloysius College in Carrigtohill needs extra work which has not been carried out. Perhaps there is an opportunity for the boys' second-level school and the girls' second-level school in Middleton to co-operate. Such a solution could be a shared campus on a greenfield site. All these things take time, as the Minister is aware. This can take years when the crisis is approaching very quickly.

East Cork has been designated as a special growth area because of the railway coming into the area and building has been phenomenal. It would be very useful if the Minister organised a briefing involving officials from her Department with possibly myself and other Deputies from the area. I want to be proactive on this issue and draw attention to the fact that a situation is rapidly developing and I would like to see some action and plans before it becomes a crisis. I look forward to hearing the Minister of State's reply.

Deputy Máire Hctor: I apologise on behalf of the Minister, Deputy Hanafin, who was not in a position to be here to take this matter.

I thank the Deputy for raising it as it affords the opportunity to outline to the House the Government's strategy for capital investment in education projects and to outline the position regarding second level places in Middleton.

Modernising facilities in our 3,200 primary and 750 post-primary schools is not an easy task given the legacy of decades of under-investment in this area as well as the need to respond

10 o'clock to emerging needs in areas of rapid population growth. Nonetheless, since taking office, the Government has shown a focused determination to improve the condition of our school buildings and to ensure that the appropriate facilities are in place to enable the implementation of a broad and balanced curriculum.

As evidence of this commitment, more than €540 million will be spent on school building and modernisation projects in the coming year on primary and post-primary schools throughout the country. Since 1997, a total of €3 billion has been invested in school buildings and this has delivered more than 7,800 school building projects. This further investment of more than €540 million will build on these achievements and will focus in particular on the provision of school accommodation in areas where the population is growing at a rapid rate. As further evidence of our commitment, the national development plan funding of €4.5 billion will be invested in schools

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over the coming years. I am sure the Deputy will agree that this record level of investment is a positive testament to the high priority the Government attaches to ensuring that school accommodation is of the highest standard possible.

Turning to the specific issue of the second level school places for Midleton, the Department of Education and Science has a number of proactive strategies to ensure that the accommodation requirements for schools in developing areas such as east Cork are addressed in a manner that will meet the long-term education needs of the population. The process of assessing the need for new or additional accommodation facilities at second level in any given area entails consideration of all relevant factors, including enrolment and demographic trends, housing developments and existing school capacity to meet current or future demand. As part of the process, the Department of Education and Science is included among the prescribed authorities to whom local authorities

are statutorily obliged to send draft development plans or variations to development plans. As a matter of course meetings are arranged with local authorities to establish the location, scale and pace of housing developments and their implication for both current and future school provision. In this regard, officials in the school planning section of the Department plan to meet senior officials from Cork County Council and Cork County VEC to discuss potential and anticipated developments in the general area with a view to making informed decisions in regard to the long-term accommodation needs of the second level schools in the area and in particular to those schools that have made application for major capital investment in their buildings.

I thank the Deputy once again for raising the matter and allowing me to outline the position regarding the provision of second level places in Midleton.

The Dáil adjourned at 10.05 p.m. until 10.30 a.m. on Wednesday, 24 October 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 9, inclusive, answered orally.

Questions Nos. 10 to 81, inclusive, resubmitted.

Questions Nos. 82 to 87, inclusive, answered orally.

Ministerial Appointments.

88. **Deputy Fergus O'Dowd** asked the Minister for Foreign Affairs the way consuls are appointed; if any consul has been replaced since 1 January 2007; and if so, the reason for same; and if he will make a statement on the matter. [25008/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I understand the Deputy is referring to the appointment of Honorary Consuls rather than to the Consul positions filled at full time Consulates in the normal way by career civil servants who are transferred abroad for a temporary period.

When deciding where Honorary Consuls of Ireland are to be appointed, I have regard to whether such appointments are justified by the need to provide for the welfare of Irish citizens, both resident and visiting, or by the prospects of developing trade and economic relations with the country or region concerned.

Persons who are appointed as Honorary Consuls are generally experienced professional or business people who are well established, have good high-level contacts in Government and business circles in that country or region and have centrally-located offices suitable for use as a Consulate.

When it is considered that an appointment as Honorary Consul may be justified, suitable candidates who would be willing to undertake the duties involved are identified, usually by the Irish Embassy accredited to the country concerned.

The matter is then submitted for my consideration.

If it is decided that a particular appointment as Honorary Consul should be made, it is necessary to seek the agreement of the relevant Foreign Ministry. When that agreement is received, the nominee is formally offered the position for an initial period of three years which may subsequently be extended by mutual agreement.

At present, Ireland has a total of 87 Honorary Consuls and Honorary Consuls General. As the Deputy will appreciate, from time to time, those who are appointed may resign, or their services may no longer be required if, for example, an Embassy of Ireland is established in the same location and takes over the role of providing Consular Services.

Since 1 January 2007, the process of appointing Honorary Consuls has been completed in three cases: Hong Kong; Agadir, Morocco; and Harare, Zimbabwe. In Hong Kong, the previous appointee resigned after many years of much appreciated service. In Agadir and Harare, the appointments are of our first Honorary Consuls in those locations and were made primarily to meet the consular needs of Irish citizens.

Our Honorary Consuls are not full-time officials of the Department of Foreign Affairs but are honorary appointees who undertake, in addition to their own occupations, to do invaluable work on behalf of Ireland. In particular, the dedicated and personal consular services that they provide to Irish citizens who find themselves in difficulty are greatly valued.

Human Rights Issues.

89. **Deputy John Deasy** asked the Minister for Foreign Affairs the steps he has taken or can take to raise concern about the possible violation of the Iranian people's fundamental human rights; and if he will make a statement on the matter. [25005/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): Inevitably, perhaps, international attention in relation to Iran has focused recently on the nuclear issue and on developments in neighbouring Iraq. The Government believes it is important that we do not lose sight of the human rights situation in Iran, on which we have very serious concerns.

After a period in which gradual progress was evident in the overall human rights situation, the past few years have witnessed a serious and sustained erosion of human rights protections in Iran. Moderate and reformist political voices have been suppressed, and freedom of expression has been severely curtailed by actions against media outlets and individual journalists.

Against this background of reassertion of State control, a wide range of other human rights issues has also shown a marked deterioration. These include the increased use of the death penalty, including executions of minors and in some isolated cases recourse to the particularly barbaric practice of execution by stoning. There has been a notable increase in intolerance of expression of identity by national minorities, and active harassment of minority communities, including the Baha'i community. Trade unions and women's groups have been suppressed and there has been a sustained campaign against NGOs and human rights defenders. Indeed groups and individuals in Iran are now being targeted by the authorities because they have been in contact with western Embassies.

I have been seriously concerned by these developments, and I raised them very directly in my meeting with Foreign Minister Mottaki in New York on 1 October. The Government and our EU partners make frequent representations to the Iranian authorities about specific cases and issues, and about the broader principles of human rights. In recent years we have co-sponsored a Resolution at the UN General Assembly on the human rights situation in Iran, along with Canada and others. We will do so again this year.

Regrettably, Iran has shown little interest in tackling these issues. A formal Human Rights Dialogue between the EU and Iran is now effectively in abeyance. The last meeting was held under the Irish EU Presidency in 2004, and it seems clear that Iran is not now willing to engage in the dialogue.

The Government and our EU partners will continue to use every opportunity to draw attention to, and where possible to uphold, the fundamental rights of the Iranian people.

EU Treaties.

90. **Deputy James Bannon** asked the Minister for Foreign Affairs the reason the Government chose to avail of an opt out in the areas of criminal procedure and police co-operation in the EU Reform Treaty; and if he will make a statement on the matter. [25014/07]

103. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs his proposals for opting out of certain aspects of the revised EU Treaty; the beneficial impact or otherwise of such action with particular reference to mutual recognition of the need for cooperation between all Member States on particular issues; and if he will make a statement on the matter. [25041/07]

322. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs if he will report on the full extent to any opt out positions in the context of the European Reform Treaty; the extent to which such positions are expected to affect cooperation with other Member States; and if he will make a statement on the matter. [25474/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I propose to take Questions Nos. 90, 103 and 322 together.

Agreement on further Treaty provisions in the area of freedom, security and justice is one of the key features of the new Reform Treaty which was agreed to by the Taoiseach and his fellow Heads of State and Government at the informal European Council in Lisbon last week. These provisions will strengthen the Union's ability to combat cross border crime, including illegal immigration and the trafficking of people, arms and drugs which affect all Member States.

Ireland is fully committed to ensuring the effectiveness of EU cooperation against cross border crime. The House will recall that we were instrumental in forging agreement on the Constitutional Treaty and would have been happy to have ratified and implemented that Treaty, including its key elements in the justice and home affairs area. As was explained in the House last week, we must also take account, however, of the changes reflected in the Reform Treaty. These changes arise from the British decision to seek opt-in/opt-out arrangements in the areas of judicial criminal law cooperation and police cooperation.

As was explained in the House, the common law system is quite different from those of our European partners. Under the Constitutional Treaty, it was considered that the combined weight of Ireland and Britain would have been effective in shaping EU measures so as to take account of the specific character of our legal system. Under the Reform Treaty, however, we could have found ourselves, as one of a small handful of Member States with a common law tradition, at a disadvantage and unable to shape proposals in a direction palatable to us.

Faced with this situation, and after carefully weighing up all of the arguments, the Government decided to join the new opt-in/opt-out arrangement on criminal law and police cooperation. We were only willing to avail of these new arrangements because they enable us to opt in on a case-by-case basis. This is what we intend to do. We have the particular intention of participating

in measures in the field of police cooperation. Accordingly, we have made a strong Declaration to be attached to the Reform Treaty underlining our firm intention to join with our EU Partners whenever possible. We have also decided that these new arrangements will not apply to measures concerning the freezing of terrorist assets.

On foot of these arrangements, we will be able to contribute to EU cooperation in this important area while, at the same time, ensuring the necessary protections for our legal system. Furthermore, as justice, freedom and security is a relatively new area of EU activity, we have decided to review our participation in these particular opt-in/opt-out arrangements after three years. This will give us time to consider the evolution of EU policy in this area and to assess further the implications of cooperation in the new policy areas for our legal system.

Middle East Peace Process.

91. **Deputy Pat Rabbitte** asked the Minister for Foreign Affairs if he will advance the proposal that a permanent secretariat be established in order to advance proposals for peace in the Middle East such as the road map for peace and other initiatives by the quartet and others. [24981/07]

108. **Deputy Jim O’Keeffe** asked the Minister for Foreign Affairs if Ireland supports the establishment of a Palestinian State; and the steps that can be taken to assist in the achievement of this objective. [24904/07]

138. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs the Irish Government’s position in relation to the recent decision by the Israeli Government to appropriate the land of four Palestinian villages for the purpose of building new settlements and a new highway which will cut east Jerusalem off from the West Bank, in view of the fact that such actions are in flagrant breach of the agreement that the 1967 borders will not be changed except by agreement and is also in breach of the prohibition on building new settlements on Palestinian lands. [24999/07]

315. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his views on the recent statement by UN Special Rapporteur for Human Rights in the Occupied Palestinian Territories, Mr. John Dugard, that the UN should withdraw from the US dominated international quartet, in view of that body’s failure to respect Palestinian human rights and that the EU should also consider withdrawing from the quartet unless it drops its unconditional backing for Israeli positions. [25269/07]

318. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs if he will outline and report on the developing situation in relation to the Middle East with particular reference to the Israeli-Palestinian situation; and if he will make a statement on the matter. [25470/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I propose to take Questions Nos. 91, 108, 138, 315 and 318 together.

Ireland is a long-standing and active proponent of the establishment of an independent Palestinian State. The Government has argued strongly within the EU and internationally that a comprehensive settlement in the Middle East is more urgently needed now than at any time in the past sixty years. It must be based on a peaceful, lasting and just two-State solution to the Israeli-Palestinian conflict.

There is now a real opportunity for progress. At our meetings in Luxembourg and Lisbon last week, EU Foreign Ministers reviewed progress in the dialogue between Israel and the Palestinian Authority and the preparations for the international meeting in the U.S. in November. We believe that the current opportunity must be grasped in order to restore credibility and momentum to the peace process. The EU has stated that concrete results must be achieved, leading to meaningful final status negotiations. These will have to address and resolve the most sensitive and difficult issues at the heart of the conflict.

The EU has a crucial role to play, working directly with the parties and as an active member of the international Quartet. The EU and its Member States have been the strongest supporters of the Palestinian people. Total EU assistance this year will amount to over €800 million. Irish assistance will increase to over €7 million. We will work for the success of the major international donors conference for Palestine which will be held in Paris before the end of the year. The EU is determined to provide all necessary political and humanitarian support to the establishment of an independent Palestinian State, and the building of democratic institutions and a viable economy.

I have seen the recent comments of the UN Special Rapporteur for Human Rights. The Government greatly values his work in the human rights field. However, I do not believe that it is productive at this point in the political process to enter into a debate on possible withdrawal from the Quartet by the UN or anyone else. It is no secret that we have been among those Member States which have sought to strengthen the Quartet, and the EU’s voice in it. The Quartet will have a crucial role to play in the period ahead, on the Palestinian track and with Arab States working to develop the historic opportunity offered by the Arab Peace Initiative. Depending on developments, it may be that a proposal for a permanent secretariat could use-

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fully be considered, in order to add focus to the work of the Quartet and the various international envoys active in the region. We would judge any such proposal on the contribution it can make to the achievement of the strategic objective of a settlement of the Israeli-Palestinian conflict.

In the meantime, the EU continues to make it clear that all parties must meet their obligations under international law. We remain deeply concerned at violence in the region, the continued expansion of settlements and the construction of the security barrier on occupied land. These and other practices in the Occupied Territories are contrary to international law and threaten the achievement of a viable settlement. The EU has explicitly raised with the Israeli Government the reported decision on the expropriation of Palestinian land near the major settlement bloc East of Jerusalem. I also raised the issue of settlement expansion and the plans for the E1 corridor East of Jerusalem in the most direct terms with the Israeli Foreign Minister when I met her earlier this year. We will continue to raise our concerns on these issues with the Israeli authorities.

International Conventions.

92. **Deputy Liz McManus** asked the Minister for Foreign Affairs the Government's position in relation to enacting universal jurisdiction; and if it accepts that it is the duty of every State to exercise its criminal jurisdiction over those responsible for international crimes in order to ensure that their national courts are able to investigate and prosecute anyone suspected of committing the crimes of genocide, crimes against humanity, war crimes, torture, extrajudicial executions and extraordinary rendition in order to ensure that their country cannot be used as a safe haven to evade justice by those perpetrating such acts. [24997/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The exercise of universal jurisdiction involves the prosecution by the State of a person in Ireland for a crime committed anywhere and regardless of that person's nationality. As it is an exception to the general principle of non-intervention in the internal affairs of other states, it requires the sanction of international law.

Under Irish law, universal jurisdiction may be exercised in relation to certain war crimes and torture. War crimes constituting grave breaches of the Geneva Conventions of 1949 and their First Additional Protocol of 1977 may be prosecuted under the Geneva Conventions Acts 1962 and 1998. Torture, pursuant to the United Nations Convention Against Torture of 1984, may be prosecuted under the Criminal Justice (United Nations Convention Against Torture) Act 2000.

As regards genocide, the Genocide Convention of 1948 does not provide for the exercise of uni-

versal jurisdiction and it is Ireland's view that, as of yet, there is no clear rule of customary international law that provides for the exercise of universal jurisdiction in respect of genocide.

Likewise, as regards crimes against humanity, there is no international agreement that provides for the exercise of universal jurisdiction and it is Ireland's view that, as of yet, there is no clear rule of customary international law that provides for the exercise of universal jurisdiction in respect of these crimes.

On the other hand, it was for the very reason of ensuring that the most serious crimes of concern to the international community as a whole do not go unpunished that the international community, by adopting the Rome Statute, created the International Criminal Court. Ireland has been a consistent and strong supporter of the ICC, recognising it as an essential means for bringing to justice those responsible for the most serious international crimes. With the exception of a referral by the UN Security Council, however, the jurisdiction of the ICC is limited to crimes committed by the nationals of States Parties, or committed on the territory of States Parties. Accordingly, until such time as adherence to the Rome Statute is itself universal, the jurisdiction of the Court will be limited. To this end, together with our EU partners, Ireland seeks to advance the universal reach of the Court by promoting the universal ratification of the Rome Statute.

No international agreement provides for the exercise of universal jurisdiction in relation to extrajudicial executions, nor has it become a crime subject to universal jurisdiction under customary international law. It will be of interest to note, however, that the International Convention for the Protection of all Persons from Enforced Disappearances, which was signed by Ireland in March of this year, provides for the prosecution by a state of an alleged offender present in its territory, unless it extradites or surrenders him or her to another state or surrenders him or her to an international criminal tribunal. This Convention, which opened for signature in February 2007, has not yet been ratified by any state and so has not yet entered into force.

There is no agreed definition of "extraordinary rendition" in international law, nor is there any international agreement providing for the exercise of universal jurisdiction in relation to "extraordinary rendition". However, the unlawful deprivation of liberty on Irish territory is, of course, a crime under Irish law. The Government is completely opposed to the practice of extraordinary rendition. Our concerns in this matter have been made clear to the highest levels of the US Government, including by the Taoiseach to President Bush. The Government has received specific assurances from the US authorities, confirmed by Secretary of State Rice that prisoners have not been transferred through Irish territory, nor would they be, without our permission.

Freedom of Expression.

93. **Deputy Mary Upton** asked the Minister for Foreign Affairs the position of the Government in relation to the reports of the rights to free expression and dissemination of information in Pakistan being persistently undermined through the arrest of editors and reporters from local and regional newspapers on charges of sedition. [24998/07]

321. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs if he has satisfied himself regarding the application of the normal democratic principles in Pakistan; and if he will make a statement on the matter. [25473/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I propose to take Questions Nos. 93 and 321 together.

The Government is aware of, and concerned about, problems in Pakistan relating, amongst other things, to freedom of expression, the dissemination of information, and the ill-treatment of editors and reporters.

These problems have been well documented within Pakistan itself by the Pakistani media and by the Human Rights Commission of Pakistan in its annual report for 2006, and internationally by respected international bodies such as Reporters Without Borders, FIDH (the International Federation of Human Rights Organisations) and the Committee for the Protection of Journalists. The issues highlighted include various forms of restrictions on press freedom, restrictions on access to information, pressures from government and other sources, as well as threats to media professionals from all levels of government and extremist elements. A number of cases of killings of media figures, physical attacks, imprisonment, disappearances and various forms of intimidation have been reported.

Any obstacles to freedom of expression, and the media, are a source of concern. Nevertheless, despite the very real obstacles to freedom of expression, there is a highly impressive, strong, vibrant and independent media in Pakistan, which speaks out very openly on all aspects of Pakistani life and politics. We have seen the highly vocal and independent media at work over recent months, covering the suspension of the Chief Justice, subsequent and ongoing events in the Supreme Court, the Presidential election campaign and the return to Pakistan of opposition leaders. This is an enormous tribute to the commitment, professionalism and courage of those involved in the media in Pakistan and very encouraging for the future of democracy in Pakistan.

As regards the democratic process more generally, Pakistan is hopefully on a course back to democracy. But the road to democracy, stability and economic and social development will not be an easy one. Though democratic party politics

and traditions are reasonably well established in urban and some other areas, near-feudal conditions exist in some of the more remote rural and tribal areas. Corruption at various levels is also a serious problem, affecting almost every aspect of life, including the political system. And, particularly threatening in the parliamentary electoral campaign, is the subversion and havoc that militants and extremists can create. In addition to an alarming escalation of daily attacks on the military and authorities in border and tribal areas, we have witnessed such events such as the siege at the Red Mosque in Islamabad some months ago and, last week, the appalling massacre that greeted Benazir Bhutto's return to her country. Although such militancy is shared by only a small percentage of Pakistan's population, the ability of the terrorists and radicals to inflict devastating damage is deeply troubling.

While the road back to democracy will undoubtedly a very difficult one, there are, nevertheless, some positive developments worth highlighting: President Musharraf has made a commitment to withdraw from a military role and has nominated a successor as Army Chief of Staff, which increases hopes that here will be an end to military rule in the coming months. The political parties and the public are intensely engaged in what will clearly be a hotly-contested election campaign, while the Pakistan Elections Commission has been working to put systems in place to ensure that these elections are free and fair.

Nuclear Disarmament Initiative.

94. **Deputy Alan Shatter** asked the Minister for Foreign Affairs his views on the fact that Iran is developing a nuclear weapon capability; the nature of his concern; the action taken to date by this State as a member of the European Union and at the United Nations to address this issue; and his views on whether EU and United Nations action to date is adequate. [25043/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The Government and our EU partners share the widespread concern at Iran's refusal to comply with its international obligations in respect of its nuclear programme. Aspects of that programme, together with Iran's pursuit of long-range missile technology, have given rise to serious concern that it is seeking to develop a nuclear weapons capability. The Government shares the clear view of Iran's neighbours that this would pose serious dangers in an already volatile region. We have consistently expressed our strong views in opposition to the presence of any nuclear weapons, or other weapons of mass destruction, in the Middle East.

The EU is firmly committed to the search for a diplomatic solution, and is working in close cooperation with the United States, Russia and China. As part of the effort to persuade Iran to meet its obligations, the EU presented a substan-

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tial package of proposals for improved relations in June 2006. It is very regrettable that Iran has so far refused to accept this offer as a basis for negotiations, but the package remains on the table.

The UN Security Council has three times issued a clear demand that Iran suspend its uranium enrichment activities, most recently in Security Council Resolution 1747 of 24 March 2007. The International Atomic Energy Agency (IAEA) has reported that Iran continues to ignore the demands of the Security Council, and a range of UN sanctions have been imposed on the nuclear and military sectors. We have welcomed the Agreement reached in August between Iran and the IAEA to resolve all questions on Iran's past nuclear activities, but this can be no substitute for compliance with the international obligations clearly identified by the UN Security Council.

I have outlined the Government's position directly to the Iranian authorities, most recently during my meeting with Foreign Minister Mottaki in New York on 1 October. I emphasised the firm and united support of the EU behind the approach being articulated by High Representative Solana and the group of Member States referred to as the "EU3" — France, Germany and the United Kingdom. Together with the Foreign Ministers of Russia, China and the U.S., the EU3 have asked High Representative Solana to meet again with Iran's chief negotiator, to lay the foundation for future negotiations. They stated on 28 September that if these contacts and the efforts of the IAEA have not shown a positive outcome in November, they would proceed with a further Security Council Resolution, imposing wider sanctions.

At the General Affairs and External Relations Council which I attended in Luxembourg last week, it was agreed that the EU will consider what additional measures it might take in order to support the UN process and the shared objectives of the international community.

International Agreements.

95. **Deputy Andrew Doyle** asked the Minister for Foreign Affairs the plans he has to seek to be a signatory to the Antarctica Treaty 1959; and if he will make a statement on the matter. [25020/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The Antarctic Treaty opened for signature on 1 December, 1959 in Washington DC and came into force in 1961. The stated aim of the Treaty is to ensure "in the interests of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord."

In particular the Treaty sought to prohibit nuclear testing and radioactive waste disposal, and to promote international scientific cooperation in Antarctica. It also provided that no new claims to territorial sovereignty or enlargement of standing claims would be made by States parties.

Today, the Antarctic Treaty system comprises the Antarctic Treaty of 1959, the 1991 Protocol on Environmental Protection ('the Madrid Protocol'), the 1972 convention for the Conservation of the Antarctic Seals and the 1980 Convention on the Conservation of the Antarctic Marine Living Resources.

While the Treaty has been in operation since 1961, only 46, or fewer than one quarter of UN Member States, are States Parties.

Over the years, many of those who have chosen not to accede have argued that the Antarctic should be declared part of the common heritage of mankind and thus be treated in a manner comparable to Outer Space or the International Sea Bed Area and therefore beyond the limits of national jurisdiction. Some have called for a UN agreement to which all Member States would subscribe as the best means to ensure full accountability for actions undertaken in, affecting and concerning Antarctica. Ireland has traditionally been sympathetic to this view.

However, we are aware of the immense difficulties which would arise in seeking to negotiate a new Treaty. We have also noted that UN General Assembly Resolutions of 2002 and 2005 welcomed the practice whereby the Antarctic Treaty consultative parties regularly provide the UN Secretary General with information on their consultative meetings and their activities in Antarctica.

In all the circumstances, the Government intends to re-examine the issue, which is of relevance to a number of Government Departments. I have accordingly asked officials in my Department to study the issues involved in accession, with a view to initiating broader inter-departmental consultation on this question.

Human Rights Issues.

96. **Deputy Joan Burton** asked the Minister for Foreign Affairs the answer he has given to the representations made to him regarding the continuing abuse by Government forces in Zimbabwe of political opponents and the widely reported arbitrary detentions and beatings. [24996/07]

100. **Deputy Thomas P. Broughan** asked the Minister for Foreign Affairs the initiatives the Irish Government and the European Union proposes to take to address the human and institutional crisis that has arisen in Zimbabwe; the contact the Irish Government or the European Union has had with South Africa and other neighbouring countries of Zimbabwe; and the

conclusions which have flown from such contacts. [24995/07]

110. **Deputy Seán Barrett** asked the Minister for Foreign Affairs the steps he will take to highlight the violations of human rights in Zimbabwe and the suffering of its citizens as a result of the collapsing economy; and if he will make a statement on the matter. [22326/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I propose to take Questions Nos. 96, 100 and 110 together.

I continue to be gravely concerned at the deterioration in the situation in Zimbabwe. Efforts by the Government of Zimbabwe to tackle hyperinflation by imposing fixed prices by force have led to severe shortages in urban areas. In rural areas, millions are likely to need food aid as a result of crop failures, exacerbated by government policies. Opposition activists, including Morgan Tsvangirai, the leader of the largest faction of the Movement for Democratic Change (MDC), were seriously ill-treated in police detention in March 2007, and hundreds of lower-profile activists have been severely beaten in custody since then. Presidential and parliamentary elections are due to take place in March 2008, and the focus of international efforts must now be on pushing for a level playing field for these elections, so as to allow the people of Zimbabwe to decide who they think can best lead their country out of its current economic and political crisis.

Ireland and the EU strongly believe that African leadership is the key to improving the situation in Zimbabwe. Zimbabwe's neighbours are best placed to encourage progress towards economic and political stability, and adherence to those human rights standards on which Africa seeks to base its future development. We support the mandate given to President Mbeki by the Southern African Development Community (SADC) to facilitate dialogue between the government and opposition in Zimbabwe. Talks between the two sides have been ongoing for several months, and the Government and both MDC factions have agreed to certain constitutional changes. However, international observers are concerned that these alone will not be enough to ensure free and fair elections in Zimbabwe next year. Ireland and the European Union are awaiting the outcome of the SADC/Mbeki initiative, which is expected early next month, and of the review being undertaken by SADC Finance Ministers of Zimbabwe's economy. When EU Foreign Ministers discussed the situation in Zimbabwe on 15 October, we agreed that we may need to engage further in follow-up to the SADC initiative once it is completed next month. We stand ready to respond substantively to any positive change in Zimbabwe.

The EU operates an arms embargo on Zimbabwe and a targeted visa ban against Zimbabwean leaders but does not have economic

sanctions against the country, nor is there any intention to do so. The EU is a major provider of aid to the Zimbabwean people, and this commitment to their welfare will remain in spite of government actions. The EU consistently uses political contacts with countries in the region to highlight concerns about Zimbabwe. Representatives of the local EU Presidency in each of the SADC countries have this year expressed to their host governments the concern of the EU and its Member States over the developments in Zimbabwe. The Presidency Secretary of State for Foreign Affairs attended the SADC Summit in August 2007 and had talks with key figures. Zimbabwe was discussed at the EU-South Africa Troika which took place in South Africa on 10 October, and the EU expressed readiness to respond appropriately to tangible results from the SADC initiative and President Mbeki's mediation. No matter who represents Zimbabwe at the EU-Africa Summit in December, Ireland has made clear that we believe human rights and governance issues must be discussed, including as they affect Zimbabwe.

The situation in Zimbabwe is a matter of significant concern here in Ireland, and Ireland is among those EU Member States which have most strongly condemned human rights abuses and urged political and economic reform in Zimbabwe. The Embassy of Ireland in Pretoria monitors allegations of human rights abuses in Zimbabwe on an ongoing basis, and raises issues of concern with the Zimbabwean government at every available opportunity. The Irish Ambassador to South Africa most recently met Zimbabwean officials during a visit to Harare in September 2007. The Secretary General of the Department of Foreign Affairs raised Ireland's concerns with Zimbabwean officials in Harare in June, and also had talks on Zimbabwe with South African officials in Pretoria. Ireland's Embassies in the region have highlighted our concerns about developments in Zimbabwe where possible. In particular, the Embassy of Ireland in Pretoria regularly discusses the situation in Zimbabwe with South African officials and Ministers. Ireland has also supported EU action to raise Zimbabwe in the appropriate UN human rights bodies.

The Irish Government, through Irish Aid, provides assistance for Zimbabwe for humanitarian purposes and for the treatment and prevention of HIV/AIDS. Irish Aid works in partnership with NGOs, missionaries and international organisations and does not provide funding to the Zimbabwean Government. Irish Aid funding for Zimbabwe amounted to €10.4 million in 2006 and €8 million so far this year. These programmes have a direct and positive effect on the lives of thousands of poor Zimbabwean people, and we are committed to continuing this assistance and expanding it when circumstances allow.

Irish Emigrants.

97. **Deputy Charles Flanagan** asked the Minister for Foreign Affairs the links he has with Irish emigrants in the USA; if he provides funding to them; and if he will make a statement on the matter. [25018/07]

117. **Deputy James Bannon** asked the Minister for Foreign Affairs the links he has with Irish emigrants in Britain; and if he will make a statement on the matter. [25012/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I propose to take Questions Nos. 97 and 117 together.

Maintaining and strengthening links with Irish communities overseas is a key priority of my Department. An essential and positive development in the provision of services to Irish emigrants is the very substantial level of funding now available. In 2007, the unprecedented amount of €15.165 million has been provided for emigrant services, 26% greater than last year.

Grants are extended to groups in the voluntary sector who provide advice and support for Irish people abroad. Priority continues to be given to groups that support our most vulnerable and marginalised, such as our older community in Britain and undocumented Irish in the United States.

The interests of the Irish in the United States are an important priority for the Government, with the issue of the undocumented Irish being an area of particular concern. In all of our dealings with key figures in the US Administration and Legislature, we emphasise our strong support for measures that would enable the undocumented Irish to regularise their status and have open to them a path to permanent residence. Our Embassy in Washington and Consulates across the US are extremely active, on an ongoing basis, in highlighting our concerns. Close contact is also maintained with the Irish Lobby for Immigration Reform (ILIR), which also receives financial support. I, of course, availed of my recent visit to the United States to meet with ILIR, and also with a group of our undocumented citizens in New York.

My recent visit to the United States also provided me with the opportunity to discuss the situation with senior members of the Administration and with some of the key central players in Congress. While they all emphasised the extremely difficult environment at present for making progress on immigration reform in Congress, I was pleased that they were very willing to work with us in exploring further possible ways for resolving the position of our undocumented citizens. This work will now be pursued by the Ambassador and his staff in Washington and will be reviewed by me on an on-going basis.

In a broader context, my Department is working very closely with community organisations that assist the vulnerable Irish in the US. This

year, over €1 million was made available to assist them in their crucial work.

Equally, the needs of the Irish community in Britain, in particular older people and those at risk of social exclusion, are a key priority for us. In 2006, the Government approved grants to over 140 groups throughout Britain amounting to €10.13 million. So far in 2007, grant allocations of €9.9 million have been announced, with further grants currently under active consideration. I met with members of most of these groups in London on 8th October when I announced this year's grants.

In addition to the very significant funding directed to Irish community groups that support our older emigrants, last year I introduced a new initiative based on the "Christmas Box" tradition, which provided additional small grants of £1,000 to £5,000 for a number of Irish clubs and associations around Britain to support their Christmas gatherings and I hope, funds permitting, to do the same again this year.

The Government is also conscious of the entitlements of some of our older Irish emigrants to Irish contributory pensions. In 2000, as Minister for Social, Family and Community Affairs, I established the pension scheme for people with pre-1953 pension contributions. Under this scheme, some €60.6 million was paid out last year to over 11,500 pensioners in Britain who benefit from this initiative.

Additional funding has also made possible support for GAA developments in Britain and North America. Over many years, GAA clubs throughout the world have helped their members and supporters to maintain and enhance their links with Ireland. Very importantly also, they help to sustain a strong sense of community and promote Irish heritage and cultural activities among our people overseas and their families.

Human Rights Issues.

98. **Deputy Liz McManus** asked the Minister for Foreign Affairs if he is willing to call on the Chief Prosecutor of the International Criminal Court, Mr. Luis Moreno Ocampo, to prioritise the investigation and prosecution of gross and systematic incidents of sexual violence in the eastern regions of the Democratic Republic of Congo, as part of the ICC's ongoing investigation into the situation in the DRC, both in order to bring an end to the widespread perception of impunity for sexual violence prevalent in the DRC and also to reform the international community's ambivalent and apathetic attitude to the issue of rape and sexual violence in conflict situations. [24976/07]

329. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs if he will report on the ongoing situation in the Democratic Republic of Congo; and if he will make a statement on the matter. [25481/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I propose to take Questions Nos. 98 and 329 together.

The renewed conflict in the east of the Democratic Republic of Congo (DRC) poses a threat to the transition process in the country and needs to be addressed urgently. A number of armed militias are preying on the population in North and South Kivu, and attempts by government troops to resolve the situation by force risk visiting further suffering on the people of the region. The EU has urged the Congolese authorities to seek a negotiated solution.

My EU colleagues and I again discussed the eastern Democratic Republic of Congo earlier this month. Following our discussion, the EU issued a Declaration urging an end to the violence in the east of the DRC and expressing its deep concern in particular over the systematic sexual violence which has become routine in this conflict. The EU expressed support for Congolese Government efforts to develop a national action plan based on UN Security Council Resolution 1325 on women and armed conflict.

Ultimately, an end to the conflict, followed by the creation of stability and the establishment of the rule of law in eastern DR Congo, will be crucial to ending these horrifying and brutal crimes against women. First, the Congolese Government will need to work towards a political solution, in co-operation with neighbouring countries, including Rwanda. I welcome in this regard the recent meeting between the DRC and Rwandan Foreign Ministers. Security sector reform, demobilisation and disarmament, and ending impunity and establishing an effective, fair and transparent system of justice are also urgently required.

The European Union, including Ireland, is fully committed to helping the Congolese government to tackle these problems. On the ground, the EUPOL DR Congo mission is assisting in police reform, and the EUSEC DR Congo mission is offering guidance on army integration and other security issues. Ireland has provided approximately €15 million for emergency purposes in the DRC since 2005, including almost €8 million so far this year. In 2006, Ireland provided €500,000 to support demobilisation and disarmament in the wider Great Lakes region. Establishing stability and justice will be a slow process, but the EU is committed to providing assistance in the long term.

Although progress is frustratingly slow, there is growing international recognition of the seriousness of rape and sexual violence in conflict situations. Since the UN Declaration on the Elimination of Violence Against Women in 1993, structures have been established which can begin to combat impunity for these and other serious crimes, starting with the appointment of a Special Rapporteur on violence against women in 1994. UN Security Council Resolution 1325 of 2000 called for special measures to protect women and

girls from gender-based violence, emphasised the need to end impunity for such crimes, and urged the inclusion of women in peace processes and post-conflict rehabilitation.

The Rome Statute, which in 2002 established the International Criminal Court (ICC), includes rape, sexual slavery, enforced prostitution and other acts of gender based violence in its definition of crimes against humanity and war crimes. The entry into force of the Rome Statute has provided the international community with a permanent basis on which to act in relation to sexual violence in conflict situations. The Democratic Republic of Congo is one of four country situations where the ICC has currently decided to act, and the first person to be arrested by the ICC was a Congolese national, who was arrested in 2006 in connection with the use of child soldiers. Just last week, a second individual, Germain Katanga, was arrested in Kinshasa and flown to the Hague to face charges of murder, sexual enslavement and recruiting children as soldiers.

The Rome Statute provides that the Office of the Prosecutor shall act independently, and must not seek or act on instructions from any external source, including from states. It would therefore not be appropriate for me to call directly on the Prosecutor to act on a specific issue. However, the Office of the Prosecutor has actively engaged in a dialogue with States Parties, intergovernmental organisations and NGOs on the development of its overall prosecution policy. Ireland closely monitors the reports of the Prosecutor to the Assembly of States Parties to the ICC and to the UN Security Council.

Overseas Development Aid.

99. **Deputy Jimmy Deenihan** asked the Minister for Foreign Affairs the amount of aid given to organisations in Nepal; and if he will make a statement on the matter. [25027/07]

Minister of State at the Department of Foreign Affairs (Deputy Michael P. Kitt): Assistance to development organisations operating in Nepal has totalled €2.6 million since 2004, as follows:

- 2004 €448,468
- 2005 €596,620
- 2006 €600,533
- 2007 €988,041

The funding has been provided under a number of different schemes, including funding for missionary organisations, volunteer programmes, and funding for long-term development under the Civil Society Fund in the areas of human rights, health, education and livelihood support. Funds were also allocated for emergency assistance dealing with flooding. In 2005, €200,000 was made available as a contribution to the establishment of a field office of the UN Office of the High Commissioner for Human Rights.

Question No. 100 answered with Question No. 96.

Asylum Applications.

101. **Deputy Denis Naughten** asked the Minister for Foreign Affairs the steps he is taking to address the problems forcing persons to seek asylum within the EU; and if he will make a statement on the matter. [25034/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I would like to direct the Deputy to my reply to Priority Question No. 86 which was as follows.

The problems that force people to seek asylum within the EU and elsewhere are many and all too common. They have to be addressed by the international community with all the instruments and resources at its disposal. All human rights violations must be condemned wherever they occur. Those responsible for persecution cannot be allowed to operate with impunity.

Persecution and conflict flourish in situations of extreme poverty and where climate change has had a disastrous impact on living conditions. These closely related factors present a complex challenge requiring a range of policy responses. Given that the great majority of the world's asylum seekers come from developing countries, it is important that the EU and other countries consider ways to support third countries in finding solutions to their problems.

Ireland, bilaterally, and in co-operation with its EU and UN partners, consistently follows a multi-faceted approach to the causes which have forced people to flee. This begins with our advocacy of the protection of human rights and continues through efforts to ensure conflict resolution, and the encouragement of policies aimed at poverty reduction, sustainable development and economic growth. The Irish Aid programme in particular is firmly focused on these objectives.

At EU level, the European Commission published last June a Green Paper on the future of the Common European Asylum System. The Green Paper, which Ireland welcomes, recognises many of the key challenges faced by Member States in relation to the operation of their asylum policies and procedures, and the need for increased co-operation on approaches at EU level so as to prevent 'asylum shopping' while at the same time ensuring that those individuals who are in genuine need of protection receive this protection as soon as possible.

I believe that the vast majority of people have no wish to uproot themselves from their communities, frequently leaving their families behind, to undertake an often dangerous journey to an unknown and uncertain destination. If people are provided with a minimum level of economic opportunity, and the security provided by a functioning accountable Government and basic public

services, they will, I believe, choose to stay in their own countries, towns and villages.

Ministerial Meetings.

102. **Deputy Michael D'Arcy** asked the Minister for Foreign Affairs the discussions he had with the Secretary of State of the USA on his recent visit there; and if he will make a statement on the matter. [25017/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): On 3 October, I met with the US Secretary of State, Dr Condoleezza Rice, in Washington DC. My meeting provided an opportunity to discuss a number of issues of current international concern, including the planned conference in the US next month on the Middle East as well as Iran, Iraq, and Afghanistan. Following on from meetings I had earlier that week in New York, including with UN Secretary General Ban and the Sudanese Foreign Minister, Lam Akol, and on which I briefed the Secretary, we also discussed the situations in Burma and Darfur. In discussing Darfur, I also briefed Secretary Rice on the new EU ESDP mission to Chad and the Central African Republic and of Ireland's intention to participate, subject to final Government decision and Dáil approval.

Secretary Rice and I also discussed the issue of conflict resolution and the establishment of a dedicated unit within my Department to develop Ireland's profile and expertise in this area. Secretary Rice expressed support for our efforts and the close cooperation being forged with the United Nations in developing the future work programme of the Conflict Resolution Unit.

The Government's complete opposition to extraordinary rendition, and the importance in this regard of the assurances we have received from the US authorities, including from Secretary Rice herself, were also recalled.

We also discussed recent very positive developments in Northern Ireland and I expressed the Government's appreciation of the US Administration's ongoing support and involvement. I emphasised the importance of economic success to underpin political progress in Northern Ireland and briefed on the potential benefits of North/South co-operation to contribute to economic growth and prosperity on the island of Ireland.

During the meeting, I emphasised my concern about the situation facing the undocumented Irish in the United States following the failure of efforts to pass comprehensive immigration reform legislation in the US Congress earlier this year. During the meeting, I emphasised my concern about the situation facing the undocumented Irish in the United States following the failure of efforts to pass comprehensive immigration reform legislation in the US Congress earlier this year. I made clear the Government's determination to explore possible alternative options,

including bilateral arrangements. While recognising the present very difficult environment for immigration reform in Congress, we agreed to explore further the potential for resolving the position of our undocumented citizens. This work will now be actively taken forward by the Ambassador and his staff in Washington.

I also raised the case of an Irish citizen who was killed recently while serving with the United States Armed Forces in Afghanistan and requested that the full circumstances surrounding her death be made available to the family.

Question No. 103 answered with Question 90.

Human Rights Issues.

104. **Deputy Seán Sherlock** asked the Minister for Foreign Affairs if, in view of the very serious, extensive and fundamental breaches of human rights involved he will indicate his view on the request to the Federal Government of India to address the continued impunity which it is suggested is maintained by those involved in massacres, rapes and other widespread violations in Gujarat in 2002. [24993/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I very much share the concerns expressed by Deputy Sherlock about the killings and serious human rights abuses which occurred in Gujarat in 2002, and the strong evidence which exists to suggest that some individuals within the State Government of Gujarat were involved.

In view of very deep concerns in this regard, and particularly in light of the strong evidence of involvement by the State authorities in the violence and rights abuses which took place, the EU agreed, shortly after these events in 2002, to refrain from any high-level EU visits to the State of Gujarat and from all direct contacts with Chief Minister Modi or his Ministers and reaffirmed this position in 2006. It was also decided that members of the Gujarat Government should not be facilitated in relation to any official visits to EU Member States. This remains our position.

The EU, individually and collectively, avails of all suitable opportunities to raise with the Indian Government a variety of areas of concern in relation to human rights and rights of minorities, including our concerns about the situation in Gujarat. The central Government in New Delhi is indeed aware of the situation and of the EU's concerns in this regard. Our concerns relate not only to the specific events of 2002 but also to the evidence of continuing discrimination and impunity in Gujarat.

State Elections will be taking place in Gujarat in December this year and we will be monitoring developments there closely, particularly to gauge if the outcome to those elections will enhance the prospects of further investigation of the events of 2002 and the bringing to justice of those who per-

petrated the violence and abuses which took place at that time.

105. **Deputy Jack Wall** asked the Minister for Foreign Affairs the Irish Government's view in relation to the importance of ending the denial of the Armenian genocide and vindication of the human rights of those within Turkey who wish to discuss this issue. [24979/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): Relations between Turkey and Armenia are complicated by a number of outstanding issues. The major dispute between the two countries centres on the different interpretations of events during the First World War which resulted in the tragic deaths of very large numbers of Armenians in the Ottoman Empire. The Turkish Government has proposed the establishment of a commission, composed of eminent academics, to investigate and determine the facts of this tragic episode in their shared history. While it has not been possible to move forward on the basis of this proposal, we would encourage both sides to explore ways to make progress on this most sensitive issue.

The Government's concerns about the human rights situation in Turkey are raised on a regular basis in our contacts with the Turkish Government and its representatives, and in cooperation with our partners in the EU. In recent years Turkey has made significant progress in the adoption of wide-ranging political and legal reforms. Important human rights reforms have been introduced and legislation enacted aimed at strengthening the enforcement of human rights, including the cultural rights of all citizens. At my recent meeting with Foreign Minister Babacan, en marge of the UN General Assembly, I emphasised the need for further progress on the reform agenda.

I am aware of recent reports of the conviction and jailing of journalists in Turkey for offences under Article 301 of the Turkish Penal Code, which apparently relate to their publication of particular views concerning the historical events referred to above. Ireland and our EU partners have made clear to Turkey our views on the need for further reform of the Turkish Penal Code to ensure full respect for freedom of expression, and we will continue to do so. In this context, I am pleased to note recent reports that the Turkish Government is considering revision of Article 301 of the Penal Code.

International Conventions.

106. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs when he will ratify the Council of Europe Convention on Action Against Trafficking in Human Beings; and if he will make a statement on the matter. [22328/07]

128. **Deputy Willie Penrose** asked the Minister for Foreign Affairs when Ireland will ratify the international instruments in relation to the prohibition on trafficking. [24980/07]

129. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs when he will ratify the UN Protocol to prevent, suppress and punish trafficking in persons especially women and children; and if he will make a statement on the matter. [22327/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I propose to take Questions Nos. 106, 128 and 129 together.

Legislation creating offences connected with human trafficking was published by my colleague, the Minister for Justice, Equality and Law Reform, on 9th October, 2007.

It is also the intention of the Minister for Justice, Equality and Law Reform to include provisions in the forthcoming Immigration, Residence and Protection Bill which will strengthen the protections available to victims of human trafficking. In particular, it is his intention to provide the necessary framework within which a victim of trafficking can remain in the State while they recover from their ordeal. It is intended that this will also give the victim the opportunity to escape the influence of those who engage in human trafficking. In addition, this interval will allow the victim time to come to a decision on whether he or she wishes to participate in any criminal proceedings in the matter. In such circumstances, a further period of residence in the State is to be provided for so to enable this to occur.

On enactment of these pieces of legislation, which I understand are being treated as an urgent priority within the Department of Justice, Equality and Law Reform, Ireland will be in a position to ratify the international instruments on trafficking in persons.

Question No. 107 answered with Question No. 87.

Question No. 108 answered with Question No. 91.

Overseas Development Aid.

109. **Deputy Pat Breen** asked the Minister for Foreign Affairs the amount of aid given to organisations in Sudan; the way this funding is used; and if he will make a statement on the matter. [25024/07]

Minister of State at the Department of Foreign Affairs (Deputy Michael P. Kitt): There has been a sharp deterioration in 2007 in the security and humanitarian situation in Sudan, particularly Darfur. The current crisis represents a significant challenge to efforts to help the people of Sudan. Humanitarian access remains very difficult for aid workers in their efforts to reach those most in

need. The security situation within some of the camps remains very volatile.

In 2006 and to date in 2007, Ireland has provided funding of approximately €32.5 million to support humanitarian operations and longer-term development engagement in Sudan. The objective is to save lives and help rebuild livelihoods of some of the most marginalised and poor people in Sudan.

So far in 2007, we have provided a little over €10 million in life saving humanitarian support. This includes €3 million to the Common Humanitarian Fund for Sudan. This is a mechanism which places funds at the disposal of the Humanitarian Coordinator in Sudan in order that assistance can be rapidly deployed to those most in need. Funding has also been provided to organisations such as Concern, GOAL, Trócaire, Oxfam, UNICEF and the World Food Programme (WFP) for their humanitarian operations.

In relation to longer-term development work, the Government has provided in 2007 funding of approximately €5.8 million to three Irish Non-Governmental Organisations (NGOs) — Concern, GOAL and Trócaire — as part of our Multi Annual Partnership Scheme (MAPS). These programmes focus on health, education, nutrition and HIV/AIDS, water, sanitation and food security.

Assistance amounting to €2 million has also been provided to the African Peace Facility in order to support the African Union's peace-keeping efforts in Sudan.

In addition to the provision of funding, Ireland has disbursed essential, non-food relief supplies — tarpaulins for temporary shelter and mosquito nets — from our emergency stockpile in Brindisi, Italy to Kassala, northern Sudan. These supplies were delivered as part of the Government's Rapid Response Initiative and were provided to GOAL to assist in its emergency operations following serious flooding in that region.

I believe there is an urgent need for a full, rapid and successful deployment of the joint UN-AU Mission, UNAMID, to succeed the African Union Mission in Sudan. I urge the Government of Sudan to cooperate fully with the UN and AU on deployment of UNAMID and all parties to cease attacks on civilians and obstruction of humanitarian access.

It is in the context of Ireland's concern for the vulnerable of this region that the Government has decided in principle to contribute personnel to the planned European Security and Defence Policy (ESDP) mission in Chad and the Central African Republic, which will assist the many thousands of people in these countries displaced by the Darfur crisis.

My colleague, the Minister for Foreign Affairs, Mr. Dermot Ahern T.D., intends, subject to security considerations, to travel to the region next month in order to reiterate the priority Ireland attaches to assisting all the people of

Sudan and the region to achieve peace and development.

I will continue to keep the evolving humanitarian crisis in Sudan under review, providing funding to save lives, while encouraging and supporting all efforts to forge the political solution, which is absolutely essential to bring about security, stability and human development.

Question No. 110 answered with Question No. 96.

Question No. 111 answered with Question No. 87.

Foreign Conflicts.

112. **Deputy Brian O'Shea** asked the Minister for Foreign Affairs his views on the reported killing in the Central African Republic by Government troops of civilians since June 2005; and if in the context of the deployment of Irish Troops in Chad he will make a statement on the regional implication of such actions. [24992/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The security, humanitarian and human rights challenges in the Central African Republic (CAR) remain immense, with a clear need for international support. In recent years, an already difficult situation has been exacerbated by the activities of criminal gangs, armed rebellions in the north-west and the north-east and the spill-over of instability from Darfur and Chad. However, there has been some recent political progress, with President Bozize's government initialling a peace deal with four rebel groups earlier this month.

In May 2007 the International Criminal Court opened an investigation into grave crimes, including mass killings and rape, that have occurred in the country in the context of the conflict between the Government and rebel forces. While the investigation will focus primarily on the period 2002-2003, it will also follow ongoing abuses. A number of reports of the UN Secretary General have highlighted concerns about the excessive use of force by some elements of the armed forces of the Central African Republic, which have further undermined the humanitarian situation and increased displacement in rebel areas in the north of the country. There is a clear need for reform and strengthening of the armed forces and police of the Central African Republic to allow them to provide security and achieve improved human rights protection standards. Recent UN reports have also described the conflict in the border areas between Darfur, Chad, and the CAR as a threat to overall peace and security in the region.

In response to this situation, the UN Security Council adopted Resolution 1778 of 25 September 2007, authorising the establishment of a multi-dimensional mission to provide security and protection for refugees and the displaced, allow for refugee returns and facilitate humani-

tarian assistance in Chad and the Central African Republic. The multi-dimensional presence is mandated to contribute to a more secure environment through monitoring, promotion and protection of human rights, and to support efforts to strengthen the capacity of both the CAR and Chadian governments in meeting international human rights standards. A specific police training element, totalling more than 300 personnel, will form part of the mission.

Resolution 1778 also authorised the European Union to establish an operation to provide the military element of the mission for a period of one year. The General Affairs and External Relations Council which I attended on 15 October approved a Joint Action establishing EUFOR TCHAD/RCA, a bridging military operation for the multi-dimensional mission, which is to work alongside UN Civilian and Police elements and reformed elements of Chadian police. EUFOR TCHAD/RCA's primary focus will be on protection for civilians in danger, particularly refugees and displaced persons, in eastern Chad and north-eastern CAR, facilitating humanitarian access and protection of UN personnel.

Ireland fully supports the deployment of EUFOR TCHAD/RCA as a means of addressing the serious security and humanitarian situation obtaining in both eastern Chad and northern-eastern CAR, as well as the broader regional dimension arising from the Darfur crisis. As Deputies are aware, Lt Gen Pat Nash has been appointed Operations Commander of the mission. Officers from the Defence Forces returned last week from a reconnaissance visit to the mission area, and will make recommendations prior to any Government decision to seek Dáil approval for a significant deployment of Irish troops to serve with EUFOR TCHAD/RCA. This will undoubtedly be a challenging mission which will need to be conducted in a balanced, impartial and independent manner but which should equally contribute to improving overall security and respect for human rights in this fragile region.

Ireland also has an established record of providing humanitarian assistance to the people of the Central African Republic. Since 2006, Irish Aid has provided over €3.8 million to support the work of UN agencies on the ground.

Human Rights Issues.

113. **Deputy Kathleen Lynch** asked the Minister for Foreign Affairs if he or his colleagues in the European Union are concerned or intend making a statement on the widespread concern by Human Rights Organisations and Human Rights Watch in particular over Colombian President Uribe's interference in the Supreme Courts investigation into links between politicians and paramilitaries, and what they suggest are his repeated attacks on the Court itself and which

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constitute a threat to judicial independence.
[24986/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): Together with our European Union partners, Ireland is closely monitoring developments in regard to Supreme Court investigations in connection with the alleged association of members of Congress and Government officials with paramilitary groups in Colombia. Any association between elected representatives and officials and paramilitary groups is a matter of serious concern in itself, and also has the capacity further to destabilise the Colombian peace process, the success of which is essential for that country's future development. The question of how the European Union can most effectively influence developments in a positive direction is kept under careful review. Any interference with judicial independence would clearly be a matter of the most serious concern.

Question No. 114 answered with Question No. 87.

International Agreements.

115. **Deputy Róisín Shortall** asked the Minister for Foreign Affairs the United Nations instruments awaiting ratification that will be ratified in the current Dáil term and which he expects to have ratified in the lifetime of this Government. [24975/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): As the Deputy will be aware, there is a large number of international agreements within the UN framework, covering a very wide range of subjects and falling within the functional responsibility of a number of Departments.

A list of the international agreements within the UN framework which have been signed but not ratified by Ireland (apart from those which have been superseded by subsequent agreements) is as follows, indicating the lead Government Department with responsibility in each case. I have asked my officials to check with each of the relevant Departments concerning their current plans for ratification of these instruments, and I will communicate this information separately to the Deputy as soon as possible.

UN Agreements signed but not yet ratified by Ireland

No.	Title:	Date of Signature:	Department responsible:
1	Optional Protocol to the Vienna Convention on Diplomatic Relations, concerning the Compulsory Settlement of Disputes	18 April 1961	DFA
2	Optional Protocol to the Vienna Convention on Consular Relations, concerning the Compulsory Settlement of Disputes	24 April 1963	DFA
3	Agreement concerning the Adoption of Uniform Conditions for Periodical Technical Inspections of Wheeled Vehicles and the Reciprocal Recognition of such Inspections	13 November 1997	Transport
4	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants	24 June 1998	Environment & Local Government
5	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Heavy Metals	24 June 1998	Environment & Local Government
6	Convention on Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters	25 June 1998	Environment & Local Government
7	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to abate Acidification, Eutrophication and Ground Level Ozone	1 December 1999	Environment & Local Government
8	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography	7 September 2000	D/JELR
9	UN Convention against Transnational Organized Crime	13 December 2000	D/JELR

No.	Title:	Date of Signature:	Department responsible:
10	Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organised Crime	13 December 2000	D/JELR
11	Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the UN Convention against Transnational Organised Crime	13 December 2000	D/JELR
12	Stockholm Convention on Persistent Organic Pollutants	23 May 2001	Environment & Local Government
13	Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context	21 May 2003	Environment & Local Government
14	Protocol on Pollutant Release and Transfer Registers	21 May 2003	Environment & Local Government
15	UN Convention against Corruption	9 December 2003	D/JELR
16	International Convention for the Suppression of Acts of Nuclear Terrorism	15 September 2005	D/JELR
17	The International Convention for the Protection of all Persons from Enforced Disappearances	29 March 2007	D/JELR
18	The Convention on the Rights of Persons with Disabilities	30 March 2007	D/JELR
19	Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2 October 2007	D/JELR

Human Rights Issues.

116. **Deputy Joanna Tuffy** asked the Minister for Foreign Affairs if he will express to the Chinese Government, the Irish Government's concern at attempts to suppress dissent and introduce restrictions of movement of dissidents within China in preparation of an atmosphere for international presence on the occasion of the Olympic Games. [24987/07]

309. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Foreign Affairs the way it is proposed to reassert the opposition of the Irish people to human rights violations in China especially in the context of the forthcoming Olympic Games in Beijing. [24863/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I propose to take Questions Nos. 116 and 309 together.

My Department has already been involved in constructive discussions with the Chinese Government on the implications of the Olympic Games in Beijing next year. We have highlighted the opportunities which China's hosting of the Games present, in terms of show-casing the country and its many achievements. In that context, we have stressed that the international spotlight will be on China at that time, including on a range of international questions and on issues of human

rights, fundamental freedoms and the rule of law. We have reiterated the great importance that the Government attaches to these issues, and our hope that every effort possible will be made to facilitate freedom of movement and expression, including the right to peaceful protest, in the run-up to — and during — the Games.

I welcome the decision by the Chinese authorities at the beginning of this year to lift temporarily some restrictions on foreign journalists working in China. A useful legacy of the Games would be if this easing of restrictions were made permanent and extended to all journalists working in China. This, I believe, would allow for a deeper and wider understanding of China and its development.

I am concerned by reports that the Chinese authorities may introduce restrictions on certain groups in China during the games. Whilst security issues are of course a key concern for the organisers, it is not clear that these would justify such measures.

On a more general level, concerns regarding the situation of human rights and fundamental freedoms in China are raised on a regular basis in our own bilateral contacts with the Government of China. Discussions in this regard take place at official level in Dublin and in Beijing and I myself raised my concerns in this regard when I met (then) Foreign Minister Li in Beijing last year.

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Such issues are also discussed on a regular basis in the context of the EU-China Human Rights Dialogue, which is the agreed formal framework through which the EU raises human rights issues with China. The Dialogue, the most recent round of which took place in Beijing last week, has allowed the EU to engage with China on such issues as freedom of expression, the death penalty, the independence of the judiciary, freedom of religion and minority rights. The EU has used the Dialogue to press its case for Chinese ratification of such international instruments as the International Covenant on Civil and Political Rights (ICCPR), and for reform of the criminal justice system. The EU has also urged China to continue cooperation with, and to implement the recommendations of, the UN Special Rapporteur on Torture, including in particular the abolition of the “re-education through labour” system. The EU continues to use the Dialogue to raise significant individual human rights cases. These cases are followed up in subsequent contacts with the Chinese authorities.

Question No. 117 answered with Question No. 97.

Nuclear Issues.

118. **Deputy Ruairí Quinn** asked the Minister for Foreign Affairs when the next meeting of the Nuclear Suppliers Group will take place; and the agenda for discussion. [24983/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The next Plenary Meeting of the Nuclear Suppliers’ Group (NSG) is scheduled to take place in Germany in early 2008. There will be a meeting of the NSG Consultative Group in Vienna from 14-16 November this year. This is the standing inter-sessional working body of the NSG, tasked to hold consultations on issues associated with the Guidelines on Nuclear Supply and related issues.

The agenda for the November meeting includes consideration of technical developments with implications for export controls, outreach to other States, UN Security Council sanctions, and the question of NSG relations with India. Participating Governments will be invited to share information on discussions with India on possible civil nuclear cooperation with that country but it is not expected that the NSG will be asked to take any decision in the matter, in particular given recent indications that the Government of India has decided to delay pursuing implementation of its agreement with the United States. As the Deputy will be aware, we have considerable reservations about the proposed agreement and have been actively seeking clarifications across a range of issues of concern.

Humanitarian Emergencies.

119. **Deputy John Deasy** asked the Minister for Foreign Affairs the number of personnel in the rapid response unit; the role they have; and if he will make a statement on the matter. [25007/07]

Minister of State at the Department of Foreign Affairs (Deputy Michael P. Kitt): The Rapid Response Corps is a key component of the Government’s Rapid Response Initiative. This Initiative is designed to enhance Ireland’s overall response to humanitarian emergencies. The Rapid Response Corps consists of a roster of highly-skilled individuals who can deploy at short notice to emergency situations.

The campaign to recruit members to this roster was launched in February 2007. Following a rigorous selection and interview process, 64 individuals were invited to become members of the Corps of whom 52 are now ready to deploy if needed. This group has completed its compulsory pre-departure training and checks.

The role of the Corps is to make highly-skilled and experienced professionals available, on a volunteer basis, to key humanitarian partner agencies at short notice to assist in their humanitarian response efforts. Individual members of the Corps are on standby and can be deployed, when requested, for periods of approximately three months.

Ireland can now provide essential expertise — individuals with humanitarian, logistics, information technology, engineering, environmental, public information and public health skills — to our key humanitarian partner agencies. These are the specific skills which are needed internationally to address humanitarian crises.

Question No. 120 answered with Question No. 87.

Human Rights Issues.

121. **Deputy Willie Penrose** asked the Minister for Foreign Affairs if he and the Government are in favour of establishing a regime of inspection of such civilian and military traffic in order to among other purposes, ensure Irish compliance with its international human rights and humanitarian law obligations. [25002/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I assume that the Deputy is referring to the issue of extraordinary rendition, which has been raised on many occasions in this House. As I have made clear repeatedly, the Government are completely opposed to the practice of the extraordinary rendition of prisoners. Our concerns in relation to this matter have been made clear to the highest levels of the US Government, including by the Taoiseach to President Bush. The Government have received specific assurances from the US authorities, confirmed by Sec-

retary of State Condoleezza Rice, that such prisoners have not been transferred through Irish territory, nor would they be, without our permission. My most recent meeting with Secretary Rice on 3rd October provided a further opportunity to recall the Government's complete opposition to extraordinary rendition, and the importance in this regard of the assurances we have received from the US authorities.

As I have also made clear on previous occasions, the Government is satisfied that it is in full compliance with its international obligations in this respect.

I am not aware that there have been any allegations that military aircraft transiting Irish airports have been involved in extraordinary rendition. By virtue of sovereign immunity, and subject to the commonly-accepted practice of nations, military aircraft are not subject to search when they visit Irish airports. In relation to civil aircraft (which is the relevant category in this regard), where the Garda Síochána reasonably suspects that an offence is being committed, statutory powers of entry of aircraft and arrest are available. As I have previously informed the House, the decision to search a particular aircraft, if and when warranted in accordance with the law, would be a matter for the Garda Síochána.

To date, where complaints of alleged unlawful activity concerning the use of Irish airports have been made to the Garda Síochána, Garda investigations have ensued and, where appropriate, files have been submitted to the Director of Public Prosecutions. In all these cases, no further action was found to be warranted, owing to a lack of any evidence of any unlawful activity. Finally, the Department of Justice, Equality and Law Reform have confirmed that every support and assistance is being provided to the Garda Síochána. To date, where complaints of alleged unlawful activity concerning the use of Irish airports have been made to the Garda Síochána, Garda investigations have ensued and, where appropriate, files have been submitted to the Director of Public Prosecutions. In all these cases, no further action was found to be warranted, owing to a lack of any evidence of any unlawful activity. Finally, the Department of Justice, Equality and Law Reform have confirmed that every support and assistance is being provided to the Garda Síochána to ensure Ireland's compliance with international law in respect of the use of Irish airports.

122. **Deputy Mary Upton** asked the Minister for Foreign Affairs his views on the right to water as a basic human right in the context of the Universal Declaration on Human Rights and related instruments. [24977/07]

Minister of State at the Department of Foreign Affairs (Deputy Michael P. Kitt): Irish Aid, the Government's official development programme, recognises adequate water and sanitation both as

a fundamental right and as essential for social and economic development. We believe that adequate water and sanitation are prerequisites to the achievement of other basic rights, such as the right to health or to the achievement of equal rights for women and children, who currently bear the bulk of the burden associated with the lack of water and sanitation.

The right to water as a basic human right is not explicit in the Universal Declaration on Human Rights. Articles 22 and 25 cover social, cultural and economic rights and the right to a standard of living adequate for health and well-being. I believe that access to water and sanitation is a vital component of that standard of living.

The provision of adequate and safe water and sanitation remains a key part of the Government's aid programme. In 2006, Irish Aid invested approximately €20 million in a wide range of activities in the sector. This work will continue as our programme expands.

Asylum Applications.

123. **Deputy Denis Naughten** asked the Minister for Foreign Affairs his views on the establishment of transit and processing centres for migrants and asylum seekers outside the EU; and if he will make a statement on the matter. [25035/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): In recent years, a number of new approaches have been suggested for the processing of mixed flows of migrants and asylum seekers that wish to enter the EU. These proposals include the establishment of transit and processing centres outside of the EU.

While there may be good reasons for these proposed centres, such as the provision of better levels of protection than are currently available and the harmonisation of asylum processing, such proposals raise many practical concerns and legal questions. These include issues such as who would be responsible for the running of the centres; who would they cater for; how would refugee status be determined; what happens after refugee status has been determined. Ireland has no plans to establish any migrant or asylum processing centres outside the State.

Human Rights Issues.

124. **Deputy Seán Sherlock** asked the Minister for Foreign Affairs if, in view of the need to promote and protect human rights internationally by controlling more effectively the conditions under which military and security transfers take place, particularly in the context of armed conflict, he will support calls for measures to unequivocally prohibit mercenary activity of any kind by Irish citizens in an armed conflict. [24994/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I assume the Deputy is referring to the use by States of private military/private security companies (PMCs/PSCs) in situations of armed conflict. I am advised that both the staff of private military/private security companies and any State hiring them have responsibilities under international humanitarian law. An Irish citizen working for such a company would be bound by international humanitarian law and would, for example, have individual criminal responsibility for any war crimes committed.

The use of mercenaries is not as such prohibited under customary general international law or under any broadly ratified international treaty. International humanitarian law does not prohibit mercenaries, but rather focuses on their status if captured. Article 47 of the First Additional Protocol of 1977 to the Geneva Convention provides that “a mercenary shall not have the right to be a combatant or a prisoner of war”, i.e. that a mercenary is not entitled to the privileged treatment of a prisoner of war. However, the Protocol’s criteria for the definition of a mercenary make it apparent how problematic it can be to distinguish between categories of military forces.

The question of any illegal activity by private military/security companies within the State would be a matter for the Department of Justice, Equality and Law Reform and the Garda Síochána. While I would be open to considering any broadly-based international effort to clarify or regulate the complex issues involved, I do not believe that any blanket prohibition of the type proposed is likely to be practicable.

Freedom of Expression.

125. **Deputy Emmet Stagg** asked the Minister for Foreign Affairs the position of the Government in relation to the reported crackdown in Egypt on journalists and dissidents in the exercise of freedom of expression and the recent dissolution of a human rights organisation. [24989/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): Ireland and Egypt have enjoyed very good relations for many years. The Government was particularly pleased to welcome President Mubarak to Dublin last December on the first ever visit by an Egyptian Head of State. I am in regular contact with the Egyptian Foreign Minister. We greatly value the positive role played by Egypt regionally, especially in relation to the Middle East Peace Process and the efforts to resolve the crisis in Darfur. We work in particularly close partnership as members of the New Agenda Coalition for a world free of nuclear weapons.

In our contacts with the Egyptian Government, we regularly raise human rights issues. We have welcomed the moves in recent years to introduce a greater degree of political pluralism in Egypt

and to improve the protection of human rights. The EU has developed a strong institutional framework for its relations with Egypt, which is based on a joint commitment to respect for human rights and fundamental freedoms. The EU-Egypt Action Plan, which was agreed earlier this year under the European Neighbourhood Policy, devotes particular attention to the promotion of these basic values. The EU has made it clear that we are ready to contribute to Egypt’s efforts by providing support and technical assistance. Through our Embassy in Cairo, the Government also supports the work of a range of Egyptian human rights organisations.

Against this background, I have been disappointed, and concerned, by recent reports of action against a number of journalists and human rights organisations. There is a widespread concern that the authorities have moved to limit the freedom of expression which is essential to the development of a democratic society.

The concerns which we and our EU partners share at these developments, and other reported human rights abuses, will be specifically addressed in the political dialogue sub-committee established under the EU-Egypt Action Plan. The first meeting of the group will take place in the coming months. In the meantime, we will continue to monitor the human rights situation in Egypt through our Embassy in Cairo and in cooperation with our EU partners. We will also continue to raise issues of concern with the Egyptian Government.

Overseas Development Aid.

126. **Deputy Jimmy Deenihan** asked the Minister for Foreign Affairs his views on purchasing a transport aircraft for the Air Corps as part of the overseas aid programme; and if he will make a statement on the matter. [24703/07]

Minister of State at the Department of Foreign Affairs (Deputy Michael P. Kitt): There are no plans, at this time, to purchase a transport aircraft for the Air Corps as part of Ireland’s overseas aid programme. Such a purchase is unlikely to be a cost effective use of Irish Aid funding.

The current position is that the transportation of Ireland’s supplies of essential, non-food relief items — which are stockpiled at the UN’s humanitarian response base in Brindisi, Italy and at the Curragh Camp, Co. Kildare — is undertaken in accordance with a formal agreement between my Department and the UN World Food Programme (WFP) signed in October 2006.

I visited the Brindisi emergency warehouse on 19 July and, since that time, there have been shipments comprising Ireland’s essential supplies to meet humanitarian needs following natural disasters in Pakistan, Sudan, Peru, Uganda, Burkino Faso and Mali.

Our shipments have, in most cases, been joint operations with other donor countries like

Norway and Italy. They have been undertaken as part of our agreement with the WFP. For such joint operations, packing lists, aircraft space and flight costs have been shared with the other donors. They have proven to be both an efficient and cost effective way of providing essential supplies to those people in real need in humanitarian emergencies.

While a review of Ireland's stockpiling process will be undertaken towards the end of 2008, it is my intention, at least until that time, to continue to transport our essential relief supplies in accordance with our agreement with the WFP.

International Conventions.

127. **Deputy Pat Rabbitte** asked the Minister for Foreign Affairs if, following the damning report of the Council of Europe's Committee for the Prevention of Torture regarding the conditions in Irish prisons, and more particularly its conclusions on the lack of sanitation, adequate space and basic safety from violence for inmates and staff in Mountjoy, Limerick Prison and St. Patrick's Institute, Ireland is in breach of its international obligations under the Convention Against Torture, the Convention on the Rights of the Child, the Covenant on Civil and Political Rights, the European Convention on Human Rights and the European Convention on the Prevention of Torture; and if he will raise with his Government colleagues in general, and the Minister for Justice, Equality and Law Reform in particular the issues of non-compliance that arise. [25001/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The report of the visit to Ireland one year ago by the Committee for the Prevention of Torture (CPT) of the Council of Europe was published along with the response of the Government on 10 October. My Department participated in an Inter-Departmental Committee on the preparation of the visit chaired by the Department of Justice, Equality and Law Reform. I am pleased with the statement at the beginning of the CPT report that the degree of cooperation received during the visit from the Irish authorities was very good, both at central and local level. The issues raised by the Deputy arising from the report are matters for the Minister for Justice, Equality and Law Reform, and I will draw them to his attention.

Questions Nos. 128 and 129 answered with Question No. 106.

Human Rights Issues.

130. **Deputy Thomas P. Broughan** asked the Minister for Foreign Affairs if he is in a position to comment on the recently published Human Rights Watch report Criminal Politics: Violence, Godfathers and Corruption in Nigeria, and the

crisis of governance, lack of transparency and other matters referred to in the report; and if it is his Department's position that it can recommend to the Department of Justice, Equality and Law Reform that Nigeria is a country to which refugees can be returned with the assurance of all protections under international law. [24990/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): "Criminal Politics: Violence, 'Godfathers' and Corruption in Nigeria", Human Right Watch's report of 11 October 2007, addresses a number of genuine challenges faced in Nigeria. More needs to be done to address corruption and human rights standards in Nigeria and the conduct of Nigeria's April 2007 elections was a disappointment. These elections, as noted in the report of the EU Election Observation Mission, were marked by many irregularities and by violent incidents that led to numerous deaths and they failed to reach a significantly higher standard than the previous round of elections held in 2004.

It is important to recognise, however, that Nigeria is in a process of transition from a long and traumatic period of military rule that ended only about eight years ago. Nigeria's human rights record has improved considerably since 1999. During the period in office of former President Obasanjo, a Human Rights Violations Investigation Panel was set up to investigate all gross human rights violations dating back to 1966 while plans were also announced for establishment of Human Rights Steering and Coordination Committees. The Obasanjo Government also took significant steps to address corruption, including arresting or removing many senior officials and politicians who were found to have committed abuses.

Simultaneously, great strides have been made in economic reform and establishing sustainable growth, while Nigeria has played a leadership role in advancing the cause of peace both regionally in West Africa and in Africa as a whole. President Obasanjo was a most effective President of the African Union (AU) between 2004 and 2006. Nigeria is also a major troop contributor to AU and UN missions and will provide the Force Commander for the hybrid African Union-UN mission currently being deployed in the Darfur region of Sudan.

Since his inauguration earlier this year, President Yar'Adua has publicly acknowledged that there were flaws in the 2007 electoral process and has established an Electoral Reform Panel to come up with recommendations to try to deal with some of these flaws. The Human Right Watch report of October 2007 also notes that President Yar'Adua is known for his personal probity and has already demonstrated a commitment to transparency, not least by declaring the value of his private assets in July 2007. President Yar'Adua has also committed to reforming a

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range of national institutions including the police force.

Alongside other international partners, the European Union and Ireland are committed to working with Nigeria on areas of mutual concern and supporting Nigeria's efforts to achieve further reform and learn lessons from the 2007 elections. Political dialogue between the EU and Nigeria under article 8 of the Cotonou Agreement will play an important role in this engagement. This dialogue between the Union and both Government and opposition figures has covered areas including democratisation, constitutional and economic reform, human rights, international relations and trade. It was initiated under the Irish Presidency of the European Union in 2004, and Ireland and our European partners are committed to using it to the greatest possible effect.

With regard to the second part of the Deputy's question, my Department continues to monitor closely the human rights situation in Nigeria and responds to requests for information from other Government Departments as they arise.

131. **Deputy Brian O'Shea** asked the Minister for Foreign Affairs if he will make a statement on the recent report by Humans Rights Watch in relation to the violation of ethnic Nepalese children's rights in contrary to convention on the rights of the child in Bhutan. [24988/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I am deeply concerned by the situation of Bhutanese refugees in Nepal, as well as the wider issue of the situation of ethnic Nepalese in Bhutan itself. Of particular concern is the situation of tens of thousands of ethnic Nepalese children expelled from Bhutan who have been left stateless and condemned to grow up in limbo in refugee camps in the region. In this context, I greatly welcome the report by Human Rights Watch in May on the issue of Bhutanese refugees and its subsequent submission to the UN Committee on the Rights of the Child in September.

The situation of the Bhutanese refugees has its origins in the policies of the Government of Bhutan in the late 1980s and early 1990s, which resulted in the expulsion of tens of thousands of people from the south of the country to Nepal. These refugees are of Nepalese descent and Hindu, unlike the northern Bhutanese who are predominantly Buddhist. Since that time, up to 103,000 refugees have been confined to seven refugee camps in south-eastern Nepal administered by the United Nations High Commissioner for Refugees (UNHCR). This protracted refugee situation remains a source of regional tension.

Many of the refugees were forced to sign so-called "voluntary migration certificates" when they were expelled, effectively forfeiting their rights to Bhutanese citizenship under the country's citizenship laws.

Although Bhutan and Nepal agreed in 1993 to set up a high level committee at foreign minister level to work towards a settlement of the refugee issue, little progress has been made. In 2001, the two sides agreed a joint process to verify the nationality of refugees. However, work has been concentrated on only one of the seven camps and the UNHCR has been excluded from the process. There have not yet been any repatriations.

Together with our EU partners, Ireland continues to call upon the governments of both Bhutan and Nepal to invite the UNHCR to participate fully in monitoring a verification and appeals process for the Bhutanese refugees in Nepal. Ireland urges all parties to work together to find a prompt, viable solution to this situation, which might include voluntary repatriation, local integration or resettlement. I would equally urge the government of Bhutan to do its utmost to protect the civil, economic and cultural rights of ethnic Nepalese in Bhutan.

Question No. 132 answered with Question No. 87.

UN Conventions.

133. **Deputy Eamon Gilmore** asked the Minister for Foreign Affairs if the Government expects to ratify the UN Convention against Corruption in the current Dáil period or in the lifetime of the current Government. [24982/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The United Nations Convention against Corruption was adopted by the UN General Assembly in October 2003 and was signed on behalf of Ireland, when it opened for signature in December 2003. The Convention entered into force on 14 December 2005.

The Convention is a very broad and comprehensive treaty which provides internationally-recognised measures to prevent and combat corruption. It also seeks to support and facilitate international cooperation and technical assistance in the prevention of, and fight against, corruption, including asset recovery. More generally, it aims to promote integrity, accountability and proper management of public affairs and public property.

My colleague, the Minister for Justice, Equality and Law Reform, in consultation with the Office of the Attorney General, is currently examining the Convention. His Department has also undertaken consultations with other Departments and Agencies. While the majority of its provisions are catered for in existing laws, it will be necessary to harmonise some aspects of Irish legislation with the criminal justice provisions of the Convention. The Government intends to bring forward the required additional legislation as part of the Criminal Justice (Mutual Assistance) Bill and the Prevention of Corruption (Amendment) Bill.

The Government is also examining the Convention's provisions relating to asset recovery, judicial and prosecution services and anti-corruption institutions with a view to determining if any other action will be required before Ireland can ratify this Convention.

Common Foreign and Security Policy.

134. **Deputy Joe Costello** asked the Minister for Foreign Affairs the proposals he envisages in advance of the referendum on the European treaty to address the issue of the accountability deficit in relation to European Union decision making in general and CFSP in particular. [24985/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): A key purpose of the new Reform Treaty is to enhance the democratic legitimacy of the Union. With this aim in mind, the Treaty provides for a stronger role for the European Parliament by extending the number of areas of EU legislation to be decided by co-decision between the Parliament and the Council of Ministers.

The Houses of the Oireachtas and other national Parliaments throughout the Union currently receive Commission proposals directly from the Commission itself. The Reform Treaty will strengthen current subsidiarity arrangements by giving national Parliaments longer to respond to Commission proposals and by increasing the onus on the Commission to take their reasoned opinions into account. This so-called “yellow card” system is a positive development which will enhance accountability and democratic legitimacy within the Union.

Our own European Union (Scrutiny) Act has operated successfully for over five years in providing a national framework for parliamentary oversight of proposed EU measures. In relation to CFSP measures, the Scrutiny Act applies to proposed Joint Actions and proposed Common Positions. My Department takes the lead on these issues and informs the Oireachtas as to the content, purpose and the national implications of all such measures.

56 such proposals were scrutinised in detail in 2006. In view of the specific nature of CFSP proposals, the Department from time to time has recourse to the provisions for confidentiality and urgency which are provided for in the Act.

I also meet regularly with the Joint Committee on European Affairs, in advance of each meeting of the General Affairs and External Relations Council, in order to brief members on items to be discussed, the majority of which usually relate to CFSP issues.

I particularly welcome the proposed new Joint Committee on European Scrutiny with which my Department and I will fully co-operate so as to ensure that the 30th Dáil continues to have its voice fully heard in relation to European affairs and EU legislation.

Human Rights Issues.

135. **Deputy Jan O'Sullivan** asked the Minister for Foreign Affairs his views on the recent report of the United Nations High Commissioner for Human Rights on sexual violence in southern Darfur; and if he will support the calls by the High Commissioner, Human Rights Watch, and Amnesty International that more must be done by the Sudanese Government and by UN-AU forces to provide effective protection for women and children at risk of sexual violence. [24978/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): Since 2003, gender based violence targeted at women and girls has been a consistent feature of the conflict in Darfur. I have noted with concern the United Nations High Commissioner for Human Rights' (UNHCHR) recent report on the human rights situation in the Sudan which has helped to highlight further this terrible abuse and to identify means by which it may be addressed. The report documents clearly appalling acts of sexual violence which are still being committed across Darfur on an ongoing basis. The evidence of involvement by members of the Popular Defence Forces (a branch of the Government of Sudan's military) in such attacks and the failure of many of these reported crimes to be properly investigated, despite evidence presented to the local authorities, is particularly disturbing. It is incumbent on the Government of Sudan to respond to the detailed recommendations which the UNHCHR has made in her report. I also welcome the efforts which both Human Rights Watch and Amnesty International have made to highlight and urge effective action to address the issue of gender-based violence in Darfur.

The Government has repeatedly called on the Sudanese Government, rebel factions and all parties to end all abuse of civilians, and in particular women and children. I emphasised this point when I met recently with the Sudanese Foreign Minister in New York and urged his Government's full cooperation in facilitating the full and rapid deployment of the joint UN-AU hybrid mission for Darfur (UNAMID). I also highlighted the importance of UNAMID's rapid deployment for improving security in Darfur in my address to the UN General Assembly on 2 October. UNAMID, authorised by UN Security Council Resolution 1769 in succession to the AU Mission, AMIS, is specifically mandated to protect civilians and strengthen local capacities to combat impunity and to ensure adequate human rights in Darfur.

Ireland has also been active at EU and UN level in highlighting the need for effective action to tackle gender based violence in Darfur. Ireland was instrumental in securing agreement at the General Affairs and External Relations Council which I attended on 15 October on the EU's willingness to consider, if required, further measures,

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notably in the UN framework, to ensure the protection of civilians in Darfur. Ireland has also been active within the UN Human Rights Council in highlighting this issue, most recently in an address to the Council on 24 September which condemned the use of rape and gender based violence as a tool of intimidation and urged the Government of Sudan to end the culture of impunity which exists in Darfur.

Ireland has also supported the efforts of the African Union Mission in Sudan (AMIS) to protect the most vulnerable people in Darfur. The Government has provided €5 million in assistance to support the work of AMIS, much of which has been used for the recruitment of humanitarian and human rights monitors and the construction of protective police posts in camps for the internally displaced. Nationally, Irish Aid has funded specific gender based violence response programmes in Darfur. Irish Aid is also one of the founding Members of the Joint Consortium on Gender Based Violence, which was established in 2004 in response to the appalling levels of gender based violence in Darfur and among its activities promotes training on gender based violence for military personnel.

136. **Deputy Joan Burton** asked the Minister for Foreign Affairs if he will condemn the use of lethal injection as a method of execution in view of the current US Supreme Court cases addressing lethal injections potential status as cruel and unusual punishment in view of the fact that the combination of drugs used have been banned for use by the American Veterinary Association as being unacceptably cruel; if he will remind the Governments of the United States, China, Guatemala and the Philippines of their customary obligations under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and call on them to abolish the death penalty, but failing this at the very least to introduce an immediate moratorium on the use of lethal injection as a method of execution. [24991/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): Ireland, along with our EU partners, considers that the death penalty, by whatever means it is carried out, constitutes cruel and inhuman punishment and a violation of the right to life. We are committed to its abolition throughout the world. To this end, the EU is currently drafting a resolution on a moratorium on the use of the death penalty, with a view to its abolition, to be tabled at the United Nations General Assembly in the coming weeks.

UN Conventions.

137. **Deputy Jan O'Sullivan** asked the Minister for Foreign Affairs the present position in

relation to Irish rights in regard to the Law of the Sea as far as Rockall is concerned. [25003/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): During the 1960s and 1970s the issue of Rockall was a source of some legal and political controversy in both Ireland and the United Kingdom. Much of that controversy arose from fears at the time that jurisdiction over Rockall and similar rocks and skerries was thought to be central in supporting claims to the mineral rights in the adjacent seabed and to fishing rights in the surrounding seas.

However, during the course of the Third United Nations Conference on the Law of the Sea, which took place from 1973 to 1982, the Irish delegation worked hard to establish a satisfactory legal regime applicable to islands. This effort was completely successful. The United Nations Convention on the Law of the Sea, which was adopted at Montego Bay at the conclusion of the Conference on 10 December 1982, provides at Article 121, paragraph 3 that: "Rocks which cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf."

Rockall is such a rock and Article 121(3) applies to it. Ireland ratified the Convention on 21 June 1996. The United Kingdom acceded to the Convention on 25 July 1997. It is accordingly accepted by both States that Rockall cannot be used as a basis for delimiting their respective continental shelves or fisheries zones. While the United Kingdom continues to claim jurisdiction over Rockall, this claim is not accepted by Ireland. Each country remains aware of the position of the other.

Following adoption of the Law of the Sea Convention, Rockall was not a factor in the subsequent negotiations between Ireland and the UK on delimitation of the continental shelf between the two countries, which concluded in agreement in 1988. The UK also later withdrew its claim to a 200 nautical mile exclusive fisheries zone measured from Rockall when it acceded to the Convention in 1997.

In a wider context, Iceland and Denmark (on behalf of the Faeroe Islands) both make claims to the continental shelf that overlaps that area in the North East Atlantic in respect of which Ireland and the UK reached agreement in 1988. The four countries have met regularly since 2002 in an effort to resolve the issues arising from overlapping claims, most recently at the end of September in Reykjavik. A further session will take place in Denmark next month. The issue of ownership of the rock of Rockall has been of no significance in these discussions.

Question No. 138 answered with Question No. 91.

Census of Population.

139. **Deputy Richard Bruton** asked the Taoiseach the number of persons aged fifteen and over living in Dublin classified by means of travel to work as revealed by Census 1996, Census 2002 and Census 2007. [24694/07]

140. **Deputy Richard Bruton** asked the Taoiseach the number of persons living in Dublin classified by means of travel to school or college

as revealed by Census 1996, Census 2002 and Census 2006. [24695/07]

Minister of State at the Department of the Taoiseach (Deputy Tom Kitt): I propose to take Questions Nos. 139 and 140 together.

The following table contains the relevant Census of Population data for the years 1996 and 2002 for 'Persons usually resident in Dublin County, classified by their means of travel to Work, School or College'. The information for 2006 is due to be published on 15th November 2007.

Persons usually resident (and present in their usual residence on census night) in Dublin County, classified by means of travel to Work, School or College, Census 2002

County of Usual Residence	Means of travel												
	Total	On foot	Bicycle	Bus, minibus or coach	Train or DART	Motor cycle or scooter	Motor car		Lorry or van	Other means	Work mainly at or from home	Not stated	
							Driver	Passenger					
County of Usual Residence	School Children Aged 05 -12												
	40,640	19,653	632	4,226	83	0	0	12,478	65	80	521	2,902	
	27,188	12,369	275	2,240	1	0	0	10,668	43	65	376	1,151	
	22,725	9,463	318	2,003	65	0	0	9750	31	35	286	774	
	19,453	5,282	351	1,044	168	0	0	12,070	25	55	163	295	
	Students Aged 13-18												
	27,485	12,998	2,212	6,553	523	104	82	3,560	14	33	351	1,055	
	20,143	8,966	1,288	5,254	19	164	120	3,417	18	31	458	408	
	16,653	6,255	684	4,655	1,140	64	98	3,346	10	22	116	263	
	14,268	3,243	1,259	3,624	1,079	117	164	4,547	13	17	87	118	
County of Usual Residence	Students Aged 19 +												
	21,480	7,139	2,316	7,555	1,181	261	1,493	421	12	21	348	733	
	7,420	654	556	4,046	52	218	1,139	505	7	6	93	144	
	6,913	307	92	2,623	2,288	77	908	406	8	5	86	113	
	9,637	1,381	865	3,697	1,251	232	1,465	542	7	12	107	78	
County of Usual Residence	School Children and Students												
	234,005	87,710	10,848	47,520	7,850	1,237	5,469	61,710	253	382	2992	8,034	
	County of Usual Residence	Workers Aged 15 +											
		210,657	43,966	12,100	39,167	7,671	3,420	76,342	7,924	6,051	454	5,059	8,503
		106,499	7,335	3,107	16,317	191	2,459	61,757	6,423	5,468	192	1,960	1,290
88,425		5,435	1,393	8,599	8,185	1,217	51,065	4,802	4,069	198	2,199	1,263	
Dún Laoghaire-Rathdown	78,383	5,921	2,711	8,824	5,979	1,374	45,163	2,794	2,258	135	2,731	493	
County of Usual Residence	Workers Aged 15 +												
	483,964	62,657	19,311	72,907	22,026	8,470	234,327	21,943	17,846	979	11,949	11,549	

Persons usually resident (and present in their usual residence on census night) in Dublin County, classified by means of travel to Work, School or College, Census 1996

County of Usual Residence	Means of travel											
	Total	On foot	Bicycle	Bus, minibus or coach	Train or DART	Motor cycle or scooter	Motor car		Lorry or van	Other means	Work mainly at or from home	Not stated
							Driver	Passenger				
Dublin City Dún Laoghaire-Rathdown Fingal South Dublin	School Children Aged 05-12											
	45,783	23,839	641	6,574	82	—	—	9,025	150	488	4,984	
	20,801	6,640	366	1,589	219	—	—	10,941	90	154	802	
	24,888	12,532	343	2,948	88	—	—	7,231	91	266	1,389	
	32,182	18,738	290	3,938	6	—	—	6,969	209	375	1,657	
	Students Aged 13-18											
	33,520	16,273	3,724	7,359	602	13	42	2,942	85	301	2,179	
	17,147	3,826	2,303	4,113	1,263	32	77	4,785	51	302	395	
	18,631	6,855	954	5,956	1,202	5	30	2,933	51	138	507	
	25,066	11,807	2,092	7,306	19	21	51	2,742	103	229	696	
Dublin City Dún Laoghaire-Rathdown Fingal South Dublin	Students Aged 19 +											
	18,435	5,549	3,621	5,155	992	113	786	439	40	382	1,358	
	8,710	1,241	1,555	2,633	1,271	93	757	680	21	245	214	
	4,604	114	112	2,045	1,472	23	285	332	19	21	181	
	5,043	350	771	2,846	44	70	339	361	11	74	177	
	School Children and Students											
	254,810	107,764	16,772	52,462	7,260	370	2,367	49,380	921	2,975	14,539	
	Workers Aged 15 +											
	177,153	29,850	13,945	36,876	6,220	2,080	61,598	8,987	4,213	6,164	7,220	
	73,872	4,647	2,989	7,458	5,441	718	41,964	4,080	1,647	3,824	1,104	
64,250	3,560	1,650	7,518	4,915	599	34,667	4,978	2,439	2,922	1,002		
81,571	5,764	3,666	15,372	155	1,186	41,655	6,277	3,272	2,935	1,289		
Dublin City Dún Laoghaire-Rathdown Fingal South Dublin	Workers Aged 15 +											
	396,846	43,821	22,250	67,224	16,731	4,583	179,884	24,322	11,571	15,845	10,615	

Departmental Reports.

141. **Deputy Richard Bruton** asked the Taoiseach if his output statement has been published on his Department's website; and the date on which it was put up on the website. [24746/07]

The Taoiseach: My Department's Output Statement was completed and was circulated to the Select Committee on Finance and the Public Service on 4 April last. It has been publicly available in response to requests thereafter and it has now been published on the website in association with the Department of the Taoiseach Annual Report.

142. **Deputy Eamon Gilmore** asked the Taoiseach if tenders were sought in regard to the study of the public service commissioned by him from the OECD; if he is satisfied that all Department of Finance and EU requirements regarding public procurement were met when awarding the contract; and if he will make a statement on the matter. [24830/07]

The Taoiseach: Last December, the Government approved the initiation of a major Review by the OECD of the Irish Public Service. The objectives of this Review are to benchmark the Public Service in Ireland against other comparable countries and secondly, to make recommendations as to future directions for Public Service reform. This required a holistic, system-wide assessment of the Public Service which the OECD are uniquely positioned to undertake in terms of peer review benefits/capabilities, in-house expertise, access to extensive information databases, specialist knowledge and the level of engagement by the Governments and administrations of the 30 member states.

Against this background, it was considered that the OECD was best placed to undertake a review of this nature. Similar reviews by the OECD in the economic and regulatory areas are well established and highly regarded instruments. The Public Governance and Territorial Development

Committee of the OECD, who are undertaking the Review, has also established similar peer review processes in the areas of HRM, ICT and in the area of ethics in public service, which are available to the member states.

Given that this is the first whole of Public Service Review undertaken by the OECD, the work is very extensive and requires developing new approaches and working methods. This offers the OECD the opportunity to develop a new tool kit of use to all OECD member states. In this regard, I understand that a number of countries are closely monitoring the progress of the Review.

In light of the developmental aspect of the Review, in terms of advancing the science of public management, the Government agreed to make an additional contribution towards the work of the OECD. This approach is entirely in keeping with the OECD's status as an international organisation funded by member state contributions and by additional voluntary contributions towards projects in which countries have a particular interest. Accordingly, the question of seeking tenders and the requirements regarding public procurement did not arise.

Planning Issues.

143. **Deputy Thomas P. Broughan** asked the Taoiseach the number of new houses and new apartments which received planning permission from Fingal County Council, and Dublin City Council and An Bord Pleanála for the years 2002 to 2006 and to date in 2007. [24610/07]

Minister of State at the Department of the Taoiseach (Deputy Tom Kitt): The number of new houses and apartments for which planning permission has been granted by Fingal County Council and Dublin City Council in each year from 2002 to the second quarter of 2007 are set out in the two tables. The figures incorporate* planning permissions granted by An Bord Pleanála in respect of the Dublin City Council and Fingal County Council areas.

Planning Permissions Granted by Dublin City Council for new houses and apartments, 2002-2007

		All Houses		Of which Multi-Development Houses		Of which One-Off Houses		Apartments	
		Number of Permissions	Number of Units	Number of Permissions	Number of Units	Number of Permissions	Number of Units	Number of Permissions	Number of Units
2002	Q 1	62	95	14	47	48	48	48	619
	Q 2	67	114	13	60	54	54	48	575
	Q 3	65	96	15	46	50	50	64	717
	Q 4	58	635	12	589	46	46	44	993
	Year	252	940	54	742	198	198	204	2,904

		All Houses		Of which Multi-Development Houses		Of which One-Off Houses		Apartments	
		Number of Permissions	Number of Units	Number of Permissions	Number of Units	Number of Permissions	Number of Units	Number of Permissions	Number of Units
2003	Q 1	82	105	11	34	71	71	49	799
	Q 2	81	919	12	850	69	69	58	3,081
	Q 3	117	325	23	231	94	94	54	1,524
	Q 4	105	137	15	47	90	90	58	1,593
	<i>Year</i>	385	1,486	61	1,162	324	324	219	6,997
2004	Q 1	107	488	19	400	88	88	56	2,953
	Q 2	99	225	16	142	83	83	61	1,488
	Q 3	124	223	21	120	103	103	64	1,456
	Q 4	97	1,118	16	1,037	81	81	64	3,809
	<i>Year</i>	427	2,054	72	1,699	355	355	245	9,706
2005	Q 1	74	122	19	67	55	55	49	1,779
	Q 2	107	122	11	26	96	96	51	839
	Q 3	108	157	26	75	82	82	53	1,216
	Q 4	83	261	17	195	66	66	50	948
	<i>Year</i>	372	662	73	363	299	299	203	4,782
2006	Q 1	113	187	26	100	87	87	51	1,323
	Q 2	95	133	17	55	78	78	41	684
	Q 3	102	178	25	101	77	77	34	1,500
	Q 4	87	158	19	90	68	68	30	937
	<i>Year</i>	397	656	87	346	310	310	156	4,444
2007	Q 1	113	176	19	82	94	94	44	496
	Q 2	131	339	34	242	97	97	42	885

*The CSO does not separately identify permissions granted by An Bord Pleanála.

Ministerial Travel.

144. **Deputy Leo Varadkar** asked the Taoiseach if his Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to his Department or if they can be retained by the individual concerned; and if he will make a statement on the matter. [24902/07]

The Taoiseach: In line with the Civil Service Code of Standards and Behaviour, issued in accordance with Department of Finance circular 26/2004, benefits from this scheme may be retained by individual civil servants in recognition of the fact that official travel is disruptive to personal and family life. The use of frequent flyer schemes by Ministers in my Department is consistent with this policy.

Departmental Expenditure.

145. **Deputy Brian Hayes** asked the Taoiseach the amount of money spent on paper and stationery in 2007: the amount of this money spent on recycled paper; and if he will make a statement on the matter. [25148/07]

The Taoiseach: My Department has spent €156,700 on stationery in 2007 to date, of which €32,000 was spent on paper. Over 96% of paper purchased by my Department is recycled paper.

Construction Industry.

146. **Deputy Damien English** asked the Taoiseach the number of people employed in the construction industry in County Meath in the years 2002 and 2006; if he expects this trend to continue; and if he will make a statement on the matter. [25189/07]

Minister of State at the Department of the Taoiseach (Deputy Tom Kitt): The information requested by the Deputy is contained in the table. Persons aged 15 years and over at work in Construction in County Meath for Census 2002 and 2006.

Census Year	Persons
2002	7,298
2006	11,010

Marriage Registrations.

147. **Deputy Damien English** asked the Taoiseach the number of notifications of marriage received to date in 2007, with a breakdown of this figure for each county registrar. [25194/07]

Minister of State at the Department of the Taoiseach (Deputy Tom Kitt): Provisional figures for the number of marriages registered in the first 3 quarters of 2007 are given in the table. The table also shows provisional figures for the number of marriages registered in the corresponding quarters of 2006.

	2006	2007
Quarter 1	3,267	3,399
Quarter 2	5,094	5,452
Quarter 3	8,341	8,698
Quarter 4	5,139	

A breakdown of these figures for each county registrar is not yet available.

Garda Stations.

148. **Deputy Tony Gregory** asked the Tánaiste and Minister for Finance the special provision for access for persons with disabilities available at the Garda stations at Mountjoy, Dublin 7 and Fitzgibbon Street, Dublin 1; and if he will make a statement on the matter. [24962/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): It is planned to undertake a full refurbishment of Fitzgibbon Street Garda Station. When the refurbishment works are being carried out Mountjoy Garda Station will be used as a temporary District Headquarters. The refurbishment works at Fitzgibbon Street will address any deficiencies in access for persons with disabilities that may currently exist there. In regard to Mountjoy Garda Station the position concerning access for persons with disabilities will be examined.

Tax Code.

149. **Deputy Brian Hayes** asked the Tánaiste and Minister for Finance if, in view of the Government's encouragement and support to passengers who choose public transport, with the imposition of a car parking charge at railway stations which could lead to a potential 25% increase in commuting costs, he has considered introducing an annual parking ticket that could be brought into the tax saver system affording commuters the same tax breaks that they get for their tickets themselves; and if he will make a statement on the matter. [25162/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The policy objective underlying

the existing arrangements covering bus and rail passes is to encourage taxpayers to use public transport when travelling to and from work and, thus, contribute to the easing of traffic congestion and to the improvement of the environment. The extension of the scheme to include car parking costs would involve additional loss of tax revenue and it is not clear that it would contribute significantly to a reduction in traffic congestion.

Decentralisation Programme.

150. **Deputy Damien English** asked the Tánaiste and Minister for Finance the number of civil servants and other public servants who have relocated from Dublin to Meath under the decentralisation programme to date; and the estimated number who will have relocated by the end of 2007. [25190/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am informed by the Revenue Commissioners that as part of the overall decentralisation programme it is intended to move approximately one hundred (100) staff to Navan. To date, seventy-nine (79) staff based in Dublin have accepted offers. It is expected that Revenue will be a position to move to Navan in the first quarter of 2008. I am informed by the Office of Public Works that it is intended to move three hundred and thirty (330) of its headquarter staff to Trim under the decentralisation programme. The building for the OPW staff is due for completion in the first quarter of 2009. No OPW staff are due to relocate to Trim between now and the end of 2007.

Departmental Properties.

151. **Deputy Joe Costello** asked the Tánaiste and Minister for Finance if he will transfer the lands at Mountjoy Prison to the Mater Hospital when the prison closes in order that the hospital can acquire much needed space for development; and if he will make a statement on the matter. [25282/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): The Commissioners of Public Works have appointed a multi-disciplinary Design Team, in order to seek full Planning Permission for the re-development of the Mountjoy Prison site. On foot of preliminary consultations with the Health Service Executive, the Commissioner's Design Team is currently exploring possible options for accommodating some non-core activities of the Mater Hospital on the Mountjoy Prison site.

Tax Code.

152. **Deputy Damien English** asked the Tánaiste and Minister for Finance if he has plans to reintroduce the living over the shop scheme;

and if he will make a statement on the matter. [24713/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): In Budget 2006 I announced that the existing Living Over the Shop Scheme was to terminate on 31 July 2008 subject to transitional arrangements for existing pipeline projects for expenditure incurred during the period 1 August 2006 to 31 July 2008. The Department of Environment, Heritage and Local Government are currently conducting a review of the need for the introduction of a new Living Over the Shop Scheme in Gateway towns and cities. The reintroduction of the scheme in a more focused way will be considered in the light of this review.

Departmental Reports.

153. **Deputy Richard Bruton** asked the Tánaiste and Minister for Finance if his output statement has been published on his Department's website; and the date on which it was put up on the website. [24741/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The Annual Output Statement for 2007 for the Finance Group of Votes was published on my Department's website on 11th July last. It can be accessed on www.finance.gov.ie under "Financial and Economic Information".

Garda Stations.

154. **Deputy Dan Neville** asked the Tánaiste and Minister for Finance the position regarding the proposed new Garda station at Kilfinane, County Limerick; and the stage the proposal is at. [24769/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): A Sketch Scheme for the new station will be forwarded to An Garda Síochána for approval by the end of this year. The planning process under Part 9 of the Planning and Development Regulations 2001 (as amended) will then follow on receipt of this approval.

Site Acquisitions.

155. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Finance if the Office of Public Works has ever used a compulsory purchase order to acquire land for a school or education use; and if he will make a statement on the matter. [24789/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): The Commissioners of Public Works in Ireland (OPW) have no legislative powers to acquire land for education use by compulsory purchase order.

Tax Code.

156. **Deputy Leo Varadkar** asked the Tánaiste

and Minister for Finance the amount it would cost to make the personal and PAYE income tax credits refundable; and if he will make a statement on the matter. [24790/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am advised by the Revenue Commissioners that the most recent estimated cost of making the main personal and PAYE tax credits refundable when they are unused is broadly in the region of €2.7 billion annually. This estimate relates only to the cost of extending refundable tax credits to all those on Revenue's tax files. If a refundable tax credit system were to be introduced, one would have to consider those who are not on the tax files, for example, those who are of employable age but not working, including those on social welfare. If such categories were eligible this would increase the cost significantly. Apart from the issue of cost, there would be a range of other policy and practical issues arising in introducing such a system. I have no plans to introduce such a scheme at the present time.

Departmental Staff.

157. **Deputy Michael Ring** asked the Tánaiste and Minister for Finance if he will ascertain from the Office of Public Works when people in certain positions within the Office of Public Works will be paid the extra money; the reason they are not getting paid currently; and the reason this matter has not been resolved to date within the Office of Public Works. [24849/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): From my enquiries I am not aware that there are monies owing to State Industrial staff members of the Office of Public Works. However, if the Deputy can provide additional detail, then I shall be happy to look further into the matter.

Ministerial Travel.

158. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Finance if his Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to his Department or if they can be retained by the individual concerned; and if he will make a statement on the matter. [24897/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The policy of my Department in relation to frequent flyers points accrued is governed by the Civil Service Code of Standards and Behaviour. Section 16.2 of the code which deals with the receipt of gifts by civil servants states "that benefits under frequent flier schemes may be retained by individual civil servants in recognition of the fact that official travel is disruptive to personal and family life."

Tax Code.

159. **Deputy Tony Gregory** asked the Tánaiste and Minister for Finance his views on a reduction in VAT and VRT on disability friendly taxis in view of the huge cost involved and the 75% reduction in the number of such taxis in recent times; and if he will make a statement on the matter. [24963/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The position is that the application of VAT to goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. Passenger transport is exempt from VAT under the EU VAT Directive. This means that taxis cannot charge VAT on the services they supply and cannot recover VAT on the goods and services that they purchase. Essentially, only VAT registered businesses which charge VAT are able to recover VAT. VAT Refund Orders have in the past been used in a limited way to provide refunds of VAT on certain aids and appliances for the disabled and on medical equipment donated voluntarily to hospitals. However, under EU law, it is no longer possible to introduce new schemes to refund VAT on the purchase of goods or services by non VAT registered persons.

In relation to Vehicle Registration Tax (VRT), I have no plans to reduce or eliminate VRT on taxis. In this regard, it should be recognised that tax reliefs have proved at times to be a blunt, inflexible and expensive means of providing assistance and achieving policy aims which might be more effectively achieved through regulatory or direct expenditure means. VRT on vehicles helps to broaden the tax base and provides an important source of Exchequer revenue. I am asked regularly to introduce tax reliefs for one purpose or another, but to accede to all such requests would lead to an immediate narrowing of the tax base.

160. **Deputy Damien English** asked the Tánaiste and Minister for Finance the plans he has to remove the stamp duty on financial cards; and if he will make a statement on the matter. [25045/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): All stamp duties, including the stamp duties on financial cards, are reviewed in the context of the annual Budget and Finance Bill.

161. **Deputy Damien English** asked the Tánaiste and Minister for Finance his plans to cap the number of financial cards per person on which stamp duty must be paid, to one ATM card, debit card or combined card and one credit card or charge card per person; and if he will make a statement on the matter. [25046/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): All stamp duties, including the stamp duties on financial cards, are reviewed in the context of the annual Budget and Finance Bill.

Tax Yield.

162. **Deputy Damien English** asked the Tánaiste and Minister for Finance the amount of money raised by stamp duty on financial cards for each of the years 2004 to date in 2007 with a breakdown for each year showing the amount raised by type of card in tabular readable form. [25047/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am informed by the Revenue Commissioners that the net receipt from stamp duty on financial cards from 2004 to end September 2007, broken down both by year and type of card is as shown in the table.

Card Type	2004	2005	2006	2007*
	€m	€m	€m	€m
Credit/Charge	59.0	63.8	67.8	72.4
ATM	21.1	22.4	18.0	11.3
Debit	2.4	3.3	0.6	0
Combined (ATM/Debit)	11.8	12.2	17.7	15.2
Totals	94.2	101.6	104.0	98.8

*To end September.

Any apparent discrepancies in totals are due to rounding.

Tax Code.

163. **Deputy Damien English** asked the Tánaiste and Minister for Finance the plans he has to remove VAT from solar panels for houses and from the cost of installation of solar panels. [25052/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The Deputy will be aware that the Programme for Government contains a commitment to examine the scope within EU law for reducing the VAT rate on environmental goods and services generally from the standard VAT rate of 21 per cent to the reduced rate of 13.5 per cent. This and other measures under the Programme for Government clearly demonstrate the Government's commitment to addressing the environmental challenges which we face.

As regards the specific point in relation to solar panels, the position is that the VAT treatment of goods and services is governed by EU 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 or installation of solar panels. 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 such systems. The sale of solar panels products is therefore chargeable at the standard VAT rate of 21%.

However, I understand that since solar panels are more likely to be supplied and installed under a single contract, the reduced rate of VAT of 13.5 per cent may apply to the entire contract subject to what is referred to as the 'two-thirds' rule. Under this rule, the reduced rate of VAT applies if the VAT-exclusive cost of the goods to the supplier does not exceed two-thirds of the overall VAT-exclusive charge made to the customer in respect of the supply and installation of these goods.

The reduced rate of VAT also applies where new premises are sold with energy systems already installed as the price paid for a premises (which is liable to the reduced rate of VAT of 13.5 per cent) is deemed to include all fixtures. In addition, where solar panels are purchased by VAT registered commercial enterprises, any VAT charged may be reclaimed by them, insofar as the equipment in question is used for business purposes.

164. **Deputy Damien English** asked the Tánaiste and Minister for Finance if he has given additional thought to introducing a tax break scheme that would encourage the provision of community facilities by individuals or business entities for voluntary community groups; and if he will make a statement on the matter. [25053/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I have no plans to introduce any further tax breaks along the lines suggested by the Deputy. However, as the Deputy may be aware, Section 848A of the Taxes Consolidation Act 1997 provides tax relief on donations made by either individuals or corporate bodies to eligible charities and other approved bodies including first and second level schools and third level institutions including universities. An eligible charity is any charity in the State which has been granted exemption from tax for a period of not less than two years and which is authorised by the Revenue Commissioners for the purpose of the scheme.

In addition, Section 847A of the Taxes Consolidation Act 1997 provides tax relief for donations to certain sports bodies for the funding of capital projects. Eligibility for the relief centres on two key criteria; the sports body must be an Approved Sports Body and the donation must be for the purposes of an Approved Project. To be regarded as an Approved Sports Body, it must obtain two separate statements from the Revenue Commissioners:

- a valid tax clearance certificate, and

- a statement that, in accordance with section 235 of the Taxes Consolidation Act 1997, the body is exempt from tax because it is established solely for the purpose of promoting athletic or amateur games or sports and its income is applied solely for that purpose.

Approved Projects are capital projects approved for the purpose of the scheme by the Minister for Arts, Sport and Tourism. The approval verifies that the claim is made in respect of genuine sports capital projects.

The types of projects which are eligible to be approved are as follows:

- the purchase, construction or refurbishment of a building to be used for sporting or recreational activities,
- the purchase of land for such activities,
- the purchase of permanently based sports equipment (excluding personal equipment), and
- the improvement of pitches and playing surfaces etc.

The estimated aggregate cost of the project must not exceed €40 million. The minimum qualifying donation for relief purposes to an eligible charity or an approved project is €250 per annum and there is no upper limit on the amount which can be donated. The relief on the donation will be at an individual's marginal rate of tax.

The arrangements for allowing tax relief on donations depend 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 sports body. 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.

Tax Collection.

165. **Deputy Damien English** asked the Tánaiste and Minister for Finance the number of unauthorised used car dealers in County Meath that the Revenue Commissioners are going to audit as part of the investigation into the industry. [25068/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am advised by the Revenue Commissioners that from time to time, they initiate a number of projects aimed at tackling tax evasion in specific sectors. One such project, which is ongoing and is expected to extend into 2008, involves the targeting of unauthorised trading in vehicles. Revenue are not in a position at this stage to say how many unauthorised used car

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dealers in County Meath will be identified as a result of this project — the numbers of cases to be targeted in each geographic area will depend on local intelligence and risk-based selection criteria. However, I am advised that since the project started, Revenue have so far identified 72 instances of unauthorised vehicle dealing nationwide, including 5 identified in County Meath.

Tax Code.

166. **Deputy Finian McGrath** asked the Tánaiste and Minister for Finance if he will review the tax policy in order to ensure more support for families in budget 2008. [25104/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The Budget is six weeks away. It has been the practice of successive Ministers for Finance not to comment on tax changes which may or may not be included in the annual Budget in the run up to that Budget and I do not propose to depart from that approach.

Departmental Expenditure.

167. **Deputy Brian Hayes** asked the Tánaiste

and Minister for Finance the amount of money spent on paper and stationery in 2007: the amount of this money spent on recycled paper; and if he will make a statement on the matter. [25143/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): Since 1 January 2007 my Department has spent €80,846.90 on paper and stationery items such as envelopes, note pads, ruled paper, folders etc. Some €12,710.14 of this relates to expenditure on recycled paper and envelopes.

Departmental Properties.

168. **Deputy Damien English** asked the Tánaiste and Minister for Finance the list of premises that the State is renting or leasing in County Meath; the amount of ground rents paid for each of these premises; the persons to whom these ground rents are paid and the amount paid in each case; and if he will provide the information in tabular readable form. [25187/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): Details of the properties that are leased by the Office of Public Works in County Meath plus the Landlord details are set out in the tables 1 and 2.

Table 1: Properties Leased by the Office of Public Works in County Meath

Lease Code	Name	Address	Annual Rent
			€
LSE0416	Kells Social Welfare Office	Headfort Place, Kells, Co. Meath	7,923.17
LSE0563	Navan VRT Commons Road	Commons Road, Navan, Co. Meath	30,550.00
LSE0564	Navan Education Office	7 Trimgate Street, Navan, Co. Meath	45,710.57
LSE0586	Oldcastle Garda Station	The Square, Oldcastle, Co. Meath	69.84
LSE0732	Trim Social Welfare Office	Town Hall, Trim, Co. Meath	1,587.17
LSE0968	Navan Social Welfare Office	Kennedy Road, Navan, Co. Meath	224,562.20
LSE1017	Navan Education Office	7 Trimgate Street, Navan, Co. Meath	6,600.00
LSE1048	Trim NCSE	Mill Street, Trim, Co. Meath	87,645.60
LSE1066	Navan NEPS Office	43 Cannon Row, Navan, Co. Meath	55,000.00
LSE1068	Navan VEC Abbey Road Carpark	Abbey Road, Navan, Co. Meath	6,000.00
LSE1072	Navan Wildlife Office	Unit 4, Navan Enterprise Centre, Navan, Co. Meath	16,954.00
LSE1162	Navan Gov Off Athlumney	Athlumney, Navan, Co. Meath	575,000.00
LSE1250	Navan VEC Abbey Road Carpark	Abbey Road, Navan, Co. Meath	7,000.00
LSE1264	Navan Education Office	Beechmount Shopping Centre, Navan, Co. Meath	60,000.00
LSE1272	Scurlockstown Temporary Agriculture Office	Unit 1, Scurlockstown Business Park, Trim, Co. Meath	67,752.06
LSE1279	Navan Car Park (Pairc Tailtean)	Brews Hill, Navan, Co. Meath	5,000.00

Table 2: Landlord Details associated with Properties Leased by the Office of Public Works in County Meath

Lease Code	Landlord Name	Address
LSE0416	Con Sweeney	Headfort Place, Ceannanus Mor, Co. Meath
LSE0563	W J Murphy	C/O P Smith & Co Solrs, Church View, Navan, Co. Meath
LSE0564	MKF Enterprises	Copse Lodge, Bellinter, Navan, Co. Meath

Lease Code	Landlord Name	Address
LSE0586	James Naper	Loughcrew, Oldcastle, Co. Meath
LSE0732	Trim U D C	Town Hall, Trim, Co. Meath
LSE0968	John Cusack	Echo Gate, Dublin Road, Trim, Co. Meath
LSE1017	Mel O'Rourke	International Mushrooms, Beechmount Industrial Estate, Navan, Co. Meath
LSE1048	Meath Co Council	County Hall, Navan, Co. Meath
LSE1066	John & Joseph Smyth	Ardsallagh, Navan, Co. Meath
LSE1072	Navan Enterprise Centre	Limekilnhill, Trim Road, Navan, Co. Meath
LSE1162	James Ring and Gerry O'Connor	Newgate, Navan, Co. Meath
LSE1250, LSE1068	County Meath Vec	Abbey Road, Navan, Co. Meath
LSE1264	Geveney Trading Ltd	C/O Midland Contractors, Cortown, Kells, Co. Meath
LSE1272	Adrian Hilliard	21 Cluain Ri, Trim, Co. Meath
LSE1279	Coiste Na Mi	Cumann Luthchleas Gael, Pairc Tailteann, Brews Hill, Navan, Co. Meath

Tax Yield.

169. **Deputy Damien English** asked the Tánaiste and Minister for Finance the number of residential property sales in County Meath which were the subject of stamp duty in each of the past five years; and the aggregate duty raised. [25188/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am informed by the Revenue Commissioners that statistics on Stamp Duty transactions are not compiled by reference to the address of the property purchased and, accordingly, it is not possible to provide the information requested.

Tax Collection.

170. **Deputy Damien English** asked the Tánaiste and Minister for Finance the number of PAYE employees that have claimed tax relief on refuse collection fees paid to private collectors with a breakdown for each regional tax office. [25192/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am informed by the Revenue Commissioners that the most recent year for which the necessary detailed information on claimants for tax relief in relation to service charges is the income tax year 2004. In that year an estimated number of 180,215 claimants on the PAYE tax record availed of the tax relief for service charges, but it is not possible to distinguish between the numbers claiming for payments made to Local Authorities and to private contractors.

This figure relates to the number of income earners in a position to absorb the tax relief either partly or fully, but does not include the numbers of qualifying claimants who, because of the operation of other deductions and reliefs, have their taxable income reduced to nil or have

their tax liability reduced to nil by the impact of other tax credits. Accordingly, potential claimants for the tax relief for service charges whose tax liability has been reduced to nil in this way are not included in the numbers given in this reply. A breakdown of the total number of claimants by reference to each tax region is in the table.

Service Charges paid to Local Authorities and Private Contractors.

Tax Region	Claimants
Dublin	64,815
Border Midlands West	33,767
East and South East	42,629
South West	38,940
Large Cases Division	41
Unallocated	23
Total	180,215

The information is based on income returns on Revenue records at the time the data was compiled for analytical purposes, representing about 96 per cent of all returns expected. A married couple which has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

171. **Deputy Damien English** asked the Tánaiste and Minister for Finance the number of PAYE employees in the State with a breakdown for each regional tax office. [25193/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am informed by the Revenue Commissioners that on the basis of P35 returns filed by employers for the income tax year 2004, the latest year for which the necessary detailed statistics are available, some 1,740,412 income earners in the State were identified as being active on the PAYE record. A breakdown by reference to each tax region is shown in the table.

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Tax Region	Income earners
Dublin	575,752
Border Midlands West	393,505
East and South East	409,238
South West	361,220
Large Cases Division	160
Unallocated	537
Total	1,740,412

The information is based on income returns on Revenue records at the time the data were compiled for analytical purposes, representing about 96 per cent of all returns expected. A married couple which has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

Flood Relief.

172. **Deputy Damien English** asked the Tánaiste and Minister for Finance the position regarding the proposed programme of flood alleviation at Mornington, County Meath; the role of the Office of Public Works therein; and if he will make a statement on the matter. [25196/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): The Office of Public Works appointed Consultants to prepare the relevant documentation to bring a proposed flood relief scheme for Mornington to Public Exhibition. Final drafts of an Addendum to the original Preliminary Report, Cost Benefit Analysis, Environmental Impact Assessment and Drawings are currently being examined by OPW officials and on completion of this examination a meeting will be arranged to discuss the way forward. It is anticipated that the flood relief scheme will be placed on Public Exhibition early in 2008.

Departmental Properties.

173. **Deputy Dara Calleary** asked the Tánaiste and Minister for Finance the position regarding his Department's plans for a vacant public building (details supplied) in County Mayo. [25207/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): It is proposed to construct new premises on the Old Garda Station site to accommodate the Department of Social and Family Affairs Local Office and Social Welfare Inspectorate. The Project is currently at the initial stages of planning.

Tax Code.

174. **Deputy Richard Bruton** asked the Tánaiste and Minister for Finance the way the

rates of stamp duty applying here and in Northern Ireland compare in respect of different taxable transactions including on stock and shares, on investor purchases of land, commercial and residential property, on financial instruments and on residential sales by owner occupiers. [25304/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I would draw to your attention that the stamp duty rates applicable in Northern Ireland are those that apply in the UK. In this respect, I will compare the stamp duty regimes of Ireland and the UK. I would point out, however, that I cannot possess comprehensive knowledge of the tax codes of other jurisdictions.

As stamp duty has been in existence since the 17th Century, the same stamp duty regime would have originally applied to both Ireland and the UK. However, under existing arrangements there are some differences between the two regimes. Both countries apply stamp duty on property and shares; however, in the UK stamp duty on property (stamp duty land tax) is applied to a transaction and not the stamped document giving rise to a transaction, which is still the case in Ireland. The various stamp duties currently applicable in Ireland and the UK are as follows:

Ireland applies a 1% rate of stamp duty on share transactions. In the UK the rate of stamp duty on shares (stamp duty reserve tax) is 0.5%.

Ireland applies fixed stamp duties on ATM cards, debit cards, cards with combined ATM and debit functions, credit card accounts and cheques; the rates of which are outlined as follows. There is no UK equivalent to these stamp duties.

Stamp Duty	Rate
Cheques	15c
ATM Cards	€10
Laser Cards	€10
Combined ATM and Debit Cards	€20
Credit Card Account	€40

In Ireland stamp duty liability on property can vary according to the category of purchaser, where different systems apply to first-time buyers, other owner occupying purchasers, and investors. This is not the case in the UK, where the same rates and thresholds apply to both investors and owner-occupiers.

In addition, both Ireland and the UK make a number of distinctions within the overall category of property. In Ireland, stamp duty application differs between residential and non-residential property, and between new and second-hand residential property. In the UK, a more favourable lower threshold is applied to residential property in set disadvantaged areas (including set areas in Northern Ireland) and to non-residential property.

As the Irish stamp duty code provides relief for more circumstances than the UK code, the Irish regime is more complex than that in the UK. Taking these distinctions into account, the stamp duty land tax and stamp duty applicable to property in the UK and Ireland, respectively, is as follows:

UK Stamp Duty Land Tax on All Property

Non-residential property Residential property in disadvantaged areas	All other Residential property	Rate of duty
Up to £150,000	Up to £125,000	0%
Over £150,000 to £250,000	Over £125,000 to £250,000	1%
Over £250,000 to £500,000	Over £250,000 to £500,000	3%
Over £500,000	Over £500,000	4%

Irish Stamp Duty Rates on Non-Residential Property

Thresholds	Rate of duty
Up to €10,000	Exempt
€10,001 to €20,000	1%
€20,001 to €30,000	2%
€30,001 to €40,000	3%
€40,001 to €70,000	4%
€70,001 to €80,000	5%
€80,001 to €100,000	6%
€100,001 to €120,000	7%
€120,001 to €150,000	8%
Over €150,000	9%

Irish Stamp Duty Rates on Residential Property

Thresholds	First-time owner- occupiers of All residential property Other owner- occupiers of New property under 125m ²	Other owner- occupiers of New property over 125m ² * and of All Second- hand property Investors of All residential Property**
Up to €127,000	Nil	Nil
€127,001 — €190,500	Nil	3%
€190,501 — €254,000	Nil	4%
€254,001 — €317,500	Nil	5%
€317,501 — €381,000	Nil	6%
€381,001 — €635,000	Nil	7.5%
Over €635,000	Nil	9%

* On new properties, stamp duty is charged on site value or 25% of property value excluding VAT.

** On new properties, stamp duty is charged on the full property value excluding VAT.

In relation to the differences in stamp duty on residential property in both countries, it should be noted that Ireland, unlike the UK, does not impose additional taxation on property. In addition, the Irish system applies a much more generous system to first-time buyers and owner-occupiers of new property. Furthermore, the OECD has reported that Ireland “has some of the most generous tax provisions for owner-occu-

pied housing” as we are the only country to allow tax relief on rent, mortgage interest payments and capital gains while not applying a property tax. In this respect, property owners in general are treated very favourably under the Irish tax code.

175. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Finance the number of self-employed and proprietary directors who are eligible for income tax; the estimated cost of extending the PAYE allowance to these people. [25344/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am advised by the Revenue Commissioners that the number of income earners who are self-employed or proprietary directors and expected to be on the income tax record in 2008 is projected at 239,000 and 110,900 respectively. The number given for the self-employed relates to income earners whose main source of income is from non-PAYE sources.

The cost to the Exchequer of extending the PAYE credit to the self employed and proprietary directors and is estimated at €610 million in a full year. The cost of abolishing the PAYE credit and increasing the personal credit is estimated at €750 million in a full year. The additional cost would arise because the personal credit is transferable between spouses.

The figures are estimates from the Revenue tax forecasting model using actual data for the year 2004 adjusted as necessary to take account of actual and projected income and employment growth in subsequent years and are rounded to the nearest hundred. A married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

176. **Deputy Willie Penrose** asked the Tánaiste and Minister for Finance if he will extend the TAK saver scheme in Budget 2008 to enable the purchase by employers of bicycles and electrical bicycles for the transportation of their employees to work which would have significant benefits for all concerned; and if he will make a statement on the matter. [25404/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): There are no plans to extend the scheme referred to by the Deputy to include the purchase by employers of bicycles and electrical bicycles for their employees to travel to work.

There is provision in the existing Benefit-in-Kind arrangements to allow an employer to provide an employee with a small benefit to a value not exceeding €250 in any one year without applying PAYE and PRSI to that benefit. The purchase by an employer of a bicycle for an employee could be covered by this provision, subject to the €250 limit on the value of any such benefits.

Decentralisation Programme.

177. **Deputy Niall Collins** asked the Tánaiste and Minister for Finance if a construction contract has been agreed and signed for the provision of a new Revenue office in Newcastle West, County Limerick; the completion date and value of the contract; and when the staff expect to commence there. [25435/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am advised by the Commissioner of Public Works that a contract was placed on 12th October 2007 with Frank McGrath Construction Ltd in the sum of €2,862,100.00 inclusive of V.A.T. (two million eight hundred and sixty two thousand and one hundred Euro inclusive of VAT) for the provision of a new Revenue office in Newcastle West, Co. Limerick. It is anticipated that the building will be completed and ready for occupation by the end of 2008.

Proposed Legislation.

178. **Deputy Jimmy Deenihan** asked the Tánaiste and Minister for Finance if he intends introducing legislation dealing with the issues of betting exchanges here; and if he will make a statement on the matter. [25436/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): Under current betting legislation, betting exchanges are not deemed bookmakers. They differ from bookmakers in that they facilitate the matching of bets between outside parties unlike a bookmaker who takes the bet and the associated risk involved. Bets entered into or accepted through an exchange are not liable to betting duty.

Education Services.

179. **Deputy Denis Naughten** asked the Minister for Health and Children the steps she has taken to implement Recommendation No. 5 of the Joint Committee on Education and Science second report on the provision of education services in a multi ethnic/multi cultural society; and if she will make a statement on the matter. [24813/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): The Deputy's question relates to the management and delivery of health and social services which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Office 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.

Violence against Women.

180. **Deputy Damien English** asked the Minister for Health and Children the plans she has to

provide additional funding for groups that front-line violence against women; and if she will make a statement on the matter. [25054/07]

Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher):

The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Child Care Provision.

181. **Deputy Brian Hayes** asked the Minister for Health and Children the measures in place to track the average cost of childcare; and if she will make a statement on the matter. [25099/07]

183. **Deputy Brian Hayes** asked the Minister for Health and Children the measures in place to track the average cost of childcare here; and if she will make a statement on the matter. [25124/07]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 181 and 183 together.

There is a variety of childcare services in Ireland including centre-based and home-based care. The fees in the latter sector are harder to gauge. However, the Central Statistics Office (CSO) Quarterly National Household Survey measures the average weekly prices in the Child-care sector as a whole and provides a useful source of data.

The most recent figures published by the CSO in 2005 show the average hourly cost of childcare when provided by a paid relative to be €3.05, when provided by a paid carer to be €4.06 and when provided in a Crèche/montessori school to be €4.82. The Survey indicated that the overall average hourly rate of childcare for pre-school children in 2005 was €4.15 per hour which would amount to €166 for a forty hour week.

Services for People with Disabilities.

182. **Deputy Enda Kenny** asked the Minister for Health and Children if the domiciliary care allowance is available to children who have been diagnosed on the autistic spectrum; the criteria required to qualify; and if she will make a statement on the matter. [25120/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins):

Domiciliary Care Allowance may be paid, as the Deputy is aware, in respect of eligible children from birth to the age of 16 who have a severe disability requiring continual or continuous attention which is substantially in excess of that normally required by a child of the same age. Eligibility is deter-

mined primarily by reference to the degree of additional care and attention required rather than to the type of disability involved.

Question No. 183 answered with Question No. 181.

Child Care Provision.

184. **Deputy Paul Connaughton** asked the Minister for Health and Children the reason the Government has proposed a new approach to funding for playschools; if her attention has been drawn to the fact that the playschool movement has been extremely successful, both in big urban areas and in small rural communities and that because of smaller numbers becoming eligible for playschools based on receipt of social welfare or other welfare payments many small rural playschools will find it impossible to survive financially; and if she will make a statement on the matter. [25278/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): The main supports the Government makes available to parents to assist them with their childcare costs are Child Benefit and the Early Childcare Supplement. The latter payment, which is in recognition of the higher childcare costs of pre-school children, is the responsibility of my Office, and it alone amounts to expenditure of over €400m in a full year. These payments are universal and benefit all parents, regardless of their income, labour market status or the type of childcare they choose and regardless of whether they live in urban or rural areas. In addition to these universal supports, Government childcare policy has also recognised the need to target additional supports towards disadvantaged families.

Under the Equal Opportunities Childcare Programme 2000-2006 (EOCP), which is co-funded under the EU Social Fund (ESF), targeted support was provided through the staffing support grant scheme whereby community based not-for-profit childcare providers with a strong focus on disadvantage were awarded grant aid towards their staffing costs to allow them to operate reduced fees to disadvantaged parents. Funding under this scheme was originally awarded for a limited period during which services were expected to move towards sustainability. This funding was subsequently continued to the end of 2007, where it was considered necessary to enable services to continue to make their services accessible to disadvantaged parents. This continuation funding was subject to the condition that tiered fee structures were implemented by the services in question.

With the closure of the EOCP in December 2007, to continue to support community childcare services to provide affordable childcare to disadvantaged parents, the Community Childcare Subvention Scheme (CCSS) is being introduced

from January 2008 under the Exchequer funded National Childcare Investment Programme 2006-2010 (NCIP), the successor programme to the EOCP. The CCSS has been allocated €153 million over the next 3 years, representing a 16% increase in funding over the EOCP staffing scheme, and will continue to support community childcare services to provide reduced childcare fees for disadvantaged parents, complementing the universal supports in place for all parents. Under the new scheme, it will be possible to ensure that the level of grant aid which individual services qualify for will reflect the actual level of service they provide and the profile of the parents benefiting from their service. As part of their application for funding under the new scheme, services will be required to ask parents using their services to complete a simple declaration form which will be included in a return to my Office and on which basis the level of subvention for each service will be determined. The subvention received by services will, in turn, be reflected in the reduced fees for parents who qualify as disadvantaged under the scheme.

In practice, this will mean that parents with children in such services and in receipt of most social welfare payments (or participating in a scheme such as Community Employment which demonstrates an underlying entitlement to same) will see a €80 weekly subvention in respect of full daycare (with pro-rata reductions in respect of shorter hour services). Parents in receipt of Family Income Supplement (FIS), will see a €30 weekly subvention in respect of full daycare (with pro-rata reductions). A further subvention of €30 per week will be paid where the subvented child is a baby, in recognition of the higher costs associated with the care of children aged under 1 year. Parents who do not qualify under either of these categories will be charged the cost price for their childcare service, however, as community not-for-profit services will, generally, have availed of capital grant aid under the EOCP or NCIP removing the requirement to cover rent or a mortgage, and as the services are run on a not-for-profit basis, this should still be significantly below the market price.

It is considered that the new scheme will provide an effective framework for the continued targeting of additional resources towards disadvantaged parents and their children while continuing to support community childcare services generally. The scheme has been informed by and takes account of a number of enhancements recommended by the report of the Value for Money Review of the EOCP. These include the fact that the subvention to services will be more responsive to the level of service provided as well as the degree of parental disadvantage supported and the ceiling for funding, which existed under the previous scheme, is being removed. Account will also be taken of all of the operational costs of the service rather than staffing costs alone.

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Services, including full-time, part-time and sessional ones, which at present are, in some cases, inaccessibly priced for disadvantaged parents, will be available to them at more appropriate rates under the new scheme.

The new scheme has clear advantages over its predecessor. There is an increase in the level of funding available under it, and a majority of services will benefit from the changes it introduces. Existing EOCP staffing grant recipients who enter the new scheme will continue to be funded at their current levels until July 2008. My Office has engaged in a series of meetings with existing grant recipients to outline to them the details of the new scheme and to gather feedback from the services themselves. A meeting with representatives of the City and County Childcare Committees has also taken place.

The Community Childcare Subvention Scheme will not discriminate against rural services and the number of parents in rural areas supported by the new scheme is not expected to be lower than in urban areas. Per capita, the majority of the social welfare benefits which are referenced by the new schemes are availed of by more people outside the Dublin area than in it and parents in receipt of Farm Assist will attract the higher level of subvention. Data available from EOCP grant applications also suggests that the costs of running a rural service, and therefore the costs charged to parents, are lower than those for services in urban areas.

Transitional arrangements have been made under which existing grant recipients will continue to be funded at their current levels until 1st July 2008. This is to ensure that existing childcare services are facilitated to adjust to the new scheme, including making any adjustments necessary to their fee structures. As signalled when I announced the new scheme in July this year, the transitional period between now and 1 July 2008 will also be used to monitor and review the impact it will have on individual groups, on the basis of the more detailed and comprehensive data which is due to be received from applicants in November. If appropriate, any adjustments necessary to the scheme to secure the best outcomes for childcare services and for disadvantaged parents and their children will be considered on the basis of this data and well in advance of the commencement of the new funding levels in July 2008.

General Medical Services Scheme.

185. **Deputy Dan Neville** asked the Minister for Health and Children if, with regard to the concern expressed by pharmacists throughout Limerick west in relation to proposed reduction in the wholesale margin, she will desist from introducing her proposals until an independent impact assessment is conducted to establish the

full implications of this measure; and if she will make a statement on the matter. [25546/07]

253. **Deputy Paul Connaughton** asked the Minister for Health and Children if her attention has been drawn to the hardship being caused to many people as a result of the decision by some pharmacists to cease to operate the drug purchase scheme; the plans the Health Service Executive has to solve this impasse; and if she will make a statement on the matter. [25298/07]

262. **Deputy Andrew Doyle** asked the Minister for Health and Children the reason for the breakdown in negotiations with the pharmacists here regarding the introduction of the new reimbursement scheme. [25311/07]

263. **Deputy Andrew Doyle** asked the Minister for Health and Children the action she is taking to communicate and negotiate with the pharmacists over the issue of reimbursement. [25312/07]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 185, 253, 262 and 263 together.

Pharmacists have not withdrawn from the GMS and community drug schemes and I would not accept that there is any basis for community pharmacists threatening to withdraw from these schemes.

In the Dublin area and also in the HSE North East some 180 pharmacists have withdrawn from supplying methadone to patients with threatened escalation countrywide later. This is the second time in recent years that pharmacists have targeted this scheme in response to unrelated issues although on the previous occasion the threatened withdrawal of service did not take place.

Since Monday 15th October the HSE has been implementing a contingency plan for the 3000 patients affected and has made alternative arrangements for the emergency dispensing of methadone to the patients involved in 13 centres in the Greater Dublin area. A contingency plan is also being implemented in the HSE North East.. Arrangements have been put in place to enable patients affected by the pharmacists' action to be informed of these alternative arrangements. The HSE's Drug Helpline is available on a seven day week basis to provide information to clients in relation to the contingency arrangements. The situation in the rest of the country is being monitored closely and arrangements are ready to be implemented in the event of an escalation of the action nationwide. The HSE have indicated that to date the contingency plan is operating satisfactorily.

In regard to the changes recently announced by the HSE to reimbursement prices for drugs and medicines under the GMS and community drugs schemes, the main wholesaler companies have recently confirmed to the HSE they will charge

community pharmacists the same price for these drugs and medicines as pharmacists will be reimbursed by the HSE for these products.

All the evidence available to the joint HSE/Department of Health and Children team dealing with this issue indicated that the State was paying a premium for this service and that the new arrangements will save the HSE about €100m in 2008.

The impact of the new arrangements on the incomes of pharmacists will depend on the extent of the discounts which individual pharmacists were getting from wholesalers under the previous arrangements. I am advised that large urban pharmacies and chains typically got discounts of up to 12% whereas small and rural pharmacies got discounts of 2-3%.

I have previously outlined in detail to the Oireachtas the legal reasons why it is not possible for the HSE to negotiate with the IPU on fees, prices or margins for their members. A detailed, fair and transparent consultation process, including independent economic analysis and public consultation, informed the final determination of the new reimbursement arrangements. The evidence available to the HSE indicates that the impact on individual pharmacies will not be detrimental, having regard to the totality of fees and mark-ups under the GMS and community drugs schemes.

A process of dialogue was established, chaired by Bill Shipsey SC, to explore ways in which concerns raised by the IPU about the implications of this legal advice might be addressed. At a meeting on 11 October, the IPU maintained that it has a fundamental right as a trade union to fully represent its members on all issues. It appears, therefore, that the Union does not accept the legal position under competition law regarding negotiation on fees.

In an effort to resolve the present impasse arising from the unilateral withdrawal of methadone services by some pharmacists' Mr Shipsey issued a statement on 19th October expressing confidence that the process of dialogue could be resumed, if these services could be restored. On foot of Mr. Shipsey's intervention, on 21st October the President of the Irish Pharmaceutical Union called on its members who have ceased providing this service, to resume service as soon as possible.

I strongly welcome both interventions and would urge all community pharmacists concerned to resume dispensing methadone as soon as possible. As soon as this is achieved it will be possible for renewed engagement to take place between the Irish Pharmaceutical Union and the HSE under the auspices of Mr. Shipsey.

The HSE contingency plan in relation to methadone dispensing will remain in operation for the present until such time as the HSE are satisfied that the necessary patient transfer controls to enable the safe return of patients to the

community pharmacists, are in place. This is expected to take place within the next two days.

Health Services.

186. **Deputy Ulick Burke** asked the Minister for Health and Children the number of children awaiting assessment for speech and language therapy in the Health Service Executive west; the number of children awaiting such services in HSE west following assessment of need; the number receiving speech therapy in HSE west; and if she will make a statement on the matter. [24693/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Deputy's question relates to the management and delivery of health and personal 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.

187. **Deputy Richard Bruton** asked the Minister for Health and Children if her attention has been drawn to the fact that the proposed recruitment of two psychologists for a service (details supplied) in County Dublin has been blocked by the Health Service Executive ban on recruitment; if alternative arrangements will be made to proceed with this recruitment; and if she will make a statement on the matter. [24701/07]

Minister of State at the Department of Justice, Equality and Law Reform (Deputy Jimmy Devins): The current recruitment pause is a temporary measure initiated as part of the Health Service Executive financial break-even plan. It will be reviewed at the end of October 2007. Of course, in any instance where a critical or essential vacancy arises it may be filled through redeployment of existing staff by the Line Manager or re-assignment of responsibilities based on assessment of priority need.

Notwithstanding this, it has been recognised that there are some circumstances where appointment of staff may be necessary in frontline services. Accordingly, a process has been put in place to evaluate, monitor and approve requests for derogation from the general recruitment pause. A small group has been established including a representative of the National Hospitals Office, PCCC and other Directorates and this group will meet weekly to consider such applications.

As the Deputy may be aware, an additional sum of €75m for revenue purposes was provided by the Health Service Executive for Disability Services in the 2007 Budget. This sum incorporates the 2007 element of the Government's multi-

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annual investment programme for the National Disability Strategy. This Strategy is committed to enhancing 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.

Ambulance Service.

188. **Deputy Michael Ring** asked the Minister for Health and Children when the ambulance section of the Health Service Executive will fill in a form for a person (details supplied) in County Mayo. [24710/07]

Minister for Health and Children (Deputy Mary Harney): The Deputy's question relates to a human resource issue within the Health Service Executive. As this is a matter for the Executive under the Health Act, 2004, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

189. **Deputy Michael Ring** asked the Minister for Health and Children if patient transport will be provided to a person (details supplied) in County Mayo for their hospital appointment on 24 October 2007. [24711/07]

Minister for Health and Children (Deputy Mary 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.

190. **Deputy Damien English** asked the Minister for Health and Children the number of people whose medical cards were replaced with general practitioner visit cards since December 2006 with a breakdown of this information on a Health Service Executive regional basis in tabular form. [24712/07]

Minister for Health and Children (Deputy Mary 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 moderate and 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.

As the Health Service Executive has the operational and funding responsibility for these benefits, it is the appropriate body to arrange to address this matter and to have a reply issued directly to the Deputy.

Hospital Services.

191. **Deputy Damien English** asked the Minister for Health and Children the number of people admitted to the hospital services for drink related emergency cases for each of the years 2002 to date in 2007 with a breakdown for each Health Service Executive region in tabular readable form. [24714/07]

Minister for Health and Children (Deputy Mary 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. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter examined and to have a reply issued directly to the Deputy.

Health Services.

192. **Deputy John Cregan** asked the Minister for Health and Children the reason for the delay in a neurological appointment being provided for a person (details supplied) in County Limerick; and if she will make a statement on the matter. [24723/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to 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 this case investigated and to have a reply issued directly to the Deputy.

Mental Health Policy.

193. **Deputy Enda Kenny** asked the Minister for Health and Children if an inter Departmental working group will be established to co-ordinate

action by all Government Departments in respect of the vision for change dealing with national mental health policy framework; and if she will make a statement on the matter. [24724/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Report of the Expert Group on Mental Health Policy, “A Vision for Change”, which was launched in January 2006, provides a framework for action to develop modern, high quality mental health services for a seven to ten year period. The Report represents Government policy and is the basis for the future development of mental health services.

I have been given responsibility for mental health and disability issues in the Departments of Justice, Equality and Law Reform, Enterprise, Trade and Employment and Education and Science. It is likely that the proposed new office of the Minister for Disability and Mental Health will oversee the role of interdepartmental cooperation on the implementation of “A Vision for Change”.

Hospital Staff.

194. **Deputy Enda Kenny** asked the Minister for Health and Children the number of persons who have graduated through hospital attendants positions to qualified carers in hospital situations; when it is intended to remunerate these persons at their new level; and if she will make a statement on the matter. [24725/07]

Minister for Health and Children (Deputy Mary Harney): Nearly 130,000 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 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 to the Deputy.

Departmental Reports.

195. **Deputy Richard Bruton** asked the Minister for Health and Children if her output statement has been published on her Department’s website; and the date on which it was put up on the website. [24743/07]

Minister for Health and Children (Deputy Mary Harney): The Department of Health and Children’s Annual Output Statement was finalised and published on the departmental website, www.dohc.ie, in March 2007.

Child Care Provision.

196. **Deputy Joanna Tuffy** asked the Minister for Health and Children if she will reconsider her decision to introduce a new scheme for funding community childcare facilities as in its present form the new scheme will lead to the closure of many community childcare facilities; and if she will make a statement on the matter. [24750/07]

220. **Deputy Mary O’Rourke** asked the Minister for Health and Children if her attention has been drawn to the fact that the recent changed guidelines on childcare funding which have issued have led to widespread disquiet and concern; if she will rethink these guidelines; and if she will make a statement on the matter. [24969/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): I propose to take Questions Nos. 196 and 220 together.

Under the Equal Opportunities Childcare Programme 2000-2006 (EOCP), which is co-funded under the EU Social Fund (ESF), targeted support was provided through the staffing support grant scheme whereby community based not-for-profit childcare providers with a strong focus on disadvantage were awarded grant aid towards their staffing costs to allow them to operate reduced fees to disadvantaged parents. Funding under this scheme was originally awarded for a limited period during which services were expected to move towards sustainability. This funding was subsequently continued to the end of 2007, where it was considered necessary to enable services to continue to make their services accessible to disadvantaged parents. This continuation funding was subject to the condition that tiered fee structures were implemented by the services in question.

With the closure of the EOCP in December 2007, to continue to support community childcare services to provide affordable childcare to disadvantaged parents, the Community Childcare Subvention Scheme (CCSS) is being introduced from January 2008 under the Exchequer funded National Childcare Investment Programme 2006-2010 (NCIP), the successor programme to the EOCP. The CCSS has been allocated €153 million over the next 3 years, representing a 16% increase in funding over the EOCP staffing

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scheme, and will continue to support community childcare services to provide reduced childcare fees for disadvantaged parents, complementing the universal supports in place for all parents. Under the new scheme, it will be possible to ensure that the level of grant aid which individual services qualify for will reflect the actual level of service they provide and the profile of the parents benefiting from their service. As part of their application for funding under the new scheme, services will be required to ask parents using their services to complete a simple declaration form which will be included in a return to my Office and on which basis the level of subvention for each service will be determined. The subvention received by services will, in turn, be reflected in the reduced fees for parents who qualify as disadvantaged under the scheme.

In practice, this will mean that parents with children in such services and in receipt of most social welfare payments (or participating in a scheme such as Community Employment which demonstrates an underlying entitlement to same) will see a €80 weekly subvention in respect of full daycare (with pro-rata reductions in respect of shorter hour services). Parents in receipt of Family Income Supplement (FIS), will see a €30 weekly subvention in respect of full daycare (with pro-rata reductions). A further subvention of €30 per week will be paid where the subvented child is a baby, in recognition of the higher costs associated with the care of children aged under 1 year. Parents who do not qualify under either of these categories will be charged the cost price for their childcare service, however, as community not-for-profit services will, generally, have availed of capital grant aid under the EOCP or NCIP removing the requirement to cover rent or a mortgage, and as the services are run on a not-for-profit basis, this should still be significantly below the market price.

It is considered that the new scheme will provide an effective framework for the continued targeting of additional resources towards disadvantaged parents and their children while continuing to support community childcare services generally. The scheme has been informed by and takes account of a number of enhancements recommended by the Value for Money Review of the EOCP. These include the fact that the subvention to services will be more responsive to the level of service provided as well as the degree of parental disadvantage supported and the ceiling for funding, which existed under the previous scheme, is being removed. Account will also be taken of all of the operational costs of the service rather than staffing costs alone. Services, including full-time, part-time and sessional ones, which at present are, in some cases, inaccessibly priced for disadvantaged parents, will be available to them at more appropriate rates under the new scheme.

The new scheme has clear advantages over its predecessor. There is an increase in the level of funding available under it, and a majority of services will benefit from the changes it introduces. Existing EOCP staffing grant recipients who enter the new scheme will continue to be funded at their current levels until July 2008. My Office has engaged in a series of meetings with existing grant recipients to outline to them the details of the new scheme and to gather feedback from the services themselves. A meeting with representatives of the City and County Childcare Committees has also taken place.

Transitional arrangements have been made under which existing grant recipients will continue to be funded at their current levels until 1st July 2008. This is to ensure that existing childcare services are facilitated to adjust to the new scheme, including making any adjustments necessary to their fee structures. As signalled when I announced the new scheme in July this year, the transitional period between now and 1 July 2008 will also be used to monitor and review the impact it will have on individual groups, on the basis of the more detailed and comprehensive data which is due to be received from applicants in November. If appropriate, any adjustments necessary to the scheme to secure the best outcomes for childcare services and for disadvantaged parents and their children will be considered on the basis of this data and well in advance of the commencement of the new funding levels in July 2008.

Community Pharmacies.

197. **Deputy Leo Varadkar** asked the Minister for Health and Children the way community pharmacists are remunerated for the methadone maintenance scheme; the amount of money paid to pharmacists participating in the scheme; the number of pharmacies involved in the scheme; the number of clients involved in the scheme; the average number of weekly visits made by clients to pharmacies to receive methadone; and if she will make a statement on the matter. [24766/07]

Minister for Health and Children (Deputy Mary Harney): The question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the specific matter investigated and to have a reply issued directly to the Deputy.

198. **Deputy Leo Varadkar** asked the Minister for Health and Children the amount of money paid to pharmacists in professional fees for each of the past five years; the international comparisons available to the public; and if she will make a statement on the matter. [24767/07]

Minister for Health and Children (Deputy Mary 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 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.

199. **Deputy James Bannon** asked the Minister for Health and Children the reason a person (details supplied) in County Westmeath who has had a medical card since 1999 has lost same despite ongoing health problems; and if she will make a statement on the matter. [24796/07]

Minister for Health and Children (Deputy Mary 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 moderate and 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.

Hospital Accommodation.

200. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children her views on whether the relocation of female psychiatric patients currently on St. Bernadette's ward in St. Conall's Hospital in Letterkenny to the male St. Kieran's ward is appropriate and that having only a nurse's station separating both groups in a ward originally designed for one gender may lead to

health and safety issues; and if she will make a statement on the matter. [24800/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): 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 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.

Ambulance Service.

201. **Deputy Áine Brady** asked the Minister for Health and Children when the new ambulance base will be in operation at Maynooth, County Kildare; and if she will make a statement on the matter. [24807/07]

Minister for Health and Children (Deputy Mary 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.

Misuse of Drugs Act.

202. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if her attention has been drawn to the fact that a young woman collapsed and was hospitalised during the summer 2007 having consumed pills containing the substance benzpiperazine, a substance recently banned in Britain, which are available over the counter in up to 30 shops here; and if she will make the necessary provisions to prohibit the sale of such pills. [24815/07]

Minister for Health and Children (Deputy Mary Harney): The Misuse of Drugs Act 1977 and the Regulations made thereunder regulate and control the import, export, production, supply and possession of a range of named narcotic drugs and psychotropic substances listed in the schedules to the Act. Substances are scheduled under the Act in accordance with the Department's obligations under international conventions and/or where there is evidence that the substances are being misused and are causing a level of harm to public health in Ireland which could merit the criminalisation of their sale and use. The Act also limits packaging and labelling of

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controlled drugs. The list of scheduled substances is kept under review on an ongoing basis. In particular the Department reviews any evidence that substances are being abused and are causing significant harm to public health.

BZP is not currently a scheduled substance under Misuse of Drugs legislation, but its status is under advanced review. A specific risk assessment procedure for new psychoactive substances carried out by the European Monitoring Centre on Drugs and Drug Addiction (EMCDDA) has found that the use of BZP can lead to medical problems even if long term effects of the substance are still unknown.

The European Commission has therefore, decided to ask the Council of Ministers to place BZP under control in accordance with the 1971 UN Convention on Psychotropic Substances. If the Council adopts the Commission's proposal, Member States must act as soon as possible, but no later than one year from the date of the decision, to introduce control measures and criminal sanctions. For Ireland, the introduction of national measures will involve declaring BZP to be a controlled substance under Irish Misuse of Drugs legislation and adding it to the schedule of controlled substances in accordance with that legislation.

Health Services.

203. **Deputy Jan O'Sullivan** asked the Minister for Health and Children her views on funding a dedicated nursing service to respond to cardiac patients who need advice, a service which was previously funded by a private source; and if she will make a statement on the matter. [24820/07]

Minister for Health and Children (Deputy Mary 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.

Hospital Accommodation.

204. **Deputy Jan O'Sullivan** asked the Minister for Health and Children when the plan to transfer a number of patients in St. Joseph's Hospital, Limerick to Ashley Lodge will be implemented; if and the reason patients have instead been transferred from unit three to unit ten; the overall plans for patients currently in St. Joseph's Hospital, Limerick; and if she will make a statement on the matter. [24821/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): 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 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 Service Staff.

205. **Deputy Áine Brady** asked the Minister for Health and Children the percentage of people employed by all the health boards who were solely providing an administrative role; the number of people employed by the Health Service Executive at present; the percentage of those employed who are solely providing an administrative role; the way the average here compares to other European countries such as the UK, France or Germany; and if she will make a statement on the matter. [24826/07]

Minister for Health and Children (Deputy Mary Harney): Almost 130,000 people work full-time or part-time in our public health services. Under Part 10 of the Health Act 2004, the health boards were dissolved and their functions and employees transferred to the Health Service Executive. 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 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 to the Deputy.

The Department of Health and Children does not hold data on the percentage of staff employed in a purely administrative role in the health services in other European countries. Therefore, it is not possible to determine the way the average here compares to countries such as the UK, France or Germany. However, the Deputy may wish to note that HSE has commissioned an independent study to examine such issues as the number of clerical/administration staff, the proportion of such staff engaged in front-line services, comparisons with other jurisdictions, comparisons with non-healthcare settings and resource issues.

Hospitals Building Programme.

206. **Deputy Áine Brady** asked the Minister for Health and Children the enhanced facilities that Naas Hospital will have after completion of phase three; when the project is set for completion; and if she will make a statement on the matter. [24827/07]

Minister for Health and Children (Deputy Mary 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.

207. **Deputy Frank Feighan** asked the Minister for Health and Children the way cutbacks will affect the cardiac rehabilitation services in Sligo General Hospital in relation to County Leitrim; if she will ensure that the service is maintained; and if she will make a statement on the matter. [24841/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to 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 this matter investigated and to have a reply issued directly to the Deputy.

208. **Deputy Jack Wall** asked the Minister for Health and Children when a person (details supplied) in County Kildare will have a hip replacement operation carried out; and if she will make a statement on the matter. [24846/07]

Minister for Health and Children (Deputy Mary 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.

209. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be called for an appointment. [24847/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to 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 this case investigated and to have a reply issued directly to the Deputy.

Food Safety Regulations.

210. **Deputy Michael Creed** asked the Minister for Health and Children the level of compliance in the restaurant and catering sector regarding beef labelling; the number of inspections that have been carried out; the number of staff dedicated to this purpose; and if she will make a statement on the matter. [24877/07]

Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher): The Food Safety Authority of Ireland (FSAI) is responsible for enforcing food law, including the Health (Country of Origin of Beef) Regulations 2006 (S.I No. 307 of 2006) which were amended in February 2007. These regulations are enforced by Environmental Health Officers of the Health Service Executive (HSE) on foot of a service contract with the FSAI. Some 400 Environmental Health Officers work on the enforcement of food legislation.

As the beef labelling regulations are relatively new, arrangements for recording specific checks for compliance are not yet finalised but the HSE and the FSAI are currently examining this issue with a view to ensuring that this information will be collected in 2008 and subsequent years.

The Deputy may wish to note that these Regulations do not relate to food safety but rather to consumer information.

Departmental Transport.

211. **Deputy Leo Varadkar** asked the Minister for Health and Children if her Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to her Department or if they can be retained by the individual concerned; and if she will make a statement on the matter. [24899/07]

Minister for Health and Children (Deputy Mary Harney): This matter is governed by the Department of Finance foreign travel rules.

Health Services.

212. **Deputy Michael D'Arcy** asked the Minister for Health and Children when speech therapy services will be made available for a person (details supplied) in County Wexford; and if she will make a statement on the matter. [24910/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): As the Deputy may be aware, an additional 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 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 services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Cancer Screening Programme.

213. **Deputy Brendan Kenneally** asked the Minister for Health and Children if funding is in place in respect of the recently announced cancer control programme; the amount of funding available in 2007 and 2008; and if she will make a statement on the matter. [24912/07]

236. **Deputy Finian McGrath** asked the Minister for Health and Children if the decision to have eight cancer centres here is Government policy; and if she will make a statement on the matter. [25215/07]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 213 and 236 together.

The implementation of the National Cancer Control Programme is a major priority for me and for this Government. I fully support the appointment by the Health Service Executive (HSE) of Prof. Tom Keane as Interim National Cancer Control Director. The delivery of cancer services on a programmatic basis will serve to ensure equity of access to services and equality of patient outcome irrespective of geography.

The recent decisions of the HSE to designate four managed cancer control networks and eight cancer centres will be implemented on a managed and phased basis. A detailed transitional plan will be put in place to facilitate the progressive, gradual and carefully managed transfer of services over the next two years or so. The HSE plans to have completed 50% of the transition of services

to cancer centres by end 2008 and 80-90% by end 2009.

Prof. Keane and the HSE have emphasised the importance of mobilising existing resources and redirecting them to achieve the National Cancer Control Programme objectives. An additional €20.5m was allocated to the HSE 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 National Cancer Control Programme. Further investment in cancer control will be based on the reform programme now being implemented by the HSE.

Adoption Services.

214. **Deputy Jim O'Keeffe** asked the Minister for Health and Children the position in relation to delays and waiting lists for assessments regarding inter country adoptions; if her attention has been drawn the hardship caused by the delay to those who are waiting to adopt; and his proposals in this regard. [24920/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): I am aware that many prospective adoptive parents are concerned about the waiting times for an assessment. I appreciate the frustration the waiting list causes to those who are anxious to adopt, and who are more than willing to participate fully in the necessary assessment procedures.

As the Deputy may be aware, requests for assessment for intercountry adoption are continuously increasing. The recent study on intercountry adoption, undertaken by the Children's Research Centre in Trinity College, revealed that Ireland has one of the highest rates for foreign adoption in Europe. In addition, as a result of the increased number of children coming from abroad, a new and increasing demand for post-adoption reports from sending countries has been created. Both assessments and post-placement reports are being undertaken by HSE social work staff.

The HSE has been assessing the provision of services in the context of moving from the health board system to a single executive. It has acknowledged that there is a divergence in the provision of services and is committed to addressing those differences. The HSE is currently conducting a review of the intercountry adoption service. They will examine inconsistencies, processes and options. I anticipate that this review will take several weeks to complete, after which the HSE will submit their proposals to streamline and improve this service.

In a number of areas, the HSE has improved waiting times by contracting assessments out to non-statutory agencies with appropriate expertise. Officials from my Office are currently engaged in discussions with the HSE to discuss the effectiveness of this approach. I have

instructed my officials to maintain this positive dialogue with the HSE and to explore these and other strategies to increase capacity right across the country in order to tackle the lengthy waiting times. I would like to assure the Deputy of my attention to this issue.

Hospital Staff.

215. **Deputy Jim O’Keeffe** asked the Minister for Health and Children if her attention has been drawn to the fact that there is a shortage of gynaecological consultants in Cork and that this is causing serious difficulties for expectant mothers in the south west; and the immediate steps proposed to deal with the situation. [24921/07]

Minister for Health and Children (Deputy Mary 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.

Adoption Services.

216. **Deputy Jim O’Keeffe** asked the Minister for Health and Children the reasons for the suspension of inter country adoptions from certain countries; the countries on the suspension list; and the reason therefore in each case. [24922/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): Adoption in Ireland is regulated by the Adoption Board which is an independent, statutory body. The Board must make decisions regarding adoptions in line with its assessment of the situation in each country, and its responsibility to ensure that all activities are undertaken with the best interests of the child as a paramount consideration.

The Adoption Board has discontinued the issuing of declarations of eligibility and suitability in respect of the adoption of children from Guatemala. There are a number of documents already in the public domain regarding concerns over the trafficking of children from Guatemala. These reports cover a long period of time in which the issue of trafficking and sale of children in the context of international adoption has continued to be raised.

I should point out that a number of other countries entered reservations regarding Guatemala’s accession to the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption. These countries include Canada, Germany, the Netherlands,

Spain and the United Kingdom. These reservations date from 2003 and remain extant. This means that these countries do not accept that procedures in Guatemala reach Hague Standards regarding intercountry adoption, and therefore, have objected to or suspended acceptance of Guatemala’s accession to the Convention and will not treat them as party to the Convention. This effectively means that these countries have a ban on adoptions from Guatemala.

I am of the view that the position taken by the Adoption Board is reasonable and measured in light of the long-standing and continuing concerns in relation to Guatemala which have shown little sign of improvement, despite international comment and support, over the last ten years.

The Adoption Board is also currently examining the adoption laws of the Federal Democratic Republic of Ethiopia and the Republic of Rwanda to determine if they meet the requirements for recognition in Ireland. This examination was undertaken as part of the preparations to ratify the Hague Convention, and it has highlighted a number of important legal issues which require further investigation. In the circumstances, and in order to protect the adoption process, the Adoption Board has decided, as a precautionary measure, to suspend the granting of Declarations of Eligibility and Suitability in respect of these two countries until the investigations are complete. I have been assured by the Board that this issue is being dealt with as a matter of priority. I feel that the Board’s decision is an appropriate one in the circumstances.

Health Services.

217. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when an ultra sound or scan will be carried out for a person (details supplied) in County Kildare; and if she will make a statement on the matter. [24937/07]

Minister for Health and Children (Deputy Mary 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.

Departmental Expenditure.

218. **Deputy Michael Ring** asked the Minister for Health and Children when funding approved for a group (details supplied) in County Mayo will issue to them. [24959/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): 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 an interim NCIP staffing grant of €31,200 for the period to 31 December 2007. I understand from enquiries made that Pobal, who manage the day to day operation of the EOCP and NCIP on behalf of my Office, have last week instructed the transfer of the Group's first staffing payment of €23,400.

Health Services.

219. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the progress which has been made in resolving the dispute which has seen dentists withdrawing from the dental service treatment scheme; the contingencies that have been put in place to ensure that medical card patients receive the dental treatment to which they are entitled; and if she will make a statement on the matter. [24967/07]

Minister for Health and Children (Deputy Mary Harney): The Dental Treatment Service Scheme (DTSS) provides for a range of dental services for adult medical card holders from participating dentists holding contracts with the Health Service Executive (HSE).

The DTSS Review Group was established in May 2006 to undertake a comprehensive review of Primary Care Oral Health Services provided under the DTSS. Represented on the Review Group are the HSE, the Health Service Employers Agency, the Department of Health and Children, the Department of Social and Family Affairs, the Department of Finance and the Irish Dental Association (IDA). The Group is chaired by Mr Finbar Flood.

Since the Group was established, a legal issue has arisen with regard to the Competition Act 2002 as it relates to the negotiation of professional fees. The issues involved are complex and my officials are working with the Attorney General's office to clarify the way forward.

The existing contractual arrangements with private dental practitioners under the DTSS for provision of dental services to eligible patients remain in place although I am aware that some dentists have indicated that they wish to resign from this scheme. It should be noted that dentists withdrawing from the scheme are obliged to work a three months notice period.

If an eligible patient cannot access the services of a dentist because the dentist has resigned from the DTSS, that patient may approach any dentist within the Scheme for treatment.

Question No. 220 answered with Question No. 196.

Hospitals Building Programme.

221. **Deputy Damien English** asked the Minister for Health and Children the progress made in the provision of the proposed regional hospital for the north east. [25061/07]

Minister for Health and Children (Deputy Mary 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.

222. **Deputy Damien English** asked the Minister for Health and Children if she will increase the funding available to the Health Service Executive north eastern region in order to prioritise autism assessments for pre-school children in County Meath; the numbers waiting for this service; if she will increase the staff numbers in order to clear existing back logs; and if she will make a statement on the matter. [25062/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Government is committed to providing a high quality service to all people with a disability as illustrated by the substantial investment in the disability sector over the last number of years. As part of this commitment, the National Disability Strategy was launched in September 2004. It provides for a framework of new supports for people with disabilities and puts the policy of mainstreaming of public services for people with disabilities, which was adopted by Government in 2000, on a legal footing. The Disability Act 2005 is a central element of the National Disability Strategy. The Act is a positive measure designed to advance and underpin participation by people with disabilities in everyday life.

Part 2 of the Act commenced for children with a disability, including those with autism, aged under 5 years with effect from 1st June 2007 and provides for an independent assessment of need for such persons and for a formal statement of the services that will be provided to them arising from the assessment. This prioritisation reflects the importance of intervention early in life, which can have a significant impact on the disabling effects of a condition or impairment.

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 Services Executive under the Health Act 2004. Accordingly, my Department had requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

223. **Deputy Damien English** asked the Minister for Health and Children the number of clients in each Health Service Executive area waiting for methadone treatment for each clinic; and if she will make a statement on the matter. [25063/07]

Minister for Health and Children (Deputy Mary Harney): The question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the specific matter investigated and to have a reply issued directly to the Deputy.

224. **Deputy Damien English** asked the Minister for Health and Children the number of clients in each Health Service Executive area being treated at each methadone clinic; and if she will make a statement on the matter. [25064/07]

Minister for Health and Children (Deputy Mary Harney): The question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the specific matter investigated and to have a reply issued directly to the Deputy.

225. **Deputy Finian McGrath** asked the Minister for Health and Children the best advice in order to assist a group (details supplied). [25102/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): 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 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.

226. **Deputy Finian McGrath** asked the Minister for Health and Children if she will address an issue (details supplied). [25103/07]

Minister for Health and Children (Deputy Mary Harney): At present, medical cards are granted primarily on the basis of means and individual circumstances. Under the Health Act, 2004, determination of eligibility for medical cards is the responsibility of the Health Service Executive. Persons aged seventy years and over are automatically entitled to a medical card, irrespective of means. The HSE has discretion, in cases of exceptional need, to provide assistance to individuals where undue hardship would otherwise be caused.

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 who do not qualify for a medical card would not be deterred on cost grounds from visiting their GP. In June 2006 I agreed with the HSE to raise the assessment guidelines for GP visit cards and these are now 50% higher than those in respect of medical cards. For Medical Card and GP Visit Card applications, the HSE now considers an applicant's income after tax and PRSI are deducted, rather than total income. Allowances are also made for expenses on childcare, rent and mortgage costs and the cost of travel to work. Application forms are available from the HSE, which can be contacted on its National Information Line on lo-call 1850 24 1850 or visit the HSE website at www.hse.ie.

I have no plans to provide for the granting of medical cards to any particular group as a whole. However, my Department is currently reviewing all legislation relating to eligibility for health and personal social services with a view to making the system as fair and transparent as possible.

In relation to services for people suffering from eating disorders, the Report of the Expert Group on Mental Health Policy, entitled "A Vision for Change", which was launched in January 2006, acknowledges gaps in the current provision of services for people with eating disorders and makes several recommendations for the further improvement of these services. "A Vision for Change" provides a framework for action to develop a modern, high quality mental health

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service over a 7 to 10 year implementation timeframe.

Recommendations include support for health promotion initiatives that encourage greater community and family awareness of eating disorders, the further development of primary and community care services and the provision of a full multidisciplinary team in a National Centre for Eating Disorders for complex cases that cannot be managed by local child and adolescent community mental health teams.

Additional funding of €750,000 was allocated to the Health Service Executive in 2007 for the further development of designated eating disorder services and commissioning of services from agencies. Funding is also provided to Bodywhys, which provides a national helpline, regional support groups, email support and a dedicated website (www.bodywhys.ie).

Health Services.

227. **Deputy Finian McGrath** asked the Minister for Health and Children if a person (details supplied) in Dublin 5 will be assisted. [25105/07]

Minister for Health and Children (Deputy Mary 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.

Courts Service.

228. **Deputy Mary O'Rourke** asked the Minister for Health and Children if her attention has been drawn to the fact that the Registrar of Wards of Court is unable to apply for redress for these wards of court and that no claims can be processed due to the prohibitive clauses in the conditions for application; if her attention has further been drawn to the fact that the deadline for such applications is 31 December 2007. [25116/07]

Minister for Health and Children (Deputy Mary Harney): The Health (Repayment Scheme) Act 2006 provides that applications for repayments to Wards of Court can be made by the Registrar of the Wards of Court or the relevant County Registrar as the Circuit Court has concurrent jurisdiction in wardship matters.

The scheme administrator, the Health Service Executive and officials from my Department met with the Registrar of the Wards of Court in

advance of the submission of applications on behalf of Wards of Court, to provide whatever assistance possible with the application process.

The scheme administrator is working in conjunction with the Registrar of the Wards of Court to ensure that the application process is as simple as possible.

The HSE has informed my Department that 200 applications on behalf of Wards of Court have been received to date and are currently being processed by the Scheme Administrator.

Departmental Expenditure.

229. **Deputy Mary O'Rourke** asked the Minister for Health and Children if she read the Health Service Executive publication, *Health Matters*; how often this magazine is published; the cost of each edition; the persons who receive it; and if she will make a statement on the matter. [25117/07]

Minister for Health and Children (Deputy Mary Harney): *Health Matters* is the national staff magazine of the Health Service Executive. It is issued on a quarterly basis and to date there have been eight issues.

I have requested the HSE to respond directly to the Deputy in relation to the other issues raised.

Health Services.

230. **Deputy Olwyn Enright** asked the Minister for Health and Children the progress of the roll out of the sexual assault treatment units; the status on the units; and if she will make a statement on the matter. [25127/07]

Minister of State at the Department of Health and Children (Deputy Pat The Cope Gallagher): The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

231. **Deputy Charles Flanagan** asked the Minister for Health and Children further to Parliamentary Question No. 259 of 26 September 2007, the factors that inform a cost benefit analysis in the context of facilities for patients with terminal illnesses whose life expectancy is dramatically reduced due to inadequate treatment facilities here. [25128/07]

Minister for Health and Children (Deputy Mary 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. There-

fore, 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.

Departmental Expenditure.

232. **Deputy Brian Hayes** asked the Minister for Health and Children the amount of money spent on paper and stationery in 2007: the amount of this money spent on recycled paper; and if she will make a statement on the matter. [25145/07]

Minister for Health and Children (Deputy Mary Harney): My Department has spent € 57,757 (VAT included) on paper and stationery to date in 2007. All the paper and stationery purchased was recycled material.

Health Services.

233. **Deputy Darragh O'Brien** asked the Minister for Health and Children if she will intervene on behalf of a person (details supplied) in County Kildare. [25204/07]

Minister for Health and Children (Deputy Mary 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.

234. **Deputy Darragh O'Brien** asked the Minister for Health and Children if she will intervene on behalf of a person (details supplied) in County Dublin. [25205/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

235. **Deputy Lucinda Creighton** asked the Minister for Health and Children if she will investigate the circumstances of the death of a person (details supplied) and in particular the delays caused by technical problems with the ambulance; and if she will make a statement on the matter. [25214/07]

Minister for Health and Children (Deputy Mary Harney): My Dept has been advised that, in accordance with the statutory complaints procedure, the National Ambulance Service of the Health Service Executive (HSE) has commenced an investigation into the circumstances surrounding the sad events of 26th May this year.

As operational responsibility for the management and delivery of health and personal social services, including the National Ambulance Service is a matter for the HSE, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have a reply issued directly to the Deputy.

Question No. 236 answered with Question No. 213.

237. **Deputy Finian McGrath** asked the Minister for Health and Children the plans in place with regard to oncology services in Sligo General Hospital; and if she will make a statement on the matter. [25220/07]

238. **Deputy Finian McGrath** asked the Minister for Health and Children the plans in place with regard to chemotherapy services in Sligo General Hospital; and if she will make a statement on the matter. [25221/07]

239. **Deputy Finian McGrath** asked the Minister for Health and Children the plans in place for radiation oncology services in Sligo General Hospital; and if she will make a statement on the matter. [25222/07]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 237 to 239, inclusive, together.

The implementation of the National Cancer Control Programme is a major priority for me and for this Government. I fully support the appointment by the Health Service Executive (HSE) of Prof. Tom Keane as Interim National Cancer Control Director. The delivery of cancer services on a programmatic basis will serve to ensure equity of access to services and equality of patient outcome irrespective of geography. The decisions of the HSE in relation to four managed cancer control networks and eight cancer centres will be implemented on a managed and phased basis. The HSE plans to have completed 50% of the transition of services to the cancer centres by end 2008 and 80-90% by end 2009.

The HSE has designated University College Hospital Galway (UCHG) and Limerick Regional Hospital as the two cancer centres in the Managed Cancer Control Network for the HSE Western Region which includes Sligo. The designation of cancer centres aims to ensure that patients receive the highest quality care while at the same time allowing local access to services, where appropriate. Where diagnosis and treatment planning is directed and managed by multi-

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disciplinary teams based at the cancer centres, then much of the treatment (other than surgery) can be delivered in local hospitals, such as Sligo General Hospital.

Patients from Sligo who require radiation oncology are referred to the Radiation Oncology Department at UCHG for treatment. The Department and the HSE have been working closely on the examination of procurement options in order to expedite the delivery of the National Plan for Radiation Oncology. I have been assured that the HSE will have in place radiation oncology capacity to meet the needs of the population by 2010. After 2010 the HSE will continue to increase capacity to ensure that these needs continue to be met.

Hospital Services.

240. **Deputy Finian McGrath** asked the Minister for Health and Children if the agreements and regulations will allow the collocated private hospital to provide oncology services and in particular breast care oncology services; and if she will make a statement on the matter. [25223/07]

Minister for Health and Children (Deputy Mary Harney): The collocation initiative is designed to ensure that private beds in public hospitals are freed up for the use of public patients by having collocated private hospital beds built on public hospital sites. In service terms, this means that collocated hospitals will provide a full range of acute services to private patients, subject to limited exceptions, such as national specialties and services that require minimum caseloads and adherence to other standards to ensure patient safety and quality. In these exceptional cases, the public hospital system will continue to provide such services to private as well as public patients. In respect of cancer services specifically, in line with the National Cancer Control Strategy, I would expect that these will only be provided in centres that meet minimum standards, such as the recently approved National Quality Assurance Standards for Symptomatic Breast Disease Services, irrespective of whether these centres are publicly or privately financed and managed.

Health Services.

241. **Deputy Niall Blaney** asked the Minister for Health and Children if the Health Service Executive have plans to fund the life-start programme in Milford, County Donegal which is currently in a disadvantaged area and would have very low spend per head of capita; and if she will make a statement on the matter. [25224/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): The

Deputy's question relates to the management and delivery of health and social services which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Office 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.

242. **Deputy Margaret Conlon** asked the Minister for Health and Children the expected time-frame for the full roll out of BreastCheck on a nationwide basis and its availability to women over 65; and if she will make a statement on the matter. [25231/07]

Minister for Health and Children (Deputy Mary 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 to the National Cancer Screening Service for this year to meet the additional costs involved. The full complement of 111 staff for roll-out has been approved. I have also made available an additional €26.7m capital funding for the construction of two new clinical units and the provision of seven additional mobile units and state of the art digital equipment. BreastCheck has confirmed that the roll-out will commence later this month and will take around 27 months to complete. The Programme is designed to offer repeat screening within an interval of 21-27 months.

The expert advice from BreastCheck and from the National Cancer Forum, as contained in its National Strategy for Cancer Control, is that following the national extension of the current programme, the upper age limit should be extended to women aged 69 years. The priority of BreastCheck is to screen women who have not yet been screened and accordingly it is fully focussed at present on the commencement of the first round of screening in the West and South. I will consider extending the age limit as recommended when the national roll-out of the programme is sufficiently developed and it is assured that a quality service is being delivered. Any woman irrespective of her age who has immediate concerns or symptoms should contact her GP who, where appropriate, will refer her to the symptomatic services in her area.

Health Repayment Scheme.

243. **Deputy Bernard Allen** asked the Minister for Health and Children if she will investigate a situation where the health repayment scheme in Tralee is sending letters to applicants under the certificate of entitlement to extract a grant of representation without signing those letters; if she deems this to be inappropriate; and if she will

investigate the situation of a letter sent to a person (details supplied) in County Cork with no personal signature on the letter and no explanation as to what the applicant family should do next in order to claim what they are entitled to. [25242/07]

Minister for Health and Children (Deputy Mary 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.

244. **Deputy Richard Bruton** asked the Minister for Health and Children if she will confirm that all arrangements are in place to introduce the new uniform nursing home support scheme as promised on 1 January 2008 despite newspaper reports to the contrary; and the way assets other than the family home will be treated in ascertaining eligibility for support under this scheme. [25252/07]

Minister of State at the Department of Health and Children (Deputy Máire Hootor): The Department is currently working on the Bill for the new nursing home support scheme — A Fair Deal. It is our intention to have the legislation in place by 1 January 2008 and the scheme effective from that date.

The legislation will deal with a range of issues including the one raised by the Deputy. The Government will be considering these issues in due course.

Health Service Staff.

245. **Deputy Seymour Crawford** asked the Minister for Health and Children when she will ensure that the salaries and allowance of Health Service Executive management teams be made available in the same way as the HSE have published the payments to chemists and general practitioners; if she will ensure that every effort is made to minimise management and administration costs in order that patient care would be a priority; and if she will make a statement on the matter. [25258/07]

Minister for Health and Children (Deputy Mary Harney): Nearly 130,000 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 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 to the Deputy.

Health Repayment Scheme.

246. **Deputy Joe McHugh** asked the Minister for Health and Children the reason persons (details supplied) are being refused payment under the nursing home repayment scheme; and if she will make a statement on the matter. [25264/07]

Minister for Health and Children (Deputy Mary 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.

Grant Payments.

247. **Deputy Pat Breen** asked the Minister for Health and Children the reason a person (details supplied) in County Clare was refused a grant; and if she will make a statement on the matter. [25267/07]

Minister for Health and Children (Deputy Mary Harney): 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.

Health Services.

248. **Deputy Willie Penrose** asked the Minister for Health and Children if her attention has been drawn to the waiting list in the Dunboyne area, County Meath for young people who are waiting access to speech therapy and that the Health Service Executive in May 2007 commenced the process of hiring a second speech therapist for this area but same can not now be proceeded with in view of the embargo upon recruitment recently imposed upon the HSE; if in the context of a young child (details supplied) in County Meath, steps can be taken to ensure the necessary speech therapy is provided at this point in time. [25270/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): As the Deputy may be aware, an additional 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 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.

Health Service Staff.

249. **Deputy Paul Connaughton** asked the Minister for Health and Children if a person (details supplied) in County Galway was deemed to be an employee of the Western Health Board from 1990 to 2002 in their role as supervisor over a community employment scheme at Toghermore Training Centre, Tuam, County Galway; and if she will make a statement on the matter. [25275/07]

Minister for Health and Children (Deputy Mary Harney): Under Part 10 of the Health Act 2004, the health boards were dissolved and their functions and employees transferred to the Health Service Executive. Therefore, the Executive is the appropriate body to consider the particular case/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.

250. **Deputy Paul Connaughton** asked the Minister for Health and Children the reason the domiciliary care allowance has been withdrawn from a person (details supplied) in County Galway; if her attention has been drawn to the fact that three other brothers of the applicant are in receipt of such a payment and that this low income family has to pay for the services of an outside teacher; and if she will make a statement on the matter. [25276/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of health and personal 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.

251. **Deputy Paul Connaughton** asked the Minister for Health and Children if a site will be made available for the supply of services to the mentally handicapped at St. Bridget's Hospital, Ballinasloe, County Galway in the event that the property is sold; and if she will make a statement on the matter. [25277/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): 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 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.

252. **Deputy Finian McGrath** asked the Minister for Health and Children the plans in place for the use of the hydrotherapy pool at Our Lady's Hospital Manorhamilton, County Leitrim in view of the relocation of rheumatology services to Sligo General Hospital; and if she will make a statement on the matter. [25287/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive and funding for all health services has been provided as part of its overall Vote. There-

fore, the Executive is the appropriate body to consider the particular issue 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.

Question No. 253 answered with Question No. 185.

Health Repayment Scheme.

254. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will receive their payment under the health repayment scheme. [25300/07]

Minister for Health and Children (Deputy Mary 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.

255. **Deputy Michael Ring** asked the Minister for Health and Children the reason a full reply has not issued in respect of Parliamentary Question No. 317 of 26 September 2007 for a person (details supplied) in County Mayo. [25301/07]

Minister for Health and Children (Deputy Mary 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.

The Parliamentary Affairs Division of the Executive have informed my Department that a reply has issued to the Deputy on 16th October 2007.

256. **Deputy Michael Ring** asked the Minister for Health and Children the reason a full reply has not issued in respect of Parliamentary Question No. 319 of 26 September 2007 for a person (details supplied) in County Mayo. [25302/07]

Minister for Health and Children (Deputy Mary 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.

The Parliamentary Affairs Division of the Executive have informed my Department that a reply has issued to the Deputy on 18th October 2007.

257. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will receive payment on their claim under the health repayment scheme. [25303/07]

Minister for Health and Children (Deputy Mary 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.

Ambulance Service.

258. **Deputy Andrew Doyle** asked the Minister for Health and Children the number of personnel in the ambulance services; the number on leave; and the number of vacancies. [25307/07]

Minister for Health and Children (Deputy Mary Harney): Nearly 130,000 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 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 to the Deputy.

Infection Control.

259. **Deputy Andrew Doyle** asked the Minister for Health and Children the number of patients in St. Colmcille's Hospital who have contracted MRSA or C. difficile each year since 1997 to date in 2007. [25308/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to the HSE under the Health Act 2004 and funding for all health

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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.

260. **Deputy Andrew Doyle** asked the Minister for Health and Children if budget cut backs have affected the infection control service in St. Columcille's Hospital. [25309/07]

Minister for Health and Children (Deputy Mary 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.

Hospitals Building Programme.

261. **Deputy Andrew Doyle** asked the Minister for Health and Children the plans in place to redevelop St. Columcille's Hospital as was the case in Naas General and James Connolly Memorial Hospitals during the ERHA area board management structure. [25310/07]

Minister for Health and Children (Deputy Mary 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.

Questions Nos. 262 and 263 answered with Question No. 185.

Health Services.

264. **Deputy Seán Connick** asked the Minister for Health and Children if funding will be provided for an increase in occupational therapy services in County Wexford. [25325/07]

265. **Deputy Seán Connick** asked the Minister for Health and Children if funding will be provided for an increase in speech therapy services in County Wexford. [25326/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): I propose to take Questions Nos. 264 and 265 together.

As the Deputy may be aware, an additional 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 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.

Health Service Staff.

266. **Deputy Seán Connick** asked the Minister for Health and Children if a review of staff security will be undertaken in psychiatric units. [25327/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): 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 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 Provision.

267. **Deputy P. J. Sheehan** asked the Minister for Health and Children if she will examine the concerns of a person (details supplied) in County Cork; and if she will make a statement on the matter. [25336/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): The main supports the Government makes available to parents to assist them with their childcare costs are Child Benefit and the Early Childcare Supplement. The latter payment, which is in recognition of the higher childcare costs of pre-school children, is the responsibility of my Office, and it alone amounts to expenditure of over €400m in a full year. These payments are universal and benefit all parents, regardless of their income, labour market status or the type of childcare they

choose and regardless of whether they live in urban or rural areas. In addition to these universal supports, Government childcare policy has also recognised the need to target additional supports towards disadvantaged families.

Under the Equal Opportunities Childcare Programme 2000-2006 (EOCP), which is co-funded under the EU Social Fund (ESF), targeted support was provided through the staffing support grant scheme whereby community based not-for-profit childcare providers with a strong focus on disadvantage were awarded grant aid towards their staffing costs to allow them to operate reduced fees to disadvantaged parents. Funding under this scheme was originally awarded for a limited period during which services were expected to move towards sustainability. This funding was subsequently continued to the end of 2007, where it was considered necessary to enable services to continue to make their services accessible to disadvantaged parents. This continuation funding was subject to the condition that tiered fee structures were implemented by the services in question.

With the closure of the EOCP in December 2007, to continue to support community childcare services to provide affordable childcare to disadvantaged parents, the Community Childcare Subvention Scheme (CCSS) is being introduced from January 2008 under the Exchequer funded National Childcare Investment Programme 2006-2010 (NCIP), the successor programme to the EOCP. The CCSS has been allocated €153 million over the next 3 years, representing a 16% increase in funding over the EOCP staffing scheme, and will continue to support community childcare services to provide reduced childcare fees for disadvantaged parents, complementing the universal supports in place for all parents. Under the new scheme, it will be possible to ensure that the level of grant aid which individual services qualify for will reflect the actual level of service they provide and the profile of the parents benefiting from their service. As part of their application for funding under the new scheme, services will be required to ask parents using their services to complete a simple declaration form which will be included in a return to my Office and on which basis the level of subvention for each service will be determined. The subvention received by services will, in turn, be reflected in the reduced fees for parents who qualify as disadvantaged under the scheme.

In practice, this will mean that parents with children in such services and in receipt of most social welfare payments (or participating in a scheme such as Community Employment which demonstrates an underlying entitlement to same) will see a €80 weekly subvention in respect of full daycare (with pro-rata reductions in respect of shorter hour services). Parents in receipt of Family Income Supplement (FIS), will see a €30 weekly subvention in respect of full daycare (with

pro-rata reductions). A further subvention of €30 per week will be paid where the subvented child is a baby, in recognition of the higher costs associated with the care of children aged under 1 year. Parents who do not qualify under either of these categories will be charged the cost price for their childcare service, however, as community not-for-profit services will, generally, have availed of capital grant aid under the EOCP or NCIP removing the requirement to cover rent or a mortgage, and as the services are run on a not-for-profit basis, this should still be significantly below the market price.

It is considered that the new scheme will provide an effective framework for the continued targeting of additional resources towards disadvantaged parents and their children while continuing to support community childcare services generally. The scheme has been informed by and takes account of a number of enhancements recommended by the report of the Value for Money Review of the EOCP. These include the fact that the subvention to services will be more responsive to the level of service provided as well as the degree of parental disadvantage supported and the ceiling for funding, which existed under the previous scheme, is being removed. Account will also be taken of all of the operational costs of the service rather than staffing costs alone. Services, including full-time, part-time and sessional ones, which at present are, in some cases, inaccessibly priced for disadvantaged parents, will be available to them at more appropriate rates under the new scheme.

The new scheme has clear advantages over its predecessor. There is an increase in the level of funding available under it, and a majority of services will benefit from the changes it introduces. Existing EOCP staffing grant recipients who enter the new scheme will continue to be funded at their current levels until July 2008. My Office has engaged in a series of meetings with existing grant recipients to outline to them the details of the new scheme and to gather feedback from the services themselves. A meeting with representatives of the City and County Childcare Committees has also taken place.

The Community Childcare Subvention Scheme will not discriminate against rural services and the number of parents in rural areas supported by the new scheme is not expected to be lower than in urban areas. Per capita, the majority of the social welfare benefits which are referenced by the new schemes are availed of by more people outside the Dublin area than in it and parents in receipt of Farm Assist will attract the higher level of subvention. Data available from EOCP grant applications also suggests that the costs of running a rural service, and therefore the costs charged to parents, are lower than those for services in urban areas.

Transitional arrangements have been made under which existing grant recipients will con-

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tinue to be funded at their current levels until 1st July 2008. This is to ensure that existing childcare services are facilitated to adjust to the new scheme, including making any adjustments necessary to their fee structures. As signalled when I announced the new scheme in July this year, the transitional period between now and 1 July 2008 will also be used to monitor and review the impact it will have on individual groups, on the basis of the more detailed and comprehensive data which is due to be received from applicants in November. If appropriate, any adjustments necessary to the scheme to secure the best outcomes for childcare services and for disadvantaged parents and their children will be considered on the basis of this data and well in advance of the commencement of the new funding levels in July 2008.

Health Services.

268. **Deputy Jackie Healy-Rae** asked the Minister for Health and Children the cuts being planned for services in Kerry General Hospital; the cuts in services already in place; and if she will make a statement on the matter. [25361/07]

Minister for Health and Children (Deputy Mary 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.

269. **Deputy Willie Penrose** asked the Minister for Health and Children the precise health facilities and ancillary health developments that will be put in place at Loosan, Athlone, County Westmeath; and if she will make a statement on the matter. [25407/07]

Minister for Health and Children (Deputy Mary Harney): The Government's sustained high level of investment in healthcare has enabled the completion and commissioning of numerous new facilities in both the acute and the non-acute sectors. This year, overall capital funding of €546 million has been provided to the Health Service Executive.

Responsibility for the planning and management of capital projects in the health sector, including the developments referred to in the Deputy's question are a matter for the Health Services Executive under the Health Act 2004.

Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive

to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

270. **Deputy Niall Collins** asked the Minister for Health and Children the range and level of services provided through home care packages; and the application procedure and qualifying criteria. [25409/07]

Minister of State at the Department of Health and Children (Deputy Máire Hootor): 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.

Housing Aid for the Elderly.

271. **Deputy Pat Breen** asked the Minister for Health and Children when an application under the housing aid for the elderly will be processed for a person (details supplied) in County Clare; and if she will make a statement on the matter. [25433/07]

Minister for Health and Children (Deputy Mary Harney): 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.

Community Development.

272. **Deputy Michael McGrath** asked the Minister for Health and Children the funding supports available in his Department for community groups wishing to build a children's playground. [25439/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): 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. While the

Office of the Minister for Children has an overall role in supporting implementation of the Play Policy, individual Departments retain responsibility for implementation of actions falling within their remit. The Department of the Environment, Heritage and Local Government has lead responsibility in relation to the provision of funding to local authorities for playgrounds.

The Department of Community Rural and Gaeltacht Affairs and the HSE have co-funded the development of new playgrounds or refurbishment of existing playgrounds in RAPID areas since 2004. A new scheme for 2008 was announced in July of this year with €3m available. Local Authorities will consult with each RAPID Area Implementation Team to agree the precise nature and location of the playgrounds to be funded. When the 2008 scheme finishes a total of €12m will have been provided for the funding of playgrounds in RAPID areas since 2004.

Departmental Schemes.

273. **Deputy Michael McGrath** asked the Minister for Health and Children if her Department has a grant scheme or funding source to which an adoption support group (details supplied) may apply for financial assistance. [25440/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): This group are eligible to apply for National Lottery Funding. Application forms are available from the Finance Unit in the Department of Health and Children.

Health Services.

274. **Deputy Billy Timmins** asked the Minister for Health and Children the position in relation to a person (details supplied) in County Wicklow; if they will be seen as a matter of urgency; and if she will make a statement on the matter. [25452/07]

Minister for Health and Children (Deputy Mary 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.

Motor Vehicle Registration.

275. **Deputy Richard Bruton** asked the Minister for Transport and the Marine the number of vehicles registered for use on roads in Counties Dublin, Wicklow, Meath and Kildare in 1996, 2002 and 2006 distinguishing cars, motor cycles and goods vehicles and classifying them by broad capacity categories. [24696/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The tabular statements set out the details requested by the Deputy.

Table 2: Number of Goods Vehicles by Unladen Weight in Counties Dublin, Wicklow, Meath and Kildare in 1996, 2002 and 2006.

Number of Goods Vehicles by Unladen Weight in each Licensing Authority Area																		
Year	County	Unladen Weight Expressed in Kilograms																
		Electric		Up to 1270	Exc. 1270	Up to 813	814-1016	1017-1270	1271-1524	1525-2032	2033-4064	4065-8128	8129-9144	9145-10160	10161-11176	11177-12192	12193 and over	Total
2006	Kildare	1	0	93	175	2,741	1,660	5,664	2,008	516	94	125	213	272	550	14,112		
	Meath	0	0	49	257	2,863	1,737	5,859	1,673	529	105	112	248	235	577	14,244		
	Wicklow	0	0	54	171	1,448	1,298	3,752	1,643	270	56	60	105	107	255	9,219		
	Dublin	1	0	624	545	10,483	7,731	24,465	7,862	2,681	769	677	689	621	1,953	59,101		
	Total (All Counties)	2	0	2,244	6,319	64,321	43,814	127,597	37,377	11,546	2,659	2,802	3,987	4,761	11,175	318,604		
2002	Kildare	0	0	77	379	2,074	1,627	3,388	1,112	464	118	124	187	192	308	10,050		
	Meath	0	0	81	486	2,102	1,610	3,279	800	492	81	116	191	134	257	9,629		
	Wicklow	0	0	75	332	1,193	1,368	2,476	796	288	51	80	99	78	135	6,971		
	Dublin	2	0	324	1,732	10,180	6,979	17,262	4,760	2,984	668	726	640	534	1,276	48,067		
	Total (All Counties)	3	1	2,340	14,074	49,670	41,117	75,848	19,118	11,295	2,361	2,908	3,793	3,503	7,038	233,069		
1996	Kildare	0	0	153	808	611	1,371	1191	367	363	77	125	168	111	130	5,475		
	Meath	0	1	185	975	618	1,300	1100	320	326	63	85	102	84	96	5,255		
	Wicklow	0	0	187	694	522	1022	980	269	249	39	54	75	55	54	4,200		
	Dublin	5	9	1,157	4,435	4,739	7,923	6,221	2,535	2,792	559	569	442	330	687	32,403		
	Total (All Counties)	7	34	5,010	26,403	18,245	35,498	29,193	9,256	10,135	1,859	2,580	2,871	2,458	3,052	146,601		

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Table 3: Number of Motor Cycles by Engine Capacity in Counties Dublin, Wicklow, Meath and Kildare in 1996, 2002 and 2006.

Number of Motor Cycles by Engine Capacity in each Licensing Authority						
Year	County	Up to 75 c.c.	76 c.c. up to 150 c.c.	151 c.c. up to 250 c.c.	Over 250 c.c.	Total
2006	Kildare	142	178	111	1,367	1,798
	Meath	91	116	83	1,114	1,404
	Wicklow	136	174	98	1,122	1,530
	Dublin	2,489	2,655	919	6,949	13,012
	Total (All Counties)	4,918	5,538	2,309	22,162	34,927
2002	Kildare	357	287	98	922	1,664
	Meath	164	157	67	601	989
	Wicklow	262	212	114	777	1,365
	Dublin	3,950	2,858	892	5,132	12,832
	Total (All Counties)	8,530	7,213	2,425	14,979	33,147
1996	Kildare	214	366	75	296	951
	Meath	125	249	56	198	628
	Wicklow	138	329	90	299	856
	Dublin	2,296	2,962	733	1,609	7,600
	Total (All Counties)	6,313	9,680	2,062	5,792	23,847

Departmental Projects.

276. **Deputy Dan Neville** asked the Minister for Transport and the Marine if he will report on the Government's policy towards the mid-west region; and when he will sanction on the delivery of vital infrastructural projects such as key road and rail upgrades. [24697/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): One of the main factors influencing the prioritisation of projects for Transport 21 and the National Development Plan was the need to support the Government's National Spatial Strategy objectives. Consistent with this approach, a number of national road and public transport projects, which contribute to the development of the mid-west region, were identified for implementation. They include:

- M/N7 Dublin to Limerick which is one of the major interurban routes and is due for completion by 2010.
- N18 Ennis to Galway is part of the Atlantic Road Corridor, which will link Donegal and Waterford via Limerick. A decision was taken in the National Development Plan to accelerate construction of this corridor and construction on the N18 project will begin in 2008, 3 years ahead of schedule.
- N21 is currently being upgraded in stages between Adare and Tralee.

- Western Rail Corridor which will connect Ennis to Claremorris. Work has begun on Phase 1 between Ennis and Athenry, which facilitates the introduction of a Limerick-Galway service.
- Bus Eireann have ordered 160 additional new buses to enhance existing non-commercial services and provide additional city and commuter services throughout the country. These new buses will gradually enter service in Limerick and other cities.
- With the acquisition of a new fleet of Intercity railcars, Iarnród Eireann will enhance its services to the mid-west region. The new railcars will be gradually introduced into service from November 2007.

Light Rail Project.

277. **Deputy Olivia Mitchell** asked the Minister for Transport and the Marine his views on allocating funding not now required for some years for the LUAS Line BX to the construction for a LUAS line for Rathfarnham; and if he will make a statement on the matter. [24700/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Dublin City Council is currently undertaking a traffic modelling exercise as part of its examination of revised traffic management arrangements in the city centre, which will be required for the delivery of the Luas city centre link (line BX), the further extension to Liffey Junction (line D) and also Metro North.

In addition, the RPA is considering ways of streamlining and combining construction works on these projects in order to minimise the impact on the city centre.

Following completion of further detailed design work and subject to a satisfactory outcome to the city centre traffic management planning work, the RPA plans to submit a Railway Order application for Luas Line BX to An Bord Pleanála next year. Decisions on a construction timetable for Luas Line Bx will be taken by the RPA in light of the outcome of the planning process.

I understand that the RPA commenced work on examining the feasibility of a Luas line to Rathfarnham in April this year. The Agency has been progressing the study since that date and are confident that they will be in a position to make an initial view in relation to the feasibility of a Rathfarnham Luas Line available to my Department by the end of the year.

It would, therefore, be premature to consider any reallocation of funding pending the outcome of the planning process on Luas Line Bx and the feasibility study on the Rathfarnham line.

Departmental Reports.

278. **Deputy Richard Bruton** asked the Minister for Transport and the Marine if his output statement has been published on his Department's website; and the date on which it was put up on the website. [24747/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): While the output statement has not been published on my Department's website, the financial data from the output statement relating to 2006 was included in the Department of Transport 2006 Annual Report which was published on the Department's website on 11 June 2007.

Rural Transport Services.

279. **Deputy James Bannon** asked the Minister for Transport and the Marine the steps he is taking to rectify the lack of satisfactory rural transport in County Westmeath; the reason the rural transport group is failing to provide a satisfactory transport infrastructure particularly for elderly and infirm people wishing to access hospitals and so on; and if he will make a statement on the matter. [24798/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): I refer the Deputy to my reply to Parliamentary Question No. 221 of 10 October 2007.

Airline Charges.

280. **Deputy Róisín Shortall** asked the Minister for Transport and the Marine if his attention has been drawn to the failure of airlines to refund

taxes paid on flights which have been cancelled by consumers; what happens to this revenue; and if there is a process in place to address same. [24869/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Taxes, which are imposed by Government, should be differentiated from charges, which are imposed by airports, airlines or other agencies. There are no Government taxes levied on flights out of Ireland. However, I am aware that other countries, including the United Kingdom, impose these taxes.

Different airlines have different policies on refunds with regard to taxes and charges and some airlines impose an administration charge in respect of an application for a refund.

Essentially this is a consumer issue and would be a matter for the National Consumer Agency, a body which is within the remit of my colleague the Minister for Enterprise Trade and Employment.

Road Safety.

281. **Deputy Michael Creed** asked the Minister for Transport and the Marine if his Department will provide funding for the provision of flashing amber lights on the road immediately outside all schools as is currently provided for in CLÁR areas by the Department of Community, Rural and Gaeltacht Affairs. [24870/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The provision of road traffic signs, including the flashing amber warning lights in the vicinity of schools, is a matter to be determined by each road authority under section 95 of the Road Traffic Act, 1961.

I have no proposals to mirror the CLÁR programme on national and non-national roads throughout the country. It is a matter for individual road authorities to determine what warning traffic signs are desirable to be provided at any location and to assign funding for their signing programme.

Departmental Travel.

282. **Deputy Leo Varadkar** asked the Minister for Transport and the Marine if his Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to his Department or if they can be retained by the individual concerned; and if he will make a statement on the matter. [24903/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Frequent flyer points can be retained by Departmental Officers in accordance with the Civil Service Code of Standards and Behaviour.

Road Network.

283. **Deputy Olivia Mitchell** asked the Minister for Transport and the Marine the estimated travel time by road to Shannon Airport from Dublin; when that time will be reduced and by what amount; and if he will make a statement on the matter. [24941/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): As Minister for Transport I have responsibility for overall policy and funding in relation to the national roads programme element of Transport 21. The implementation of individual national road projects is a matter for the National Roads Authority under the Roads Act, 1993 in conjunction with the relevant local authorities concerned.

As you are aware, the NRA is currently concentrating its efforts, in line with Government policy on the Major Interurban routes including the N7 Dublin to Limerick which are on target to be completed by 2010. I understand from the NRA that the approximate expected journey time on the N7 Limerick to Dublin in 2010 will be 2 hours and 30 minutes. This time is approximate and is based on average speed of 100kph-120kph.

Light Rail Project.

284. **Deputy Brian Hayes** asked the Minister for Transport and the Marine the position regarding his plans to expand the LUAS into the Broadstone, Constitution Hill areas of Dublin 7; the extent to which this has been co-ordinated with the Grangegorman Development Agency; and if he will make a statement on the matter. [25040/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): I understand that the Railway Procurement Agency (RPA) maintains a close working relationship with the Grangegorman Development Agency on the development of Luas Line D. The Chief Executive Officer of the RPA made a presentation to the Board of the Grangegorman Development Agency in May of this year outlining the role that Luas Line D would play in accessibility needs for the planned major campus development. I understand the Grangegorman Development Agency is strongly supportive of Luas Line D and the associated need for Line BX.

Dublin City Council is currently undertaking a traffic modelling exercise as part of its examination of revised traffic management arrangements in the city centre, which will be required for the delivery of the Luas city centre link (line BX), the further extension to Liffey Junction (line D) and also Metro North.

In addition, the RPA is considering ways of streamlining and combining construction works on these projects in order to minimise the impact on the city centre.

Following completion of further detailed design work and subject to a satisfactory outcome to the city centre traffic management planning work, the RPA plans to submit a Railway Order application for Luas Line BX to An Bord Pleanála next year. This will influence the timing of Luas Line D, the route for which will be decided having regard to the route of Line BX.

Motor Vehicle Registration.

285. **Deputy Damien English** asked the Minister for Transport and the Marine the plans he has to make it an obligation for insurance companies to notify his Department that vehicles involved in accidents are written off; and if he will make a statement on the matter. [25065/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The arrangements covering the treatment and notification of write-offs of vehicles are currently being examined by the RSA, the Garda Síochána, the Revenue Commissioners who are responsible for the registration of vehicles and my Department in its role in relation to the National Vehicle and Driver File (NVDF). This examination will be concluded as soon as possible and any recommendations arising therefrom will be considered.

Road Traffic Offences.

286. **Deputy Damien English** asked the Minister for Transport and the Marine his views on the Motor Insurers Bureau of Ireland's estimate that uninsured drivers kill 20 people each year and leave a further 2000 others seriously injured; the plans he or his Department have to address this issue; and if he will make a statement on the matter. [25067/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The figure quoted by the Deputy is an estimate by the Motor Insurers' Bureau of Ireland based on the Insurance Industry's claim that 6% of motor vehicles are currently uninsured.

Any level of uninsured driving is a matter of concern to me. Several steps have been taken in recent years to reduce the level of uninsured driving. The Garda Traffic Corps has been substantially expanded to improve compliance with all road traffic legislation including motor insurance requirements. Legislation has also been put in place to extend the powers of the Gardai to permit the seizure of all uninsured vehicles. In addition, since the introduction of the Penalty Points system, 6,539 persons have received penalty points for uninsured driving up to the end of September 2007.

Public Transport.

287. **Deputy Enda Kenny** asked the Minister for Transport and the Marine the circumstances

surrounding reports that his Department instructed Dublin Bus to remove three buses from the 25X morning service serving Lucan, County Dublin; and if he will make a statement on the matter. [25121/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The initiation or alteration of a bus service by Dublin Bus is subject to compliance with the necessary regulatory requirement of giving advance notice to my Department and to compliance with section 25 of the Transport Act, 1958 concerning competition with licensed private operators.

My Department wrote to Dublin Bus on 4th October, 2007 in relation to three additional Route 25X departures which the Company was operating from the Newcastle Road, Lucan Area. My Department had not been notified of these three additional departures and therefore Dublin Bus was requested to cease operation of the three services until they have been regularised.

To date, no notification has been received in my Department for these three services. My Department has advised Dublin Bus that proposals for additional services from Adamstown, which will serve the Lucan area, will require my consent under section 25 of the Transport Act 1958 and a further proposal to introduce three additional Route 25X Lucan services which differ from the services as referred to by the Deputy is currently the subject of correspondence between my Department and Dublin Bus.

288. **Deputy Enda Kenny** asked the Minister for Transport and the Marine the position regarding integrated ticketing for Dublin; the cost to date of all feasibility studies and planning exercises by the Railway Procurement Agency and all other bodies under his Department's aegis currently or previously investigating integrated ticketing; and if he will make a statement on the matter. [25122/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The position in relation to the Integrated Ticketing project was set out in my response to Parliamentary Question Numbers 66 and 109 on 18th October, 2007.

Since the inception of the project in 2002 €11.9 million has been spent on the project to date. This expenditure encompasses project management, design and development costs and operator contributions. The Railway Procurement Agency advises that this expenditure included €0.2 million on consultancy.

289. **Deputy Enda Kenny** asked the Minister for Transport and the Marine the conditions surrounding the granting of licences to private bus operators; his future plans in this area; and if he will make a statement on the matter. [25123/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The Road Transport Act, 1932 provides the statutory basis for regulating the provision of public bus services by private bus operators in Ireland.

Section 11 of that Act establishes provisions relating specifically to the grant of Annual Road Passenger Licences. The criteria for the determination of applications is set out in subsections (3) of that section and provides that:—

- The service is required in the public interest having regard to the passenger road services and other forms of passenger transport available to the public on or in the neighbourhood of the route of the proposed service,
- Whether the service is sufficient in terms of frequency and duration to meet the requirements of the public,
- Whether the applicant has the organisation and equipment necessary to carry out the service.

It is a condition of all Annual Passenger Licences that the Licensee is responsible for ensuring compliance with all conditions attached to the licence which includes adhering to the timetable and any restrictions placed on the licence in respect of pick-up and set-down of passengers.

The Programme for Government includes a commitment to improve bus services under Transport 21 by reforming bus licensing to facilitate the optimum provision of services by providing a level playing field for all market participants. The new licensing regime will be designed in a manner consistent with the recently adopted new EU Regulation on Public Service Obligations in the transport sector.

While it is not possible at this time to indicate a precise time as to when the legislative proposals on regulatory reform of the bus market will be published, applications and notifications from bus operators will continue to be processed under the provisions of the Road Transport Act, 1932, as amended.

Departmental Expenditure.

290. **Deputy Brian Hayes** asked the Minister for Transport and the Marine the amount of money spent on paper and stationary in 2007: the amount of this money spent on recycled paper; and if he will make a statement on the matter. [25149/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The total amount spent by my Department on all office consumables, including paper, in the period January to end of September 2007 was €82,116.43. (Of this amount some €15,407.94 was spent on paper supplies.) With the exception of specialized paper supplies that are occasionally required, the bulk of the paper used

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by my Department is purchased under the central contract arrangement agreed by the O.P.W. In this regard, the type of paper concerned is recycled and made from post-consumer office waste paper.

Public Transport.

291. **Deputy Darragh O'Brien** asked the Minister for Transport and the Marine when a high frequency bus service from Swords via the Port Tunnel to the city centre will start in view of the fact that the licence has been granted for a private operator to operate; and the exact route it will serve. [25163/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): On the 3rd October, 2007, my Department issued a licence in accordance with the Road Transport Act, 1932 to a private bus operator for bus passenger services between Swords and Custom House Quay, via The Port Tunnel.

It is a condition of the licence that the services are in operation in their entirety within 4 months from the date of issue of the licence. While it is a matter for the operator concerned to introduce the services within the timeframe, my Department understands that the operator proposes to commence operations within a matter of weeks.

Road Traffic Offences.

292. **Deputy Margaret Conlon** asked the Minister for Transport and the Marine the steps he proposes to take to ensure persons holding a driving licence from outside this State who are guilty of a road offence can have penalty points attached to their licence; and if he will make a statement on the matter. [25168/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): I am conscious that enforcing penalties for road traffic offences on foreign registered drivers raises many legal, organisational and procedural issues, which make it very difficult for any one State to enforce such penalties. For that reason, my Department is pursuing this question at the European, British/Irish and North/South levels where mutual recognition and cross border enforcement possibilities are under consideration.

All drivers are subject to road traffic law and it is a matter for An Garda Síochána to enforce the law. As foreign licence holders do not have an Irish driving licence record, penalty points incurred in this State are recorded against that person on a separate record in the National Driver File. The realisation of fines and penalties imposed by the Courts is a matter for the Courts Service.

Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477

of 2006) the Road Safety Authority has responsibility for ensuring that penalty points are endorsed on a licence record. Data in relation to penalty points is held on the National Driver File.

Driving Licences.

293. **Deputy Margaret Conlon** asked the Minister for Transport and the Marine his plans to amend the system of provisional driving licences. [25169/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority (RSA) has responsibility for the oversight of the operation of the driver licensing system including the preparation of proposals for draft regulatory provisions relating to driver licensing and testing.

At my request the Road Safety Authority has examined the driver licensing system, so as to identify what further reforms might be introduced in the interests of road safety and have developed proposals for a Graduated Driver Licensing (GDL) System and details of their proposals will be contained in their Road Safety Strategy which will be published shortly.

Road Traffic Offences.

294. **Deputy Margaret Conlon** asked the Minister for Transport and the Marine if, as part of his new proposed legislation for mandatory alcohol levels testing at the scene of road traffic accidents, he will introduce mandatory drug testing at the scene of road traffic accidents. [25171/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): My Department proposes to engage with the Office of the Attorney General to establish how the current legislation can be amended to achieve roadside testing of drivers involved in serious accidents subject to overriding medical circumstances.

With regard to the introduction of a comprehensive drug roadside testing programme for drivers, the Road Traffic Acts already provide that a member of the Garda Síochána may, where he or she is of the opinion that a person in charge of a mechanically propelled vehicle in a public place is under the influence of a drug or drugs to such an extent as to be incapable of having proper control of that vehicle, require that person to go to a Garda station and further require that person submit to a blood test or to provide a urine sample.

There is no feasible basis yet in Ireland or in Europe for the introduction of a preliminary roadside test for drugs as testing devices are still in the prototype stages. However, my Department with the Medical Bureau of Road Safety, is keeping abreast of developments in this area.

When suitable technology becomes available, measures applied to the roadside testing of drivers for alcohol will be applied in relation to drugs.

Road Network.

295. **Deputy Damien English** asked the Minister for Transport and the Marine if his Department will provide outline plans for the proposed outer orbital road for the greater Dublin region. [25184/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): I would refer the Deputy to Questions Nos. 8, 45 and 71 put to me on Thursday last in this connection. The position is unchanged.

As Minister for Transport I have responsibility for overall policy and funding in relation to the national roads programme element of Transport 21. The implementation of individual national road projects is a matter for the National Roads Authority (NRA) under the Roads Act, 1993 in conjunction with the relevant local authorities concerned.

Both Transport 21 and the National Development Plan committed the NRA to carrying out a feasibility study on the Orbital Route. Earlier this year, the NRA completed an updated feasibility study which built on an earlier 2001 study, looking in particular at the costs and benefits of such a route. The updated NRA study finds that there is merit in constructing an Orbital Route linking Drogheda/Navan/Naas.

As part of the study various possible route corridors were examined in detail. A corridor linking Drogheda to Navan to Naas was identified as the optimum route having regard to the policy objectives set out in the various policy documents on the route.

Neither Transport 21 nor the National Development Plan provide any funding for the scheme to be brought through planning/ preliminary design or to construction in the period to 2015. The study is currently under detailed consideration within my Department.

Public Transport.

296. **Deputy Damien English** asked the Minister for Transport and the Marine the number of passenger journeys that have taken place on public transport originating from each of the towns Kells, Trim, Navan and Athboy to Dublin for each of the years 2002 to date in 2007 in tabular readable form. [25185/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Bus Éireann states that the exact numbers carried on these corridors is commercially sensitive. However, the company informs me that passenger numbers have increased by the following percentages:

- Kells/Navan Corridor passenger numbers have grown by 2% to 3% per annum since 2002.
- Athboy/Trim Corridor passenger numbers have grown by 3% to 4% per annum since 2002.

My Department has also licensed two private operators to provide bus services between Navan and Dublin. The operators in question are Sillan Tours Limited and McGeehan Coaches. The number of passengers carried is a commercial matter for the companies.

297. **Deputy Damien English** asked the Minister for Transport and the Marine if he will permit and fund the purchase of additional buses, not replacement buses, for Bus Éireann to provide additional routes from Meath to Dublin; and if he will make a statement on the matter. [25186/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): In September 2006 my predecessor announced expenditure of €50 million on 160 (69 additional and 91 replacement) buses for Bus Éireann as part of Transport 21. Another €23 million was approved earlier this year for the purchase of a further 75 replacement buses in 2008. The deployment of the buses are a matter for the company.

Port Development.

298. **Deputy Brian Hayes** asked the Minister for Transport and the Marine if he will make a statement on a planning application (details supplied) in County Louth; and if it is aligned to the National Spatial Strategy. [25202/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): In 2005/2006 my Department commissioned a unitised port capacity study. Seven ports around the country made submissions as part of that study, including one from Greenore Port. In its submission Greenore Port outlined a proposal to develop the port, including a new quay. Decisions regarding the progress of the proposal are a commercial matter for Greenore Port.

My Department has recently sought progress reports from the seven ports. Greenore has reported that a formal planning application for its proposal has not yet been made.

The National Spatial Strategy identifies strategic merit in relieving pressure on Dublin Port through targeted interventions in building up port capacity elsewhere.

The capacity study concluded that all the proposals made were generally consistent with the objectives of the National Spatial Strategy. All the proposals are located in or close to the five main gateways and six of the seven are outside

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Dublin city. In the case of Greenore, it is located close to the gateway town of Dundalk.

Rail Network.

299. **Deputy Peter Power** asked the Minister for Transport and the Marine the position with regard to the proposed Shannon to Limerick rail link; when the steering group is expected to report to him; the last estimated cost his Department believed the creation of a link would cost; and if he will make a statement on the matter. [25230/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Transport 21 does not provide for the construction of a rail link between Limerick and Shannon Airport. The feasibility study carried out on behalf of Iarnród Éireann with input from a steering group representative of local interests concluded that the economic case for the rail link is poor.

I understand from Iarnród Éireann that the feasibility study indicated there would be significant capital expenditure for the rail link, ranging from €245 million for a very minimal service to €633 million for a 25 minute journey to Limerick and a 65 minute journey to Galway, in addition to an ongoing increase in subvention. Iarnród Éireann has no plans to undertake any further work on the proposal at this stage.

Greenhouse Gas Emissions.

300. **Deputy Joanna Tuffy** asked the Minister for Transport and the Marine the progress being made by his Department to obtain statistics in respect of carbon emissions from aviation in respect of aircraft flying to and from Ireland; the information regarding aviation emissions currently available to his Department; and if he will make a statement on the matter. [25273/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The Department of the Environment, Heritage and Local Government is the lead Department on this issue. Figures for carbon emissions from aviation can be obtained from the following websites: The Environmental Protection Agency: http://www.epa.ie/Sustainable_Energy_Ireland; <http://www.sei.ie>

Airport Security.

301. **Deputy Pat Breen** asked the Minister for Transport and the Marine if the extension of the US customs and border protection facility is on target for Shannon Airport; if the facility will be operational for the Summer of 2008; if not, the date in 2008 the facility will be up and running; and if he will make a statement on the matter. [25274/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): For some time my Department has been in discussions with the U.S. authorities on the introduction of full pre-clearance facilities for U.S. bound passengers at Dublin and Shannon Airports.

Currently my officials are in contact with a number of other Departments on certain aspects of these discussions. When introduced, the operation of these facilities would be subject to an Inter-Governmental treaty to be concluded between the two countries. At this stage, prior to receiving the formal U.S. proposals for this agreement, I am not in a position to be definitive about the date when the facilities can be introduced.

Rail Network.

302. **Deputy Joe Costello** asked the Minister for Transport and the Marine the Government's proposals for development of the Broadstone railway line; and if he will make a statement on the matter. [25284/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Transport 21 provides for the development of a Luas line from St Stephen's Green to Liffey Junction, using the old Broadstone Railway alignment. This is consistent with the long-term transportation strategy for the Greater Dublin Area in the "Dublin Transportation Initiative" (1995) and in the Dublin Transportation Office's strategy "A Platform for Change" (2001), both of which envisaged the old Broadstone alignment being used for Luas or Metro services.

A formal proposal has recently been received by my Department from Iarnród Éireann in relation to an alternative use of the Broadstone alignment for suburban rail services.

My Department has engaged consultants Booz, Allen and Hamilton to review the transport case put forward by Iarnród Éireann for the use of the Broadstone alignment.

Road Safety.

303. **Deputy Andrew Doyle** asked the Minister for Transport and the Marine if he will ascertain from the Road Safety Authority, the budget commitment for road safety and bicycles in schools. [25313/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The total budget allocation for the Road Safety Authority (RSA) for 2007 was €31,124,000 to cover all matters including RSA safety awareness and educational campaigns. Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No 477 of 2006) it is a matter for the Road Safety Authority to determine how they allocate their expenditure on specific road safety measures.

Conflict Resolution.

304. **Deputy Billy Timmins** asked the Minister for Foreign Affairs the structure of the Centre for Conflict Resolution; and if he will make a statement on the matter. [25426/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): As is set out in the Programme for Government, the Government are committed to making increased Irish engagement in international conflict resolution an important new dimension of Irish foreign policy, building on our experience of the Northern Ireland peace process, the Irish Aid programme, which already includes support for a range of conflict-related activities, and our strong tradition of peacekeeping.

I have therefore established a Conflict Resolution Unit in the Department of Foreign Affairs. Headed by a Counsellor, it is based in the Political Division of the Department, where it will draw from our experience of engagement with the United Nations and the European Union's Common Foreign and Security Policy. The Unit will work in close co-operation with the Department's Anglo-Irish Division, with Irish Aid, and with relevant Missions overseas.

For the past number of months, the Unit has been engaged in intensive analysis of international experience and best practice in this very complex area and in developing contacts with key players in the United Nations, other international organisations, and relevant experts both governmental and non-governmental. I am also anxious that the Unit work with and further develop Irish expertise both in academic institutions and in civil society. In this regard and in line with the Programme for Government, among the initiatives to which the Unit will give priority will be the establishment of an Irish academic centre for conflict resolution.

The Unit will also work to identify opportunities, particularly in the context of our development co-operation programme, for Ireland to play a concrete role in specific peace-making and peace-building activities. Of their nature, such opportunities are not easily predictable.

Both at home and in my contacts with international partners, including recently with the United Nations Secretary General and senior officials at the UN, there has been a warm welcome for Ireland's commitment to increased engagement in conflict resolution. Of necessity, building up our capacity will be a gradual process. I would like finally to say that I am very appreciative of the wide support for this initiative which has been expressed, including of course in this House.

Rapid Response Corps.

305. **Deputy Billy Timmins** asked the Minister

for Foreign Affairs the personnel involved in the Emergency Response Unit; and if he will make a statement on the matter. [25427/07]

Minister of State at the Department of Foreign Affairs (Deputy Michael P. Kitt): The Rapid Response Corps is one element of the Rapid Response Initiative, which is itself a key component of the Government's White Paper on Irish Aid of September 2006. The overall aim is to save lives by a more effective response to humanitarian crises.

The Rapid Response Corps is a roster of highly-skilled individuals who can deploy, on a voluntary basis, at short notice to emergency situations.

The campaign to recruit members to this roster was launched in February 2007 and, following a rigorous selection and interview process, 64 people were successful. Of those, 52 are now ready to deploy if requested, having completed their pre-departure training and preparation.

Members of the Corps are individual volunteers with humanitarian, logistics, information technology, engineering, environmental, public information and public health skills, all of which are needed internationally to address humanitarian crises. They are on standby to deploy to Ireland's key humanitarian partner agencies at short notice and for periods of approximately three months to assist in their humanitarian response efforts.

The members of the Corps range in age from 26 to 65. More than half are public sector workers, with the remainder variously private sector employees, self employed, mature students or retired. Several have military experience, with one serving member of the Permanent Defence Forces. All are willing and enthusiastic volunteers with a great depth, breadth and range of experience.

Common Foreign and Security Policy.

306. **Deputy Billy Timmins** asked the Minister for Foreign Affairs the recent discussions he has had with respect to the situation in Kosovo; and if he will make a statement on the matter. [25428/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The issue of Kosovo's final status remains high on the EU's foreign policy agenda and is the subject of regular discussions at Foreign Minister level, most recently at the General Affairs and External Relations Council of 15 October last. It is my intention to visit Pristina and Belgrade next month to discuss the situation with key political figures there, and assess the situation further.

Together with our EU partners, Ireland has consistently expressed strong support for the work of the UN Secretary-General's Special Envoy, Martti Ahtisaari. In March, Special Envoy

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Ahtisaari brought forward a Comprehensive Proposal. He recommended that Kosovo's status should be independence, supervised by the international community. The proposal includes detailed provisions concerning the promotion and protection of the rights of communities and their members. It also sets out constitutional, economic and security measures, aimed at contributing to the development of a multi-ethnic, democratic and prosperous Kosovo. A key element of the proposed settlement would be a continuing international civilian and military presence in Kosovo.

Ireland welcomed this proposal, as providing the most practical basis for a settlement of the Kosovo issue by a new Resolution of the UN Security Council, to replace Security Council Resolution 1244 under which Kosovo has been governed since 1999. Regrettably however, intensive efforts within the UN Security Council to agree on a new Resolution ended in failure. In late July, the Contact Group (US, Russia, UK, France, Germany, Italy and the EU Council) established a Troika to facilitate a further four months of direct talks between Belgrade and Pristina. No agreement has yet been found, and the Troika is due to report to the UN Secretary General on the outcome of these talks on 10 December.

Ireland strongly supports the Troika-led process and we hope that these talks may yet produce an agreed way forward. In the event of failure, however, we recognise that difficult choices will need to be made which deal with the reality of the situation on the ground and safeguard the future stability and security of Kosovo and the Balkan region as a whole. Since August, we have increased our commitment to KFOR to 270 troops, following our assumption of command of Task Force Centre, which covers the capital Pristina and the surrounding area. While we will face a more complex and uncertain political and legal environment in the event that there is no agreement on final status, we very much hope to be in a position to maintain our presence in KFOR, to consider contributing members of the Garda to an ESDP Mission and also to support the future economic development of Kosovo.

Diplomatic Relations.

307. **Deputy Billy Timmins** asked the Minister for Foreign Affairs the dealings Ireland has with Zimbabwe; and if he will make a statement on the matter. [25429/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): Ireland has diplomatic relations with Zimbabwe on a non-resident basis. The Irish Ambassador in Pretoria is accredited to Zimbabwe, and the Zimbabwean Ambassador in London is accredited to Ireland. Our bilateral ties reflect the friendship which Ireland holds for the

Zimbabwean people, and our shared historical experience. These ties also give us an opportunity to discuss issues of concern as they arise. The situation in Zimbabwe is a matter of significant concern here in Ireland and to me personally, and Ireland is among those EU Member States which have most strongly condemned human rights abuses and urged political and economic reform in Zimbabwe.

The Secretary General of the Department of Foreign Affairs raised Ireland's concerns about the failed political and economic policies of President Mugabe's Government with Zimbabwean officials in Harare in June 2007, and also had talks on with senior members of the opposition Movement for Democratic Change (MDC). The Irish Ambassador accredited to Zimbabwe has regularly expressed to Zimbabwean interlocutors the Irish Government's deep concern about the situation there. He most recently met Zimbabwean officials during a visit to Harare in September 2007. The Embassy of Ireland in Pretoria monitors allegations of human rights abuses in Zimbabwe and raises issues of concern in relation to human rights and governance with the Zimbabwean Government at all levels and at every available opportunity.

There have been no political-level visits exchanged between the two countries in recent years. In accordance with the EU Common Position on Zimbabwe, Member States are obliged to prevent the entry into their territories of named persons, including senior Zimbabwean politicians and President Mugabe himself.

The Irish Government, through Irish Aid, provides assistance for humanitarian purposes and for the treatment and prevention of HIV/AIDS in Zimbabwe. These programmes have a direct and positive effect on the lives of thousands of poor Zimbabwean people. Irish Aid works in partnership with missionaries, NGOs — including Concern, Goal and Trócaire, and local civil society organisations — and international organisations. Ireland does not provide funding to the Zimbabwean Government. Total Irish Aid funding to the people of Zimbabwe since the start of 2006 amounts to €18.4 million, covering areas such food relief, school feeding programmes, support to those displaced by government urban clearance programmes, healthcare provision, home-based care for those living with HIV/AIDS, human rights and gender equality.

The Embassy of Ireland in Pretoria estimates that there are now approximately three thousand Irish citizens resident in Zimbabwe. Staff from the Embassy meet with members of the Irish community, Irish religious, and Irish NGOs during their regular visits to the country. In 2006, Emigrant Services funding of €20,000 was given to two Irish community organisations in Zimbabwe, to cover the costs of organising Irish community events and the alleviation of some of the most acute welfare problems affecting sick

and elderly Irish citizens. I have nominated Mr. Gary Killilea to act as Ireland's Honorary Consul in Zimbabwe. His appointment will facilitate better access to consular advice and documentation for all Irish citizens resident there.

Trade between Ireland and Zimbabwe is at an extremely low level, amounting to only €2.2 million in 2006. An important element in this total was Irish exports of medical and pharmaceutical products. I am not aware of any Irish companies active in the Zimbabwean market, and I would not expect this situation to change in the foreseeable future.

Departmental Reports.

308. **Deputy Richard Bruton** asked the Minister for Foreign Affairs if his output statement has been published on his Department's website; and the date on which it was put up on the website. [24742/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The Department's Annual Output Statement 2007 was placed in the public domain by being formally presented to the Select Committee on Foreign Affairs on 27 March 2007. The Committee warmly welcomed the presentation of this first Output Statement and stated that it was a "detailed and comprehensive statement that will be a useful reference for members".

In the light of the interest reflected in the Deputy's question, the Output Statement was placed on the Department's website (www.dfa.ie) on 18 October 2007. It can now be viewed on the "Publications" page, along with the Department's Annual Report for 2006.

Question No. 309 answered with Question No. 116.

Departmental Travel.

310. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs if his Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to his Department or if they can be retained by the individual concerned; and if he will make a statement on the matter. [24898/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The policy of my Department, on the issue of frequent flyer points, is in line with the guidelines set out in the Civil Service Code of Standards and Behaviour (Circular 26 of 2004) which provide that:

"... benefits under frequent flier schemes may be retained by individual civil servants in recognition of the fact that official travel is disruptive to personal and family life" (Paragraph 16.2 of Circular 20/2004).

Departmental Statistics.

311. **Deputy Joe Costello** asked the Minister for Foreign Affairs the number of Irish citizens permanently residing here who have died in each EU country in each of the past five years; and if he will make a statement on the matter. [24907/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): All Irish citizens, whether resident in Ireland or abroad, are entitled to seek consular assistance from my Department. As a result, statistics on deaths abroad of Irish citizens are not broken down on a residency in Ireland or overseas basis. Moreover, the assistance of the Department is on many occasions not sought by the next of kin when a death occurs abroad, particularly in the case of Great Britain.

I am setting out as follows the aggregate breakdown by EU country (other than Great Britain) of the number of deaths abroad during the period 2002 to the present where the Department's assistance was requested. This shows that assistance was sought in some 571 such cases.

Country	Number
Austria	8
Belgium	8
Bulgaria	6
Cyprus	22
Czech Republic	3
Denmark	12
Estonia	0
Finland	4
France	34
Germany	26
Greece	23
Hungary	1
Italy	39
Latvia	1
Lithuania	0
Luxembourg	0
Malta	3
Netherlands	17
Poland	9
Portugal	23
Romania	1
Slovakia	2
Slovenia	0
Spain	322
Sweden	7
Total	571

Diplomatic Relations.

312. **Deputy Jim O'Keeffe** asked the Minister for Foreign Affairs the view of Ireland regarding

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the present legal status of Taiwan under international law; and his views on its current application for UN membership and associated bodies. [24918/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): In common with most Member States of the UN, and all EU partners, Ireland adheres to a 'one-China policy', recognising the government of the People's Republic of China as the sole legitimate government of China. The joint communiqué issued in 1979 on the establishment of diplomatic relations between Ireland and the People's Republic of China reaffirmed the 'one-China policy'. Ireland does not maintain diplomatic relations with Taiwan.

Ireland opposes efforts by the authorities in Taiwan to apply for UN membership under the name of Taiwan as incompatible with the 'one-China policy'. In its Resolution 2758 of 25 October 1971, the United Nations General Assembly recognised the Government of the People's Republic of China as the sole representative of China.

However, with our EU partners, Ireland continues to be active in seeking to ensure Taiwan's meaningful participation in international technical bodies, for example the World Health Organisation (WHO), to ensure there is no geographical gap in the important work that they carry out.

Departmental Funding.

313. **Deputy Joe Costello** asked the Minister for Foreign Affairs if he will make a fund available for dealing with the costs of the families of Irish Citizens who have died in unexpected or tragic circumstances while temporarily visiting or residing in EU Member States; and if he will make a statement on the matter. [24919/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): Over the past decade, the number of Irish citizens travelling abroad has increased dramatically. Irish citizens are now to be found in a wider range of locations than ever before and the number of visits abroad by Irish residents in 2006 was almost 7 million. Since becoming Minister for Foreign Affairs, I have attached a high priority to the consular service we provide to our citizens who encounter difficulties while abroad and have introduced a number of practical measures to improve this service.

In situations where a death of an Irish citizen occurs abroad, my Department offers all possible assistance and support including, where necessary, with autopsies, death certificates, liaising with undertakers and airlines.

My Department, of course, strongly advises intending travellers abroad to take out adequate travel insurance prior to travel. Failure to take out insurance can lead to considerable financial and logistical difficulties for the traveller and

his/her family should problems arise. In the great majority of cases, the cost of repatriation of remains is covered by the families in question. When necessary, the Department is authorised to provide financial assistance locally, on a cost recoverable basis. In addition, in some very exceptional circumstances, including natural disasters, the repatriation of remains can be undertaken at State expense.

I am very pleased to report that in the overwhelming number of cases, citizens indicate that they are extremely appreciative of the quality of the support and advice they receive from the Department and our missions overseas in these, often tragic, circumstances.

Departmental Expenditure.

314. **Deputy Brian Hayes** asked the Minister for Foreign Affairs the amount of money spent on paper and stationery in 2007: the amount of this money spent on recycled paper; and if he will make a statement on the matter. [25144/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): A total amount of €226,977.33 was spent by the Department on paper and stationery from 1 January 2007 to date: this includes €153,477.33 on paper and paper-based stationery items, of which an amount of €84,309 was spent on recycled paper.

Question No. 315 answered with Question No. 91.

Cross-Border Projects.

316. **Deputy Seymour Crawford** asked the Minister for Foreign Affairs if, in view of the Government's announcement that work will commence in the near future to re-open the two cross-Border bridges along the Monaghan border outside Glaslough, discussion has taken place with the people who live along the road to the old Annaroe Bridge regarding the need to re-open this bridge in view of the fact that the railway bridge at the other end of this road has limited access; if the capital cost of same will be used for more beneficial cross border projects; the cost relating to the restructuring of Annaroe Bridge; and if he will make a statement on the matter. [25360/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The Government is committed to ensuring that all border crossings closed by the British authorities on grounds of security in the 1970s are reopened as part of the wider process of security normalisation in Northern Ireland, and in order to facilitate regional economic development.

Of the 104 closed cross-border roads in 1994, only the crossings at Annaghroe and Knockaginney have yet to be reopened. Agreement was reached earlier this year with the Northern

Ireland authorities to re-open the two roads, including the construction of the two bridges.

The Minister for Transport and the Marine has given a commitment to fund the replacement of the two bridges and the approach roads in County Monaghan. The combined estimated cost of replacing both bridges is £2 million sterling and that of the approach roads in County Monaghan €340,000. The Northern Ireland Roads Service has also agreed to improve the approach roads in Northern Ireland, which are estimated to cost in the region of £200,000 Sterling.

Following a public tendering process, Monaghan County Council is now proceeding to appoint consultants to develop the design and co-ordinate the consultation process.

It is envisaged that there will be an extensive public consultation process on possible designs, including meetings in suitable locations both in Monaghan and Northern Ireland. Subject to the outcome of the consultation process, work should commence in mid 2008.

Foreign Conflicts.

317. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent to which he and his colleagues at EU or UN level have addressed the issue of war, genocide and starvation in the various African countries which have been the subject of concern; the degree to which agreement can or has been reached and action taken or expected to be taken on foot of such discussions; and if he will make a statement on the matter. [25469/07]

Minister of State at the Department of Foreign Affairs (Deputy Michael P. Kitt): The main focus of Ireland's programme of development assistance is on Africa, particularly sub-Saharan Africa. Our objective is to help the poorest and most vulnerable people in developing countries, through assisting in bringing about positive and lasting changes in their lives.

There is undoubtedly a clear inter-relationship between poverty, food security and conflict. The reduction of poverty, hunger and conflict in Africa is one of the most important tasks of the international community in the 21st century. Conflict has many causes and many manifestations. However, it is nurtured, fed and strengthened by poverty, inequality and exclusion.

It is the case that most wars occur in poor countries and the causes and effects of conflict are exacerbated by poverty. Food security is undermined by the effects of conflict and instability. Furthermore, conflict and war impact on the most vulnerable in an affected society, particularly women and children.

Ireland responds to the problems of conflict and food security through several channels. We do so by delivering development support directly through our Embassies in a number of African countries, and indirectly using experienced and

effective non-governmental organisations (NGOs), UN agencies and other international organisations such as the Red Cross. Our aim is to address the root causes of instability and hunger.

The launch of the Government's Hunger Task Force and the establishment in the Department of a Conflict Resolution Unit, are clear and practical manifestations of our resolve to do more in these areas, which directly affect the lives of millions throughout the developing world.

Through our membership of the European Union and the United Nations, Ireland is a strong advocate for the developing world and for international peace and security. African leadership is also crucial in this field, and the African Union is a partner of growing importance for us.

I warmly welcome the very recent adoption by the UN Security Council of Resolution 1778, which authorises the deployment of a multi-dimensional international presence in eastern Chad and north-eastern Central African Republic (CAR). This Resolution is a significant achievement of the international community and an example of good cooperation between the UN and the EU. Most importantly, it will be to the benefit of the 230,000 refugees from Darfur living in camps in Eastern Chad and the 180,000 people from Chad who are displaced by violence in the region. The forces are comprised of a UN mission, a Chadian police force trained by the UN, and a European Union military operation, part of which it is intended will be a contingent from the Irish Defence Forces, subject to the necessary Government and Dáil approval.

I believe that Ireland's comprehensive and inclusive approach to the challenges of poverty, conflict and food insecurity stands the best chance of facilitating real and positive change in the lives of millions of people living in Africa.

Question No. 318 answered with Question No. 91.

Questions Nos. 319 and 320 answered with Question No. 87.

Question No. 321 answered with Question No. 93.

Question No. 322 answered with Question No. 90.

323. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs if he will provide an appraisal of the ongoing situation in Sudan; the extent to which the international community can assist; and if he will make a statement on the matter. [25475/07]

330. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs if he will report on the ongoing situation in Darfur; and if he will make a statement on the matter. [25482/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I propose to take Questions Nos. 323 and 330 together.

The Government continues to be gravely concerned about the crisis in Darfur and its broader ramifications for Sudan as a whole and the region. We are pursuing all avenues to support international efforts to address the grave humanitarian, political and security challenges confronting Sudan.

Recent weeks have seen an upsurge in violence in Darfur in advance of the start of UN and African Union-mediated peace talks between the Government of Sudan and rebel factions in Sirte, Libya on 27 October. Ten members of the AU Mission in Sudan (AMIS) were killed, reportedly by rebel factions, in Haskanita, Southern Sudan at the end of September following which the town was subsequently burnt down by Government forces. Government forces, alongside militia groups, have also been implicated in a major attack on the town of Muhajiriya on 8 October. These incidents have resulted in many dozens of civilian deaths and significant displacement. The overall operating environment for UN agencies and NGOs is becoming steadily more difficult and has resulted, in some cases, in the withdrawal of humanitarian personnel.

The deteriorating humanitarian and security situation and the related urgent need for full, rapid and successful deployment of the joint UN-AU Mission, UNAMID, to succeed AMIS, were points which I emphasised when I met with the then Sudanese Foreign Minister, Lam Akol, in New York on 2 October. I particularly urged on the Foreign Minister the need for Sudan to cooperate fully with the UN and AU on deployment of UNAMID and to cease all offensive operations in Darfur. I also informed Foreign Minister Akol and UNSG Ban, with whom I separately discussed the situation in Sudan/Darfur, of the Government's decision in principle to contribute personnel to the planned ESDP mission in Chad and the Central African Republic which will assist the many thousands of people in these countries displaced by the Darfur crisis.

Ireland continues to make a strong contribution to international efforts to alleviate the human tragedy of Darfur. Since the start of 2006, Irish Aid has provided a total of approximately €32.5 million to support humanitarian operations and longer term development engagement in Sudan. The importance of ensuring humanitarian access and the necessity to consider possible further measures against those impeding such access, as well as the need for improved security, or political progress in Darfur were points which I also made when addressing the General Affairs and External Relations Council on 15 October and which were reflected at Ireland's request in the agreed Conclusions.

Ultimately, the resolution of the Darfur crisis requires a political settlement. I would urge all

parties to the conflict to engage constructively in the forthcoming peace talks in Sirte and to be aware that the international community will not hesitate to take further measures against those who turn their face against, and refuse to participate in, this vital opportunity for peace. The UN and AU Envoys are to be commended for their efforts in organising the Sirte talks. I indicated when I met UNSG Ban and addressed the General Assembly on 2 October that Ireland intends to contribute to the Trust Fund which the SG has established in support of the current peace process.

The prospects for political progress in Darfur are not being assisted by the difficulties now besetting implementation of the 2005 Comprehensive Peace Agreement between the north and south in Sudan and which has led to the withdrawal from participation in the national unity government by the southern SPLM party. The CPA represents a template for promoting peace and development throughout Sudan and its full implementation remains crucial. Discussions are continuing between the SPLM and the NCP, the two coalition parties, to resolve the current impasse.

It remains my intention, subject to security considerations, to travel to Sudan and Darfur next month in order to review the situation on the ground and reiterate the priority Ireland attaches to advancing peace and development in this tragic region.

324. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the position regarding the ongoing situation in Afghanistan; and if he will make a statement on the matter. [25476/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): The reform process in Afghanistan is continuing. The goal of the international community, in cooperation with the Afghan government, remains to extend legitimate government, the rule of law and the benefits of government to all parts of Afghanistan though addressing issues such as infrastructure, counter narcotics programmes and training for the army and police forces. It is important that the international community maintains its commitment to the people of Afghanistan and supports the Afghan authorities' own development efforts. Though very much a long-term project, the economy appears to be improving somewhat.

The security situation remains a cause of serious concern. There is slow progress in reducing the Taliban-led insurgency and insurgents continue to impose high levels of casualties, particularly on the Afghan security forces. The International Security Assistance Force (ISAF) remains dependent on the ability of Afghan security forces — both the army and police — to maintain effective control of areas cleared by

operations. It is therefore essential that the Afghan security forces are further developed to ensure the country's security. Counter-narcotics remains key to security in Afghanistan and it is one of the areas on which the international community is focused. Levels of drug production in some parts of Afghanistan remain very high.

Cross-border insurgency remains a problem. I hope that initiatives like the Pakistan-Afghanistan Peace Jirga, which took place in Kabul on 9-12 August 2007, are carried forward. Afghanistan and Pakistan have to work together if they are to address the security situation inside both their countries.

Security and stability cannot be achieved by military means alone. Long-term success depends on a comprehensive approach addressing governance and the delivery of humanitarian and reconstruction assistance. Ireland is playing its part in this through supporting strong EU engagement with Afghanistan, as well as bilaterally.

The European Union's ESDP mission on policing for Afghanistan was approved by the Council last February and was launched on 17 June 2007. It is designed to improve coordination in the international community's efforts to assist police reform and capacity building. Bilaterally, Ireland has contributed more than €31 million in humanitarian assistance to Afghanistan since 2000, covering areas such as reconstruction, drugs programmes, mine clearance, drought and flood relief, and criminal law and criminal justice support. Seven members of the Irish Defence Forces currently serve in non-combat roles with ISAF, based in Kabul.

EU Enlargement.

325. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent to which discussions are taking place in the matter of EU enlargement; and if he will make a statement on the matter. [25477/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): Negotiations on EU accession opened with Croatia and Turkey in October 2005. This launched a complex and lengthy negotiation process, the outcome of which cannot be guaranteed beforehand. An extensive analytical examination has been underway which involves close scrutiny of the compatibility of Turkish and Croatian legislation with that of the EU.

In all, there are thirty five negotiating chapters which deal with a range of policy areas. After each chapter has been examined, the EU decides, on the basis of a proposal from the Commission, whether or not the negotiations in that sector should proceed.

At an Intergovernmental Accession Conference in Brussels on 12 October, two further chapters were opened with Croatia. This means that a total of fourteen chapters have been opened with Croatia.

The negotiations with Turkey have made somewhat less progress than those with Croatia. To date, four chapters have been opened with Turkey. Benchmarks have been agreed for thirteen other chapters. These benchmarks must be achieved before negotiations can begin in these particular areas.

The negotiations are complicated by the fact that Turkey has not fulfilled its obligations under the Ankara Protocol which requires it to open its ports and airports to vessels and aircraft from the Republic of Cyprus. On account of Turkey's failure to implement the Protocol, in December 2006 the Council of Ministers agreed that eight specific negotiating chapters cannot be opened, nor will any chapters be provisionally concluded until the Commission verifies that Turkey has fulfilled its commitments under the Ankara Protocol.

In addition to the above, the former Yugoslav Republic of Macedonia became a candidate country in December 2005, but its accession negotiations have not yet commenced.

The European Commission is due to publish its annual report on Enlargement in November. This will include an assessment of the progress made by all Candidate and potential Candidate countries in meeting the requirements of EU membership. The Commission's report will inform the ongoing discussions on enlargement in the relevant EU fora.

Overseas Development Aid.

326. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs if he has fully satisfied himself that development aid and funding in respect of all African States is actually being received by those for whom it was intended; if there are particular exceptions to such principles; and if he will make a statement on the matter. [25478/07]

Minister of State at the Department of Foreign Affairs (Deputy Michael P. Kitt): The fundamental objective of Ireland's overseas aid programme is to help the poorest and most vulnerable people in developing countries, in particular in Africa, through assisting in bringing about positive and lasting changes in their lives.

To achieve this change, Irish Aid devises programmes — in close consultation with national governments and other key stakeholders — which support national poverty reduction plans and which target the poorest and most vulnerable people in developing countries. These programmes include mechanisms which allow Irish Aid to monitor their implementation for efficiency and effectiveness in meeting the needs of those for whom they are intended.

It is a fact that in some of the countries where Irish Aid works, there are concerns surrounding governance issues including corruption. These concerns are symptomatic of the level of under-development which exists. However, Irish Aid

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includes strategies in its programmes to promote, enhance and support good governance, as it is recognised that without it sustainable development cannot be achieved.

In addition, Irish Aid has in place rigorous accounting and audit controls, which are essential to ensuring a transparent, effective and high-quality programme. Its programmes are regularly audited and evaluated by independent audit firms, by Irish Aid's Evaluation and Audit Unit and by the independent Audit Committee of the Department. Programmes are evaluated to ensure that funds are used for the purposes intended and in respect of outcomes and value for money.

I am satisfied that the methods used by Irish Aid in devising its strategies, combined with its audit and evaluation systems, serve to protect the funding provided, in accordance with international best practice and highest standards in this area.

Human Rights Issues.

327. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent to which he directly or through the aegis of the UN or EU he has examined the situation in the various African countries from whence refugees have fled in the past five years; the extent to which the situation has been normalised; and if he will make a statement on the matter. [25479/07]

Minister of State at the Department of Foreign Affairs (Deputy Michael P. Kitt): Refugee movements have many causes, including human rights abuses, conflicts and poverty. It is commonly accepted that the targeted eradication of poverty is an effective means of reducing migratory pressures from less developed countries to the developed world, thereby ensuring that migration can be effectively managed to the benefit of both sending and receiving countries.

My Department monitors the situation in Irish Aid partner countries with a particular emphasis on the impact of migration on sustainable development. Ireland participates in the global debate on population movements, including refugee movements, through a number of fora. At the EU level, the ongoing EU-Africa Dialogue on Migration and Development provides an opportunity for European and African governments to work towards greater cooperation in managing migratory flows to the benefit of all. Ireland has also played an active role in the High Level Dialogue on Migration and Development, held in New York in late 2006, the Global Forum on Migration and Development, the first meeting of which was held in Brussels in July of this year, and the Inter-Governmental Consultations on Asylum, Refugee and Migration Policies. The issue of the situation of refugees and asylum seekers in wider migration flows is increasingly a focus

of attention in the migration debate internationally. My Department liaises closely with the Department of Justice, Equality and Law Reform in these and similar fora.

Issues relating more specifically to refugees are dealt with in the context of Ireland's ongoing relationship with the Office of the United Nations High Commissioner for Refugees (UNHCR), to which Ireland is a major contributor of funding. Over US\$24 million have been provided to date in 2007, making Ireland the 11th largest donor to UNHCR. Both core funding and funding for specific operations are provided. UNHCR operations in the following African countries have received funding in 2007: Burundi, the Central African Republic (CAR), Chad, Côte d'Ivoire, the Democratic Republic of the Congo (DRC) and Sudan. Funding has also been provided in 2007 for regional operations in the Great Lakes Region (GLR) and West Africa. Regular contact with UNHCR in Geneva is maintained through the Permanent Mission to the United Nations, as well as through direct dialogue at the headquarters level. Regular contact is also maintained with the UNHCR representative in Ireland. Ireland is a member of the Standing Committee and Executive Committee of UNHCR.

328. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the most commonly known African countries wherein human rights and other abuses occur on a regular basis; the extent to which he and the international community can positively influence these issues; and if he will make a statement on the matter. [25480/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): As has been made clear in reply to previous questions, it is not the policy of the Government to draw up any kind of "league table" of countries in relation to human rights abuses. Ireland closely monitors developments in the human rights situation throughout the world and where the situation warrants, we make known our concerns to the Governments in question, either bilaterally, through the EU, or through action at the UN General Assembly or the UN Human Rights Council.

The risk of human rights violations is of course greater where political, economic and administrative systems are weak. Development is essential to allow people the full enjoyment of their human rights, and Africa lies at the heart of Ireland's development co-operation programme. Irish Aid supports specific actions designed to promote human rights, including by strengthening government systems and in-country human rights institutions, in particular through legal training. Irish Aid has a specific focus on governance in several programme countries.

The link between security and human rights protection is a key concern in many parts of

Africa. Where state authorities do not have the will or capacity to enforce the rule of law, people are extremely vulnerable to serious human rights violations, with little prospect of redress. Some of our most serious human rights concerns relate to countries which are currently suffering from conflict, or which have recently emerged from conflict, such as Sudan, Somalia and the Democratic Republic of Congo. Sustained efforts are required to restore the kind of stability within which human rights can be protected. Ireland supports the work of the UN Peacebuilding Commission in this regard, as well as the considerable efforts of the European Union. On a national basis, Ireland also promotes security and stability in Africa through our active development aid programmes and through our participation in peace-keeping, most recently as part of the UN Mission in Liberia (UNMIL) from 2003-2007. Ireland's contribution to the planned ESDP mission to eastern Chad and the Central African Republic will help improve security for the many refugees and displaced people in that region.

The EU, in its political dialogue with African countries under Article 8 of the Cotonou Agreement, regularly raises issues which arise in the development of democracy and the need for protection and promotion of human rights. The EU also pursues human rights issues when appropriate through the UN General Assembly and UN Human Rights Council. Ireland is fully associated with EU statements on human rights in these bodies. We actively supported the UN Human Rights Council's consensus resolution on Darfur, which was adopted in March 2007. Ireland and the EU have also made statements of concern about Zimbabwe at the Human Rights Council this year.

Together with our EU partners, Ireland has been a consistent and strong supporter of the International Criminal Court, recognising it as an essential means to combating impunity for the most serious violations of international humanitarian law and human rights law. The Court's Prosecutor has opened investigations in relation to four situations, in the Democratic Republic of Congo, northern Uganda, the Central African Republic and the Darfur region of Sudan, and we will continue to monitor this work closely.

In addition to the United Nations and European Union, the African Union also has an important and growing role to play in the protection of human rights in Africa. The aims of the African Union include the promotion of peace, security, and democracy on the continent, as well as the promotion and protection of human rights, in accordance with the African Charter on Human and People's Rights. The emergence of African standards in this area is a very welcome development. The African Union is an important strategic partner for Ireland and the European Union and for the international community generally.

We will continue to proactively address human rights challenges in the course of our work in support of peace, security and development for all of the people of Africa.

Question No. 329 answered with Question No. 98.

Question No. 330 answered with Question No. 323.

Debt Relief.

331. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent to which promised debt relief has been delivered to the developing countries; the areas not yet delivered on; and if he will make a statement on the matter. [25483/07]

Minister of State at the Department of Foreign Affairs (Deputy Michael P. Kitt): The IMF and World Bank have made increasing efforts to tackle the problem of debt in developing countries since the launch of the Heavily Indebted Poor Countries (HIPC) Initiative in 1996. The HIPC Initiative, which was strengthened and enhanced in 1999, sought to reduce the debt burden of qualifying countries to sustainable levels but did not entail cancellation. Ireland contributed some €30m towards the costs of implementation of the Initiative.

The Multilateral Debt Relief Initiative (MDRI), agreed by the G8 Countries at Gleneagles in July 2005 and which came into effect on 1 July last year, goes further. It is a commitment to the cancellation of the multilateral debt owed to the World Bank, the African Development Bank and the International Monetary Fund of many of the poorest and most indebted countries in the World. Most of these countries are in Africa. For the first time, the most powerful countries acknowledged that many poor countries need 100% debt relief if they are to address the development needs of their people seriously. This is an important basis from which we can continue to work for a complete and sustainable solution to the debt problem facing poor countries.

The Multilateral Debt Relief Initiative is separate from the earlier HIPC Initiative, but linked to it operationally. Under this new Initiative, cancellation of eligible debts is granted to countries which have completed the HIPC Initiative process, i.e. have already been judged as qualified to receive debt relief.

From the information available to me, we can see that progress is slow but positive. As of September 2007, 41 countries have been found to be eligible or potentially eligible for HIPC Initiative assistance. Twenty-two countries have already reached their completion points and have received or are receiving irrevocable debt relief from the IMF and other creditors. Ten countries have reached their decision points and are receiv-

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ing interim HIPC Initiative debt relief. Nine countries, which have been identified as potentially eligible for HIPC Initiative assistance, have not yet reached their decision points. The 22 countries that have reached their HIPC completion points have also received MDRI debt relief from the IMF and World Bank, as well as two non-HIPC countries.

The IMF share of the Multilateral Debt Relief Initiative's costs will be met by own resources, as authorised by IMF Members including Ireland. Ireland's additional share of the costs of the Multilateral Debt Relief Initiative amounts to €58.6m out of the approximately US\$37 billion total cost of debt relief to be provided by the World Bank. As a gesture of support and to underline our strong commitment to 100% debt relief for the poorest countries, this amount has already been paid over in full.

Common Foreign and Security Policy.

332. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent of the current dialogue between Bosnia and the EU; and if he will make a statement on the matter. [25484/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): Dialogue between Bosnia and Herzegovina and the European Union is based on the shared agenda agreed at the EU-Western Balkans Summit in Thessaloniki in June 2003. In this context, the EU is committed to support Bosnia in its efforts to overcome the legacy of violence and division from the 1990s, and to assist it in working towards the goal of eventual integration into EU structures, initially through discussions on a Stabilisation and Association Agreement.

The June 2004 European Council adopted a comprehensive policy towards Bosnia and Herzegovina, within the framework of the European Security Strategy agreed by the European Council in December 2003. The comprehensive policy sets out practical arrangements to enhance the coherence and effectiveness of the EU's engagement in support of Bosnia and Herzegovina's European perspective. Particular attention is paid to the role of the High Representative/EU Special Representative in ensuring coherence between the Commission-led Stabilisation and Association process, the EU Police Mission, the EU Monitoring Mission and the EU military mission EUFOR. Ireland currently contributes 4 members of the Garda Síochána to the Police Mission, 2 members of the Garda to the Monitoring Mission and 40 members of the Defence Forces to EUFOR.

Negotiations on a Stabilisation and Association Agreement between Bosnia and Herzegovina and the EU began in November 2005. While consider-

able progress has been made, a prerequisite for conclusion of the SAA is an agreement between political parties in Bosnia and Herzegovina on police reform. Negotiations between the political parties on police reform have been underway since 2004. The EU requires that the police reform must meet three principles: that all responsibility for police budgets must belong to the State; that there should be no political interference in operational policing; and that there should be functional policing regions. In late August 2007, the new High Representative/EU Special Representative, Miroslav Lajčák, presented the political parties with a paper setting out the basis for an agreement on police reform which would satisfy the Union. This proposal has not so far proved acceptable to the political leaders in Bosnia and Herzegovina, and Mr Lajčák is expected to provide a report to a meeting of the post-Dayton Peace Implementation Council (PIC) at the end of October.

Ireland encourages the political parties in Bosnia and Herzegovina to redouble their efforts to put aside the divisions of the past and find an agreement on the much needed police reform. This reform is required not only for completion of the Stabilisation and Association process but as a fundamental building block of the state itself. Further constitutional reforms will also be needed to ensure a functioning and sustainable state in Bosnia and Herzegovina and we hope that the political parties will be prepared to work with the High Representative to address these issues once the question of police reform has been settled.

Ireland remains committed to a European perspective for Bosnia and Herzegovina. We will continue to support its economic and political development, including through our participation in EUPM and EUFOR and our support for measures which facilitate trade. It is my intention to visit Bosnia and Herzegovina next month, which will allow me to make a personal assessment of the situation there.

Departmental Reports.

333. **Deputy Richard Bruton** asked the Minister for Enterprise, Trade and Employment if his output statement has been published on his Department's website; and the date on which it was put up on the website. [24739/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): My Department's Annual Output Statement for 2007 has not yet been published on my Department's website. However, I have no objection to publishing the Statement on the website and I have asked my officials to do so immediately.

Future Annual Output Statements will be published on my Department's website following their presentation to the Select Committee on

Enterprise and Small Business as part of the annual Estimates process.

Visa Applications.

334. **Deputy Brendan Howlin** asked the Minister for Enterprise, Trade and Employment if there is mechanism whereby a Moldovan national who came here on a visa and work permit which both expired two years ago can be permitted to seek further employment here; and if he will make a statement on the matter. [24749/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Department of Justice, Equality and Law Reform has responsibility for immigration matters and immigration stamps. This person would need to have his/her situation regularised with that Department in the first instance. Once this is completed, my Department will consider an application for an employment permit.

Labour Force Skills.

335. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment the reason he refused funding to the OECD for participation in a study of the labour force skills base here; and if he will make a statement on the matter. [24783/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Programme for the International Assessment of Adult Competencies (PIAAC) is a project of the OECD together with a number of member countries for the development of a new generation of household-based surveys of adult skills in selected domains of measurable ability.

Ireland declined to be involved in the OECD's PIAAC due to a number of concerns. These included the high cost of participation, reservations concerning the proposed methodology, the unclear gains in terms of additional knowledge that participation in the programme would provide, the lack of participation by virtually all EU Member States, resulting in limitations in terms of comparability at EU level and concerns regarding value for money of participating in the PIAAC. This decision reflected advice from within my own Department, Forfás and FÁS.

336. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment the research that has been carried out in relation to the skills base of the labour force here; and if he will make a statement on the matter. [24784/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Expert Group on Future Skills Needs was established in 1997 to advise the Government on aspects of education and training related to the future skills requirements of the enterprise sector of the Irish

economy. The Group is comprised of representatives of business, employees, education, Government departments and State agencies. Its mandate provides that it will act as the central national resource on skills and labour supply for the enterprise sector. Since its establishment the Expert Group has been analysing Ireland's skills base and producing reports on a variety of key issues.

In 2005 I asked the Expert Group on Future Skills Needs to identify the skills required for Ireland to reinforce our progress towards becoming a competitive, innovative, knowledge based, inclusive economy by 2020. The Group undertook a detailed programme of research and a wide consultation process. The results led to the publication of the Report "Towards a National Skills Strategy".

The work completed by the Expert Group contains a comprehensive description of Ireland's overall skills base for 2005 and a vision of Ireland for 2020. It also identified the measures necessary to make this vision a reality. The Expert Group continues to examine and report on key issues concerning the skills base of Ireland.

337. **Deputy Áine Brady** asked the Minister for Enterprise, Trade and Employment if his Department has a skills register for County Kildare; and if he will make a statement on the matter. [24805/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): There is no skills register for County Kildare maintained under the auspices of my Department or its agencies.

Through its Quarterly National Household Survey the CSO collects statistics and information concerning skills and education qualifications at a regional level. However, this information does not give an insight to the skills of the individuals working or living at county level.

Departmental Travel.

338. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment if his Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to his Department or if they can be retained by the individual concerned; and if he will make a statement on the matter. [24895/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): I am advised that frequent flyer schemes operated by the principal airlines flying into and out of Ireland operate on the basis of offering points to the named individual who is travelling and that points are not transferable. Accordingly, my Department allows frequent flyer points accrued by Ministers and civil servants to be retained by the individuals concerned.

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The approach adopted by my Department is consistent with the Government Guidelines for Office Holders issued pursuant to section 15(4) of the Ethics in Public Office Act, 1995, and the Civil Service Code of Standards and Behaviour of 2004.

Industrial Development.

339. **Deputy Michael Ring** asked the Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 538 of 26 September 2007, if he will instruct the IDA to release information requested in view of the fact that it is not sensitive information; and if the query raised will be answered in full. [24926/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The management of IDA Ireland's industrial property portfolio is a day-to-day operational matter for the Agency and not one in which I have a function. As I have previously stated in my reply on 26th September, for commercial reasons, and in order to protect IDA's negotiating position in relation to any similar properties it is not appropriate for information on the commercial terms agreed by the Agency with the owner regarding the termination the lease to be divulged. In the circumstances, I am sure you will agree that it would not be appropriate for me to intervene in this matter.

340. **Deputy Dara Calleary** asked the Minister for Enterprise, Trade and Employment the number of IDA supported jobs created in 2005, 2006 and to date in 2007 on a county basis; and if the IDA is still adhering to its target of 50% of backed jobs to be in the Border Midlands Western region. [24936/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Forfás Annual Employment Survey records jobs gained and lost in companies supported by the Industrial Development Agencies. Data is compiled on an annualized basis and is aggregated at county level. Data in relation to 2007 will not be available until mid 2008. The information requested by the Deputy in respect of the years 2005 and 2006 is set out in the attached tabular statement.

For the duration of the National Development Plan 2000-2006 IDA Ireland committed itself to trying to achieve a target of 50% of all new Greenfield jobs to be located in the Objective 1 (BMW) Area. Despite difficult global trading conditions, substantial progress has been achieved against this target. In the period 2000-2006, 36% of all new Greenfield jobs were located in the BMW (Objective 1) Area, whereas in 1999 about 25% of all new Greenfield jobs were locating in the BMW Area. Under the current NDP the IDA Ireland approach will be to pursue a Gateway approach to regional economic

development consistent with, and supportive of, the National Spatial Strategy. The challenge of achieving a good regional spread of investments increases as the higher value parts of the business value chains are targeted for Ireland. The need for a critical mass of suitably qualified talent, supporting infrastructure and sophisticated business services tend to draw investors towards cities and regions of scale.

For most investments for which IDA competes, the competition is from city regions with a population base of over a million people. In Ireland, only Dublin has a population of this size. For this reason, every location in Ireland has to think and act regionally, rather than locally, if it wishes to succeed. The National Spatial Strategy sets out the framework for development in this way and needs to be embraced actively and followed by all economic and social parties. Ultimately, decisions regarding where to locate a project are taken by investors based on a variety of criteria and on the capability of any particular location to support their business needs.

Table setting out the number of new jobs created in IDA supported companies in each of the years 2005- 2006

County	2005	2006
Carlow	44	20
Cavan	0	2
Clare	129	27
Cork	1,216	2,235
Donegal	252	106
Dublin	5,879	5,403
Galway	1,336	554
Kerry North	89	36
Kerry South	15	37
Kildare	629	465
Kilkenny	95	15
Laois	12	18
Leitrim	11	9
Limerick	374	789
Longford	213	180
Louth	110	228
Mayo	88	37
Meath	158	46
Monaghan	4	30
Offaly	56	81
Roscommon	31	10
Sligo	109	193
Tipperary North	38	8
Tipperary South	56	233
Waterford	351	702
Westmeath	332	151
Wexford	71	102
Wicklow	334	129

Community Employment Schemes.

341. **Deputy Brian O'Shea** asked the Minister for Enterprise, Trade and Employment the discussions he has had with FÁS in regard to raising the age limit for retirement from the community employment scheme from the present sixty six years; and if he will make a statement on the matter. [24957/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Community Employment (CE) is an active labour market programme designed to provide eligible long term unemployed people and other disadvantaged persons with an opportunity to engage in useful work within their communities on a fixed term basis. CE helps unemployed people to re-enter the active workforce by breaking their experience of unemployment through a return to a work routine and to assist them to enhance/develop both their technical and personal skills.

The criteria for participating on the Community Employment Programme are based on age and length of time in receipt of various social welfare payments. In line with Government policy, participation on employment schemes has an upper age limit of 65 years of age i.e. FÁS may provide funds to community based employers to cover participant costs until the day before their 66th birthday.

To cater for older workers in particular, in November 2004 I revised the 3 year CE capping to allow those of 55 years of age and over to avail of a 6-year period on CE (based on participation since 3rd April 2000). Subsequently, the participation limit for persons eligible for CE based on a Social Welfare disability linked payment (including those under 55) was increased by 1 year. These measures were introduced in recognition of the fact that older participants and participants with a disability may find it more difficult to progress into the open labour market.

CE still remains as an active labour market programme with the emphasis on progression into employment. The programme is managed within this context, with consideration to the availability of resources and the needs of participants and the community. The position in relation to eligibility of clients is regularly reviewed, including in consultation with FÁS, and there are no plans at this time to further amend the current eligibility look forward to receiving the views of the Expert Group on these measures and on their potential to contribute to meeting the targets contained in the National Skills Strategy.

In revising the Expert Group on Future Skills Need's mandate a continuing focus on the National Skills Strategy is provided for through: requiring that an annual report of work undertaken by the Expert Group be prepared each year, and that the chairperson of the Expert

Group meet at least once annually with the Minister of Education and Science and the Minister for Enterprise, Trade and Employment. Obviously a central element of such meetings between the Ministers and the Chairperson will be to comprehensively assess the implementation of the National Skills Strategy.

Earlier this year I also established the Management Development Council, which brings together the key providers and users of SME management development training in Ireland. The Council has been charged with examining the existing management development provision, while profiling gaps and proposing solutions to address them.

Finally the Upskilling Co-ordination Group, also set up in the course of this year and chaired by an official of my Department, brings together representatives of FÁS, Skillnets, Enterprise Ireland, the County Enterprise Boards and Forfás. The core work of this group is to ensure the most effective and strategic application of public budgets provided for the continuing training of those at work.

The group is also tasked with ensuring that the emphasis placed on upskilling workers on lower rungs of the vocational ladder — as committed to in both Towards 2016 and in the National Development Plan — is progressively being realised through the training programmes administered by the organisations involved and those contracted to deliver training and development programmes on their behalf.

The Government remains fully committed to upskilling and the implementation of the National Skills Strategy. This year the State will invest approximately €70 million in the training of those in employment. This represents a significant increase in investment when you consider that in 2004 the state invested €8 million in this area.

Industrial Development.

342. **Deputy Damien English** asked the Minister for Enterprise, Trade and Employment the number of visits the IDA have made to Navan, County Meath to date in 2007; if he will provide a progress report on the creation of employment opportunities for Navan by his Department and agencies under his control; and if he will make a statement on the matter. [25056/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): State support for enterprise and job creation is channelled through the industrial development agencies. While I may give general policy directives to the development agencies, I am precluded, under the Industrial Development Acts from giving directives regarding individual undertakings or from giving preference to one area over others. I have been informed by IDA Ireland that to date in 2007 the

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Agency has sponsored two site visits by prospective overseas investors to Navan.

The development agencies are actively marketing the Mid East Gateway Region, including Navan, in order to attract new investment, to encourage the start up of new business, to grow existing business and to develop the labour market in Meath in support of relevant economic objectives as outlined in the Meath County Development Plan.

The Government is committed to achieving balanced regional development and a key regional objective included in the NDP is to support the creation of conditions necessary to extend the process of employment and productivity growth in higher value added functions to all regions. In that regard, we have made significant progress in working towards maintaining and enhancing our framework competitive conditions, and promoting new areas of competitive advantage, by developing our R&D base, investing in critical physical and communications infrastructures and, promoting tertiary education and lifelong learning. Clearly the strategies set out in the new National Development Plan, which support the continued implementation of these policies, will play a crucial role in maintaining the attractiveness of the regions as investment locations.

It is vital that national investment is partnered with local vision and leadership and that private investment also plays a role. In this regard, I particularly welcomed the launch last year of the Meath Skills Database, an initiative of the County Council, together with the industrial development agencies, to promote Meath as an attractive business location and to eliminate wasteful commuting. Meath is proving an ideal location for Dublin-based firms wishing to expand their operations as there is good infrastructure and a readily available workforce.

The announcement by Quinn-direct Insurance to create up to 1000 jobs to support the company's international development is a welcome boost to Navan and the surrounding towns, as up to 700 of these jobs will be located at a new facility in Navan. These high-value jobs will be created over the next five years. The inter-agency co-operation between Enterprise Ireland, IDA Ireland and Meath County Council made this project possible.

I am confident that the continued co-operation between the Agencies together with the roll out of the National Development Plan will continue to bear fruit in terms of job creation and investment for the people of County Meath

Company Closures.

343. **Deputy Damien English** asked the Minister for Enterprise, Trade and Employment the progress made by his Department for a replacement company to take over the NEC factory

plant in Ballivor, County Meath; the efforts that have been made to date to aid staff in finding replacement employment opportunities within County Meath since their employment terminated after the NEC closure; and if he will make a statement on the matter. [25059/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Following the closure of the plant in question, finding alternative employment for the area and the county was a priority for the Industrial Development agencies. In this regard, a major financial services project which will provide 700 jobs was announced for Navan in 2006. This project will be of significant benefit to the whole county. Another financial services company, which announced the creation of 290 jobs in 2005, commenced operations in Navan in October 2006.

The facility in Ballivor is being promoted for new investment and three potential investors have been introduced to the management of this facility. One of these companies is looking to relocate and expand its operation and the Ballivor facility remains on its short-list of property options.

I understand that a significant number of the former employees in Ballivor have found alternative employment with IDA Ireland supported companies in the Midlands and East and a small number of employees have returned to full time education. The State Development agencies and Meath County Enterprise Board are available to offer guidance and assistance to potential entrepreneurs wishing to set up new businesses. The Industrial Training agency FÁS has conducted one-to-one registration and guidance interviews with 323 former employees of the plant in question. The services of the agency continue to be available and all employees were given the contact details of their local FÁS office for follow up purposes.

The State Development agencies continue to work with local interests to promote investment opportunities for Ballivor and the surrounding area. I am confident that the strategies and policies being pursued in County Meath by the agencies, together with the ongoing commitment to regional development, will maximise the flow of potential investors and convert these into investment and job opportunities.

Job Creation.

344. **Deputy Damien English** asked the Minister for Enterprise, Trade and Employment the number of jobs his Department or State bodies under his control have created in County Meath for each of the years 2002 to 2006 and to date in 2007. [25060/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Employment data in respect of companies supported by the

Enterprise Agencies is collated by Forfás on an annual basis and accordingly there is no data available for 2007. In 2006 there were 5621 persons in permanent employment in Enterprise Agency assisted firms in Co.Meath; the table out-

Full-time Job gains: Co. Meath	2002	2003	2004	2005	2006	Total 02-06
Enterprise Ireland & IDA Ireland	286	558	452	677	486	2,459

Job Losses.

345. **Deputy John Perry** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the potential job losses as a result of the failure of IDA to resolve the issue of changing a nine hundred and ninety nine year lease on premises (details supplied) in County Sligo, to a freehold lease; if he will give direct instruction on this issue; and if he will make a statement on the matter. [25100/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The management of IDA Ireland's industrial property portfolio, including the purchase and disposal of property, is a day-to-day operational matter for the Agency as part of the statutory responsibility assigned to it by the Oireachtas and not a matter in which I have a function.

I have been informed by IDA Ireland that, in 1998, the Agency sold 1.3152 Hectares, on a leasehold basis, to Ballymote Community Enterprise Ltd. In October, 2006 Ballymote Community Enterprise Ltd. requested that IDA sell the freehold interest to them.

IDA policy for land sales is to obtain market value when disposing of property assets and part of this process involves seeking an independent valuation by a national accredited valuer. IDA subsequently obtained a freehold valuation of these lands and the Agency informed the prospective purchasers, through the latter's solicitor of this valuation in March last.

I understand that the Deputy and the Agency are in correspondence over this matter. Given that the Minister of the day is specifically precluded from giving directives to the Agency concerning individual undertakings it would not be appropriate for me to intervene. I look forward to receiving the views of the Expert Group on these measures and on their potential to contribute to meeting the targets contained in the National Skills Strategy.

In revising the Expert Group on Future Skills Need's mandate a continuing focus on the National Skills Strategy is provided for through: requiring that an annual report of work undertaken by the Expert Group be prepared each year, and that the chairperson of the Expert Group meet at least once annually with the Minister of Education and Science and the Minister for Enterprise, Trade and Employment. Obviously a central element of such meetings

lines the number of jobs created in the years mentioned.

In addition to these figures, the Meath County Enterprise Board has created a net total of 91 jobs in the period in question.

between the Ministers and the Chairperson will be to comprehensively assess the implementation of the National Skills Strategy.

Earlier this year I also established the Management Development Council, which brings together the key providers and users of SME management development training in Ireland. The Council has been charged with examining the existing management development provision, while profiling gaps and proposing solutions to address them.

Finally the Upskilling Co-ordination Group, also set up in the course of this year and chaired by an official of my Department, brings together representatives of FÁS, Skillnets, Enterprise Ireland, the County Enterprise Boards and Forfas. The core work of this group is to ensure the most effective and strategic application of public budgets provided for the continuing training of those at work.

The group is also tasked with ensuring that the emphasis placed on upskilling workers on lower rungs of the vocational ladder — as committed to in both Towards 2016 and in the National Development Plan — is progressively being realised through the training programmes administered by the organisations involved and those contracted to deliver training and development programmes on their behalf.

The Government remains fully committed to upskilling and the implementation of the National Skills Strategy. This year the State will invest approximately €70 million in the training of those in employment. This represents a significant increase in investment when you consider that in 2004 the state invested €8 million in this area.

Grant Payments.

346. **Deputy Eamon Gilmore** asked the Minister for Enterprise, Trade and Employment when a club (details supplied) in County Dublin will receive the grant of €19,000 under the transition support programme in view of the fact that contracts have issued and been signed; and if he will make a statement on the matter. [25111/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): My Department is the Managing Authority for the EQUAL Community Initiative Programme. This Programme is co-funded by the European Social Fund during

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the period 2000-2007. The Programme seeks to identify and address fundamental forms of discrimination and inequality in the labour market through the development of new and innovative policies and practices initiated by EQUAL Development Partnerships. Round 2 of the Programme provides co-funding to 22 projects, one of which is the Transition Supports Project referred to by the Deputy.

The day-to-day operation of a Development Partnership Project is a matter for each individual project and therefore is outside my remit.

Employment Regulations.

347. **Deputy Arthur Morgan** asked the Minister for Enterprise, Trade and Employment the way he ensures that his Department's Labour Inspectorate ensure that contracted workers working in the south of Ireland but employed by employers based in the north of Ireland are paid the industry rates as outlined in the Employment Regulation Orders or the Registered Employment Agreements; and if he will make a statement on the matter. [25126/07]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): Ireland's comprehensive body of employment rights legislation, which protects employees against arbitrary behaviour by employers, applies to all workers employed on an employer-employee basis in Ireland. The Protection of Employees (Part-Time Work) Act, 2001 provides that all employee protection legislation applies to a person who has entered into a contract of employment that provides for his or her being employed in the State or who works in the State under a contract of employment.

In addition, Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 provides that workers posted to a Member State from another Member State are entitled to the terms and conditions of the host State. A posted worker is defined in the Directive as "a worker who, for a limited period, carries out his work in the territory of a Member State other than the State in which he normally works."

Directive 96/71/EC was transposed into Irish law by section 20 of the Protection of Employees (Part-Time Work) Act 2001, which provides that all employee protection legislation on the statute book in the State, including Employment Regulation Orders and Registered Employment Agreements, applies to posted workers in exactly the same way as it applies to Irish workers.

Inspectors from the National Employment Rights Authority (NERA) pursue allegations of worker mistreatment and when evidence of non-compliance with the relevant employment rights legislation is found, the Inspection Services seek redress for the individual/s concerned and, if appropriate, a prosecution is initiated. Employers

are required to maintain records in respect of employees and these records, together with other substantiating evidence, for example, a statement from an employee, provide the essentials of a basis for legal proceedings. Failure to maintain adequate records by an employer is an offence.

It should be noted also, that in many cases, employment rights legislation has provisions whereby workers who believe that they have been denied their entitlements, or otherwise unfairly treated, can, as an alternative to dealing with the Inspection Services, take the matter to the Rights Commissioner Service of the Labour Relations Commission or to the Labour Court. I urge anyone who has evidence of the mistreatment of persons working in the south of Ireland but employed by employers based in the north of Ireland to furnish all the relevant details and any related materials to the NERA's Inspection Services with a view to pursuing the matter.

Departmental Expenditure.

348. **Deputy Brian Hayes** asked the Minister for Enterprise, Trade and Employment the amount of money spent on paper and stationery in 2007: the amount of this money spent on recycled paper; and if he will make a statement on the matter. [25141/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Excluding the offices and agencies of my Department which have their own budgets, my Department has spent €59,903.85 on paper (of which €53,373.35 was spent on recycled paper) and €52,000.89 on stationery so far in 2007.

Work Permits.

349. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment the list of jobs for which a work permit can not be granted. [25337/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Employment Permits Section of my Department informs me that all applications are considered upon receipt into the Department. However, the following occupations are on the Ineligible Job Categories for Employment Permit for new applicants, as it is considered their positions can be filled from within the EEA region.

- All Clerical and Administrative positions.
- All General Operatives / Labourers.

In the category Sales Staff:

- All retail sales vacancies, sales representatives, supervisory / specialist sales.

In the category of Transport Staff:

- All drivers (excluding HGV)

In the category Childcare workers:

- Nursery / Crèche workers, childminders / nanny.

In the category Hotel Tourism and Catering:

- All staff except qualified chefs.

In the category Craft Workers and Apprentice / Trainee Craft Worker:

- Bookbinders, Bricklayers, Cabinet Maker, Carpenter / Joiner, Carton Maker, Fitter — Construction Plant, Electrician, Instrumentation Craftsperson, Fitter, Tiler — Floor / Wall, Mechanic — Heavy Vehicles, Mechanic — Motor, Originator, Painter and Decorator, Plumber, Printer, Engineer — Refrigeration, Sheet Metal Worker, Tool Maker, Vehicle Body Repair, Machinist — Wood, Plasterers and Welders.

County Enterprise Boards.

350. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment if he has satisfied himself with the composition and operation of the county and city enterprise boards; his views on whether they represent value for money for the taxpayer; and if he will make a statement on the matter. [25338/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The thirty-five County & City Enterprise Boards (CEBs) are the principal initial point of contact for people seeking support in setting up a new business. Their role is to provide support to micro-enterprise in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate entrepreneurship at local level. They can provide both financial and non-financial assistance.

Since their inception in 1993 the CEBs have played an extremely important role in the overall development of indigenous enterprise in Ireland. They successfully developed a structure capable of both generating, and tapping into, enterprise at local level and have been particularly effective in their ability to respond to the needs of micro-enterprise at local level.

Through the provision of direct financial assistance over 32,000 jobs have been created in CEB assisted companies up to the end of 2006 while almost 19,000 projects were in receipt of assistance up to the end of 2006. Of equal importance however is the provision of non-financial assistance by the CEBs. The CEBs provide a wide range of business information and training initiatives. These include Start-Your-Own-Business Programmes, Management Capability and Development courses, Sales and Marketing courses as well as one-to-one Mentoring Programme. The range and quality of these 'soft supports' is highly valuable to any potential entrepreneur. Almost 20,000 people participated on

CEB training Programmes in 2006 alone. I expect a similar strong performance in 2007.

The Board of a County Enterprise Board is highly representative of the local Community it serves. Board members are drawn from the local County Council (including the County Manager or his representative), local business organisations as well other State Agencies with an economic development remit and the Social Partners. I am satisfied that the current composition and operation of the CEBs is appropriate to their remit and in view of their success since their inception in 1993 I am of the view that they represent value for money for the taxpayer.

I should point out that a fundamental review of the role of the CEBs in the development of micro-enterprises in Ireland was conducted during 2004. This review was the most comprehensive examination of the CEBs since their inception. It largely endorsed the activities and operations of the CEBs and concluded that there is justification for continued state support to micro-enterprises and that the CEB network can continue to play a useful role in the overall national enterprise development policy. Their role in embedding an entrepreneurial culture in Ireland has been further acknowledged in both the Enterprise Strategy Group Report and the more recent Report of the Small Business Forum.

Work Permits.

351. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment the information that has been collected by his Department since the introduction of the green card scheme under the Employment Permits Act, 2006 regarding the qualifications, salaries and length of stay of those availing of the scheme; the way this compares with work permit holders; and if he will make a statement on the matter. [25339/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Green Card scheme was introduced under the Employment Permits Act 2006 to address skills shortages in the economy in specified and identified occupation categories. Therefore, Green Card holders would normally be expected to hold a third level qualification and earn a salary in excess of €30,000.

Between February and end-September 2007, a total of 2,260 Green Cards were issued, 361 in respect of positions with salary levels over €60,000 and 1,899 in respect of positions with salary levels between €30,000 and €60,000. Green Cards can only be issued for an initial period of two years' duration.

The Work Permit scheme, on the other hand, is designed to address labour shortages and, accordingly, it is not normally required that work permits holders would be expected to have a third level qualification. All work permit holders, however, are required to possess skills and experience appropriate to their position. The

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Deputy should note that only in exceptional circumstances are new work permits issued for positions where the annual salary is less than €30,000. In contrast to the Green Card system, a Labour Market needs test is applied for each case. Between February and end-September 2007, 3,882 new Work Permits were issued. New Work Permits are issued for 2 years.

Training Programmes.

352. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment the share of FÁS budget directed at training those in employment in view of his stated priority of upskilling the workforce; the way this share changed in recent years; and if he will make a statement on the matter. [25340/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Government is committed to upskilling the Irish labour force and has substantially increased State investment in training those in employment in recent years. The attached table details the relevant FÁS expenditure on training those in employment as a share of FÁS total direct costs.

FÁS two main programmes under the in-company heading are both the apprenticeship programme and the Competency Development Programme, which is managed by FÁS Service to Business Division.

It is evident from the above figures that since 2005 the State has substantially increased the investment in training those in employment and in apprenticeship in accordance with the Government's stated priority towards upskilling the workforce. The Government will continue to do so in line with its commitment to achieving the vision contained in the National Skills Strategy and to maximising the potential of the Irish workforce.

Year	Total direct costs Budget	Training in Employment	Apprenticeships
	€m	€m	€m
2007	854.32	48.4	129.0
2006	772.5	43.3	113.0
2005	726.2	23.6	101.8

Skills Shortages.

353. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment the mechanism he has put in place in view of the publication of the National Skills Strategy by the Expert Group on Future Skills Needs in March 2007 to consider and give effect to its recommendations; and if he will make a statement on the matter. [25341/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The effective implementation of the National Skills Strategy requires an integrated approach jointly led by my own Department, by the Department of Education & Science and that successfully involves all of the key agencies in the education and training sectors.

Since the publication of the Strategy progress has been made in several areas. I asked the Expert Group on Future Skills Needs to examine the potential of a number of innovative measures to incentivise both employers and employees to more fully engage in education and training. The measures under review include paid learning leave, individual learning accounts for employees, brokerage services to help firms identify training needs and source suitable training, and the potential of regional advisory groups.

I look forward to receiving the views of the Expert Group on these measures and on their potential to contribute to meeting the targets contained in the National Skills Strategy.

In revising the Expert Group on Future Skills Need's mandate a continuing focus on the National Skills Strategy is provided for through: requiring that an annual report of work undertaken by the Expert Group be prepared each year, and that the chairperson of the Expert Group meet at least once annually with the Minister of Education and Science and the Minister for Enterprise, Trade and Employment. Obviously a central element of such meetings between the Ministers and the Chairperson will be to comprehensively assess the implementation of the National Skills Strategy.

Earlier this year I also established the Management Development Council, which brings together the key providers and users of SME management development training in Ireland. The Council has been charged with examining the existing management development provision, while profiling gaps and proposing solutions to address them.

Finally the Upskilling Co-ordination Group, also set up in the course of this year and chaired by an official of my Department, brings together representatives of FÁS, Skillnets, Enterprise Ireland, the County Enterprise Boards and Forfas. The core work of this group is to ensure the most effective and strategic application of public budgets provided for the continuing training of those at work.

The group is also tasked with ensuring that the emphasis placed on upskilling workers on lower rungs of the vocational ladder — as committed to in both Towards 2016 and in the National Development Plan — is progressively being realised through the training programmes administered by the organisations involved and those contracted to deliver training and development programmes on their behalf.

The Government remains fully committed to upskilling and the implementation of the National Skills Strategy. This year the State will invest approximately €70 million in the training of those in employment. This represents a significant increase in investment when you consider that in 2004 the state invested €8 million in this area.

Telecommunications Services.

354. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment his view on the consequences for foreign direct investment of the Government's failure to keep up with other OECD countries on the roll out of fixed broadband and the development of new technology networks; and if he will make a statement on the matter. [25342/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): While the issue of broadband is a matter for my colleague, the Minister for Communications, Energy and Natural Resources, I am informed that broadband take-up continues to grow strongly in Ireland. At the end of June 2007 there were 698,000 broadband subscriptions, which represents an annual increase of 87%.

At the end of March this year the European Competitive Telecommunications Association calculated Ireland's broadband penetration at 14.3% compared to an average of 18.1% across the EU-25 countries that are monitored. Comreg estimates that Irish broadband penetration (including mobile broadband) in June this year was 16.48%. Of much more significance, however, is how broadband penetration is growing. Our growth rate is now 38% compared to 15% for the EU15. Accelerating broadband connections at this pace is rapidly shrinking the gap between Ireland and others.

Broadband availability is expanding and is not inhibiting our attractiveness as a location for foreign direct investment. Our international connectivity is competitive in the international market place. This has been a key factor in Ireland winning ground-breaking investment from Google and Paypal among others, for example. These companies rely on robust, resilient and extensive broadband networks for their business and Ireland provides this.

Multinational investment in Ireland continues to grow, with a focus on knowledge intensive activities which provide high skilled employment. The success of Ireland's performance in attracting FDI investment remains strong with 71 new business projects being negotiated in 2006 with new and existing clients, which will involve a total investment of €2.6bn over the coming years.

While broadband rollout continues apace, the Programme for Government contains a commitment to encourage a progressive shift to Next Generation Networks. The Department of

Communications, Energy and Natural Resources is currently preparing a draft policy paper that will review current communications infrastructure policy. This will analyse policy options, in light of industry developments in relation to the optimum role for the Government in the planning and rollout of next generation broadband. IDA will provide comments on this draft paper when it is issued for consultation.

Proposed Legislation.

355. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment if he will consolidate the seventy pieces of employment legislation into a single Act; and if he will make a statement on the matter. [25343/07]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): My priority is to secure the enactment of the Employment Law Compliance Bill 2007 and the Employment Agencies Regulation Bill 2007, so as to give effect to commitments for new legislation in Sections 11 to 16 and 21 of Part 2 of TOWARDS 2016 — 10 Year Framework Social Partnership Agreement 2006-2015. Work on preparing both Bills is advancing for their publication as quickly as possible.

I propose to follow-up with an Employment Law Consolidation Bill in 2008, to simplify and codify employment law spanning more than 40 years, pursuant to Section 16.3 of Part 2 of TOWARDS 2016. Preparatory work has already started on this.

Industrial Development.

356. **Deputy Niall Collins** asked the Minister for Enterprise, Trade and Employment if he will prioritise the Shannon development site known as the Askeaton Business Park for development and location by foreign direct investors or indigenous industry to provide valuable and sustainable jobs. [25410/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): IDA Ireland is the agency with statutory responsibility for the attraction of foreign direct investment (FDI) to Ireland and its regions, while Enterprise Ireland is responsible for indigenous industry in the Mid-west region. Shannon Development's remit includes the provision of property solutions to accommodate the FDI and indigenous sectors in the Mid West region. While I may give general policy directives to the agencies, I am precluded under the Industrial Development Acts from giving directives regarding individual undertakings or from giving preference to one area over others.

The Askeaton site is a Shannon Development-owned land bank, comprising 228 acres situated on the southern bank of the Shannon Estuary. The site has been identified as an important site

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from a business and employment perspective for both Co. Limerick and the wider Region in the Planning and Land Use Transportation Study, the Mid-West Regional Planning Guidelines and the Limerick County Development Plan.

IDA Ireland works closely with Shannon Development in the promotion and marketing of property solutions, throughout the Mid West, including the Askeaton business park. The site is being actively marketed through IDA's network of overseas offices as a solution for utility intensive projects. The investment projects which IDA Ireland seeks to win are in more advanced higher value sophisticated activities, both manufacturing and services, often related to research activities, requiring high level skills, infrastructure and business services generating more high value products, services and jobs.

Both IDA Ireland and Shannon Development are working closely concerning the provision of a strategic site for the Mid West region and are looking at a number of locations in this regard, including the Askeaton site. This process is ongoing. Shannon Development is also considering other development options for the landbank.

Ultimately decisions regarding where to locate a project, including what areas to visit are taken by investors based on the ability of the locations to support their business needs.

Swimming Pool Projects.

357. **Deputy Michael Ring** asked the Minister for Arts, Sport and Tourism if there is a local contribution being sought towards a project (details supplied) in County Mayo; the amount of money being sought; and if any of this money has been collected. [24718/07]

358. **Deputy Michael Ring** asked the Minister for Arts, Sport and Tourism his views on increasing the amount of grant aid awarded towards the refurbishment of a facility (details supplied) in County Mayo. [24719/07]

359. **Deputy Michael Ring** asked the Minister for Arts, Sport and Tourism the shortfall between money allocated by his Department towards the refurbishment of a facility (details supplied) in County Mayo and the cost of the works. [24720/07]

360. **Deputy Michael Ring** asked the Minister for Arts, Sport and Tourism the cost of the proposed refurbishment works for a facility (details supplied) in County Mayo. [24721/07]

361. **Deputy Michael Ring** asked the Minister for Arts, Sport and Tourism the amount of grant aid that has been awarded towards the refurbishment of a facility (details supplied) in County Mayo. [24722/07]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): I propose to take Questions Nos. 357 to 361, inclusive, together.

Under the terms of the Local Authority Swimming Pool Programme grant aid is provided by my Department 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 of €3.8million.

Under the terms of the programme, there are four stages in developing a swimming pool project. These, in order of progress, are: Feasibility Study/Preliminary Report; Contract Documents; Tender and Construction and a project may not proceed from one stage to the next without prior Ministerial approval. Grant aid is formally allocated when the tender for the project is approved and the local authority must demonstrate to my Department that the balance of funding required to complete the project is available before I can approve the tender.

The Preliminary Report submitted by Mayo County Council in respect of the proposed replacement swimming pool project in Castlebar, was approved by my predecessor in April, 2005 and this allowed Mayo County Council to prepare the Contract Documents for the project. The Preliminary Report showed that the indicative cost of the project at that time was in the region of €9m with various funding arrangements, in addition to the grant, being considered by the Council. The detailed costings for the project and the associated funding arrangements will have to be addressed in detail by the Council in the course of the preparation of the Contract Documents which are awaited by my Department.

Departmental Reports.

362. **Deputy Richard Bruton** asked the Minister for Arts, Sport and Tourism if his output statement has been published on his Department's website; and the date on which it was put up on the website. [24734/07]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): The preparation of an Annual Output Statement for my Ministerial Vote Group, which includes the National Gallery of Ireland, forms part of the Budget and Estimates Reform process introduced by my Cabinet colleague, the Tánaiste and Minister for Finance, Brian Cowen, T.D., and the first of such statements was prepared earlier this year.

The Output Statements for my Department and for the National Gallery of Ireland were submitted to the Oireachtas Select Committee on Arts, Sport and Tourism to inform their deliberations on the 2007 Revised Estimates for my Ministerial Vote Group and the sectoral targets contained in the Statement were published in my Department's Annual Report for 2006, which was published earlier this year.

The 2007 Output Statements for my Ministerial Vote Group have not been published on my Department's website, but I have asked the relevant officials in my Department to make the 2007 Statement available on the website with immediate effect.

Arts Funding.

363. **Deputy James Bannon** asked the Minister for Arts, Sport and Tourism if he will increase funding to the Arts Council and the Irish arts sector to €100 million to ensure growth; and if he will make a statement on the matter. [24799/07]

364. **Deputy Jan O'Sullivan** asked the Minister for Arts, Sport and Tourism if he will increase the funding for the Arts Council in 2007 in order to achieve important targets for the development of the arts; and if he will make a statement on the matter. [24818/07]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): I propose to take Questions Nos. 363 and 364 together.

As Minister for Arts, Sport and Tourism I am committed to securing the best possible funding for the Arts Council and the arts sector generally. The Arts Council's funding requirement for the year ahead will be addressed in the context of the 2008 Estimates. In doing so, the Government must balance competing demands from every part of our economy and society.

Funding for the Arts Council has increased from €47.67 million in 2002 to €80 million in 2007 — an increase of almost 68%. These are significant amounts of money in any context. This funding has transformed the arts, increasing access to and participation in the arts, and has provided an excellent platform for future development. My policy on the arts is to promote and strengthen the arts in all its forms, increase access to and participation in the arts and make the arts an integral and valued part of our national life. The following table shows the funding provided to the Arts Council between 1997 and 2007.

Arts Council funding — 1997 to 2007

Year	Funding (€m)	% Change	Supplementary Estimate	Total including Supplementary
1997	26.41			26.41
1998	33.14	25.5		33.14
1999	35.55	7.3		35.55
2000	45.08	26.8		45.08
2001	46.37	2.9	1.77	48.14
2002	47.67	2.8		47.67
2003	44.10	-7.5		44.10
2004	52.5	19.0	2.00	54.50
2005	61.00	16.2	5.23	66.23
2006	72.31	18.5	10.00	82.31
2007	80.0	10.6		80.00

Sports Capital Funding.

365. **Deputy Michael Creed** asked the Minister for Arts, Sport and Tourism the situation regarding grant aid funded by the National Lottery available to local sporting organisations; when the next round of applications will be invited; the funds that are available for allocation under this round; and if he will make a statement on the matter. [24873/07]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): 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 2007 Sports Capital Programme was advertised in the national press in October 2006.

The closing date for receipt of completed applications was 24th November 2006. Over 1,530 applications were received for the Programme and provisional allocations totalling €85 million were made to 935 projects on 5th April last.

The date of the next round of the Programme has not yet been decided. As in previous years, advertisements announcing the next round of the Programme will be placed in the national press and application forms will be available at that stage.

There is also no decision at this stage regarding the level of grant allocations to be made. I will decide on the level of provisional grant allocations to be made for the next round of the programme having regard to the quality of the applications received, the pattern of grant allocations and drawdowns on foot of earlier years' approvals and the annual provision for expendi-

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ture in the Estimates for the relevant subhead in my Department's Vote.

Departmental Travel.

366. **Deputy Leo Varadkar** asked the Minister for Arts, Sport and Tourism if his Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to his Department or if they can be retained by the individual concerned; and if he will make a statement on the matter. [24890/07]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): The policy of my Department in relation to frequent flyer points is governed by Department of Finance Circular 26/04 — The Civil Service Code of Standards and Behaviour. Section 16.2 of the Code states that 'benefits under frequent flier schemes may be retained by individual civil servants in recognition of the fact that official travel is disruptive to personal and family life'.

Departmental Expenditure.

367. **Deputy Brian Hayes** asked the Minister for Arts, Sport and Tourism the amount of money spent on paper and stationery in 2007: the amount of this money spent on recycled paper; and if he will make a statement on the matter. [25136/07]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): The information requested by the Deputy in respect of my Department to date in 2007 is estimated as follows:

	€
Total Paper Cost	32,000
Total Stationery Cost	72,000
Recycled Paper cost	2,000

It is my Department's policy to promote the increased usage of recycled paper as much as pos-

sible. However, due to the high cost of recycled products and due to lack of availability of certain products, this has not always been possible. I would like to inform the Deputy, however, that my Department has a system in place in all of its locations to ensure that all used waste paper is issued for recycling.

Social Insurance.

368. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the number of contributors in 2007 to the social insurance fund with a breakdown of this figure by PRSI class type; and if he will make a statement on the matter. [24732/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): Insured workers are required to pay PRSI contributions based on their level of income. These contributions provide entitlement to benefits and pensions under various social insurance schemes. As such, PRSI contributions are calculated as a percentage of reckonable earnings of employees — subject to various thresholds, allowances and ceilings. Both the employee and his or her employer pay a share of the contribution, and these are in turn paid into the Social Insurance Fund, which in turn provides part of the expenditure to fund social insurance schemes.

The table below provides data on the total number of contributors to the Social Insurance Fund together with a breakdown of this figure by PRSI Class type. The figures for 2005 represent the most recent out-turn of End-of-Year returns received by my Department from the Office of the Revenue Commissioners for both employees and self-employed contributors. The transfer of End-of-Year data is an ongoing process. The final figure for 2005 is likely to change as further returns are received.

I would like to point out that a provisional breakdown of the 2006 numbers will be published in my Department's Statistical Information on Social Welfare Services 2007 report next year. Provisional data for 2007 will be presented in the 2008 report due for completion in 2009.

PRSI Class	Coverage	Numbers of contributors insured — 2005 ⁽¹⁾		
		Male	Female	Total
A	All benefits ⁽²⁾	1,137,039	1,051,716	2,188,755
B	Widow's/Widower's (Contributory) Pension, Guardian's Payment (Contributory), Bereavement Grant, Carer's Benefit & limited Occupational Injuries Benefits	18,016	12,390	30,406
C	Widow's/Widower's (Contributory) Pension, Guardian's Payment (Contributory), Bereavement Grant & Carer's Benefit	886	165	1,051
D	Widow's/Widower's (Contributory) Pension, Guardian's Payment (Contributory), Bereavement Grant, Carer's Benefit & Occupational Injuries Benefits	39,113	49,427	88,540
E	All benefits except Jobseeker's Benefit, Bereavement Grant & Occupational Injuries Benefits	138	30	168

PRSI Class	Coverage	Numbers of contributors insured — 2005 ⁽¹⁾		
		Male	Female	Total
H	All benefits on discharge. Treatment Benefit, Bereavement Grant, Carer's Benefit & Widow's/Widower's (Contributory) Pension (in certain cases) during service	138	30	168
J ⁽³⁾	Occupational Injuries Benefits	8,175	407	8,582
K	None. Class K consists of Health Levy	11,103	12,250	23,353
M	Occupational Injuries Benefits in certain circumstances	25,388	11,044	36,432
P	Treatment Benefit & limited Jobseeker's and Illness Benefit	89,844	64,921	154,765
S	Widow's/Widower's (Contributory) Pension, Guardian's Payment (Contributory), State Pension (Contributory), Bereavement Grant, Maternity Benefit & Adoptive Benefit	7	—	7
Voluntary Contributors	High rate: State Pension (Transition) + (Contributory), Widow's/Widower's (Contributory) Pension, Guardian's Payment & Bereavement Grant	254,722	67,110	321,832
	Low rate: Widow's/Widower's (Contributory) Pension, Guardian's Payment (Contributory) & Bereavement Grant.	1,171	550	1,721
	Total	1,585,602	1,270,010	2,855,612

⁽¹⁾ Provisional figures.

⁽²⁾ This includes 178,145 persons in receipt of credited social insurance contributions.

⁽³⁾ PRSI Class J includes FÁS and other trainees.

Departmental Reports.

369. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs if his output statement has been published on his Department's website; and the date on which it was put up on the website. [24745/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): My Department's Output Statement for 2007 has been published on the Department's website with effect from 14th August 2007.

Social Welfare Benefits.

370. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the position of a supplementary rent allowance for a person (details supplied) in County Kildare; and if he will make a statement on the matter. [24758/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The purpose of rent supplement is to assist eligible people who are unable to provide for their immediate accommodation needs from their own resources and who do not have accommodation available to them from any other source.

The scheme is administered on behalf of my Department by the Health Service Executive. The Executive has advised that the person concerned left his local authority accommodation in July 2006 and moved to private rented accommodation. He applied for rent supplement in March 2007. The Executive is currently unable to process the application for rent supplement because the claim form was incomplete and requested documentary evidence is outstanding.

The Executive further advise that the Local Authority considers that the person concerned does not have a housing need because he vacated accommodation provided to him by the Authority. A decision on entitlement to rent supplement will be made when the person concerned provides additional information and supporting documentation as requested by the Executive.

Social Welfare Code.

371. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs his views on extending the over 80 allowance to persons who are qualified adult dependents on a social welfare claim; and if he will make a statement on the matter. [24867/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Programme for Government features a number of commitments in relation to social welfare pensions including the payment of an over 80 allowance on the qualified adult portion of the pension. This measure will be addressed over the lifetime of the Government.

Departmental Travel.

372. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs if his Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to his Department or if they can be retained by the individual concerned; and if he will make a statement on the matter. [24901/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Travel Policy of my Department is fully compliant with the Civil Service Code of Standards and Behaviour. The code, effective from 9 September 2004, underpins the rules governing gifts, hospitality and the acceptance of appointments outside the civil service. Under section 16.2 of the code, benefits under frequent flier schemes may be retained by individual civil servants in recognition of the fact that official travel is disruptive to personal and family life. Delegates representing my Department may therefore retain any frequent flyer points accordingly.

Departmental Properties.

373. **Deputy Tony Gregory** asked the Minister for Social and Family Affairs the special provisions for access for persons with a disability at his Department premises at Cumberland Street, Dublin 1; the steps he is taking to improve such access; and if he will make a statement on the matter. [24965/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): Plans to replace this office with a new one are at an advanced stage. The Office of Public Works, which is responsible for the provision of accommodation for my Department, has identified a replacement office on Parnell St and it is expected that these new premises will be ready for occupation by end 2008. The scale of works required to make the current building accessible to persons with disabilities could not be justified on the grounds of time and costs.

Services for People with Disabilities.

374. **Deputy Tony Gregory** asked the Minister for Social and Family Affairs his views on appointing a disability officer at his Departments premises in Cumberland Street, Dublin 1 and other similar employment exchanges (details supplied) in view of the special needs of persons with physical or sensory disabilities; and if he will make a statement on the matter. [24966/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Disability Act 2005 places significant responsibilities on public bodies to make their services accessible to people with disabilities where practicable and appropriate. A number of specific provisions are contained in the Act relating to accessibility of services for people with disabilities including access to Departmental Offices and information services.

The Act also includes the requirement to have Access Officers in place to provide assistance and guidance for people with disabilities in accessing services. A total of 25 Access Officers have been appointed within my Department. They have received training and are being supported in their role to co-ordinate the provision of assistance and

guidance to persons with disabilities in accessing the services of the Department including those services provided at Local Offices such as North Cumberland Street. In addition, my Department's Disability Liaison Officer has responsibility to promote the interests of staff with disabilities and co-ordinate the achievement of the Department's objective of ensuring a supportive working environment that meets the particular needs of these staff.

My Department's Disability Sectoral Plan contains a comprehensive set of actions to ensure accessibility to its services including access to information and facilities and to provide a disability friendly organisation for both customers and staff. These actions include the implementation of a building and refurbishment programme to ensure that all of our offices meet with the standards identified in the Disability Act. In this regard, plans to re-locate the services currently provided in the North Cumberland Street Local Office to new premises, in the area, are at an advanced stage. It is expected that these new premises will be ready for occupation by the end of 2008.

Social Welfare Code.

375. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the average turnaround time in respect of cases that come before the chief medical adviser to his Department; the number of doctors employed to deal with cases in this section; if he is satisfied that the present system employed where a medical decision has to be made is in the interest of his Department's customers; and if he will make a statement on the matter. [25101/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Medical Review and Assessment Service (MRAS) is the principal control mechanism for all illness and disability schemes administered by my Department. The role of the Medical Assessor in the MRAS is to assess our customers to ascertain if they satisfy the prescribed medical criteria for the various illness related schemes operated by my Department.

The average turnaround time of cases processed by the MRAS varies according to the scheme concerned. Cases are prioritised to ensure that the customer awaiting a decision regarding payment for schemes such as Disability Allowance or Carer's Allowance are given top priority. The majority of cases are assessed by Medical Advisors on the basis of documentation provided by the customer and his/her doctor, and where no further examination is required, the average turnaround time is 1-2 days. Cases requiring a medical examination by a Medical Assessor may take up to 6-10 weeks.

Claims for Illness Benefit are generally put into payment without an assessment by a Medical Assessor. Cases are reviewed during the course

of the claim and, as these are less time-critical, they are scheduled for examination in order of date referred. The turnaround time for these cases can vary from weeks to several months subject to availability of resources. The current cadre of Medical Assessors is 21, comprising 19 Medical Assessors, the Deputy Chief Medical Adviser and the Chief Medical Adviser. In 2006 a total of 32,835 medical examinations and 73,188 desk assessments was carried out by the Medical Assessors.

The Medical Assessment system is designed to ensure that customers claiming a disability payment meet the medical criteria for the scheme. Medical Assessors take account of all relevant and available medical information, as well as information from the medical examination, in forming their opinion of the person's capacity for work. Any information provided by the customer is taken into account and further specialist advice is obtained if this is considered necessary. Medical Review and Assessment Section operates a Help-Desk which customers are invited to contact if they wish to discuss any aspect of the examination process. On average a total of 1,200 telephone calls is received monthly from customers.

I am satisfied that claimants are treated in a fair and equitable manner having regard to the need to ensure that the conditions for entitlement to disability payments are upheld.

Pension Provisions.

376. **Deputy Seymour Crawford** asked the Minister for Social and Family Affairs if he will take into account the difficulties of women who had to give up work because of the rules when they got married and now have not enough or any stamps for contributory old age pension; the number of people so affected; his views on whether they should be entitled to a full pension in their own right; and if he will make a statement on the matter. [25106/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): In order to qualify for a State Pension (Contributory) a person must enter social insurance 10 years before pension age, pay a minimum number of contributions at the appropriate rate and achieve a minimum yearly average contribution rate over their working life. The qualifying conditions are designed to uphold the contributory principle that underpins social insurance payments generally, and to ensure that those qualifying have demonstrated an ongoing commitment to an appropriate rate of social insurance throughout their working life. Non-contributory pensions are available to those without the necessary contributions who can satisfy a means test.

The Government is anxious to ensure that as many people as possible should qualify for pensions in their own right. In this regard, qualifying conditions for contributory pensions have been

eased and special pensions such as the pre-53 payment have been introduced. In the last two budgets particular emphasis has been placed on the non-contributory pensions with significant improvements in the means test and a higher rate of increase being granted than that given on the contributory side. These improvements are of particular benefit to older women who make up the majority of recipients of non-contributory pensions.

In addition, from 24th September 2007, qualified adult increases paid as part of State pensions will be paid directly to the spouse or partner. This change replaces the voluntary arrangements for separate payments which have been in place since 2002 and remain available to existing claimants. The Homemakers Scheme, introduced in 1994, protects the pension entitlements of those who leave work to care for children or incapacitated adults.

Despite these various measures, a significant number of people do not at present receive any support through the social welfare pensions system, either in their own right or as qualified adults. Overall, it is estimated that there are some 47,000 people at present outside the system and about 30,000 of these are women. These include former public servants, self-employed people and/or their spouses who do not have the necessary contributions for contributory payments and cannot satisfy a means test. It is not possible to estimate how many of the group were required to leave employment when they married.

The recently published Green Paper on Pensions includes a discussion on various issues relating to social welfare pensions. This includes the position of people who do not receive any payment for various reasons related to qualifying conditions, previous policies and societal norms, together with the implications of making provision for them. Decisions in relation to this group will be made in the context of the framework for future policy which will be developed following the Green Paper consultation process which is now underway.

Departmental Expenditure.

377. **Deputy Brian Hayes** asked the Minister for Social and Family Affairs the amount of money spent on paper and stationery in 2007: the amount of this money spent on recycled paper; and if he will make a statement on the matter. [25147/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): My Department has spent €1,781,755 on paper and stationery to end-September 2007, the latest date for which figures are available. This figure includes some €145,066 which can be attributed to the purchase of paper for use in photocopies and printers, all of which is recycled paper. The Department uses almost 18,000,000 envelopes annually all of which are

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produced from recycled materials. The cost, to end-September for envelopes was €154,885. The amount spent on printing information booklets and application forms up to the end of September 2007 was almost €560,000. Approximately 30% of the paper used in these publications is recycled.

My Department also makes payments for publications such as reports and manuals for which records are not maintained in such a way as to enable reporting on the recycled content. Paper which is subject to post supplier processes or has a security application, such as cheques, is not sourced from recycled material. My Department is committed to using recycled materials where quality, suitability and cost considerations allow.

Pension Provisions.

378. **Deputy Margaret Conlon** asked the Minister for Social and Family Affairs his plans to introduce phased retirement; his views on whether workers who are nearing the statutory retirement age who wish to continue in gainful employment should be allowed to do so; and if he will make a statement on the matter. [25237/07]

379. **Deputy Margaret Conlon** asked the Minister for Social and Family Affairs if consideration will be given to workers over the age of 65 who wish to continue in gainful employment making PRSI contributions beyond the pension age in order to gain eligibility for an old age contributory pension; and if he will make a statement on the matter. [25238/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): I propose to take Questions Nos. 378 and 379 together.

It is important that those who wish to continue in employment after normal retirement age should, as far as is possible, be facilitated and supported. Longer working can play an important role in ensuring that our pensions system is sustainable in the future and can be beneficial to the individual. The Green Paper on Pensions includes an examination of the issues surrounding retirement age and the barriers faced by older workers who wish to remain in employment.

In the context of the Green Paper on Pensions and the Agreed Programme for Government, I will be considering how to introduce flexibility into the social welfare pensions and social insurance systems to encourage and facilitate longer working. These include options such as allowing people to receive a higher rate of payment if they defer claiming pension and the question of making work after normal retirement age insurable for pension purposes. Changes to social welfare pensions represent only one aspect of the responses which will be needed in this area. Both employer and employee attitudes in relation to longer working will have to change in order for changes in the pensions area to impact. While

neither employment nor equality law impose a compulsory retirement age, employees may decide on a retirement age for particular employments. In future, at the workplace level, employers must seek to retain older employees and create the working conditions which will make longer working both attractive and feasible for older workers if change is to be achieved.

As already indicated, these issues are discussed in the Green Paper on Pensions. However, any legislative changes required to allow employees choices in relation to the age at which they retire, are matters for my colleague the Minister for Enterprise, Trade and Employment.

Social Welfare Benefits.

380. **Deputy Bernard Allen** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Cork has been told that their rent allowance will be reduced by approximately €5 per week despite the fact that they are no longer working and instead of receiving a weekly wage, are in receipt of disability benefit. [25255/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The purpose of a rent supplement is to assist eligible people who are unable to provide for their immediate accommodation needs from their own resources. The scheme is administered by the Health Service Executive on behalf of my Department. Payment is subject to a means test, which is designed to encourage people to take up whatever employment opportunities are available to them. The person in question is in receipt of One-Parent Family Payment and had been working part-time until recently when she became ill and claimed Illness Benefit. While she was working, she was entitled to rent supplement of just over €75 per week. The amount payable reflected the favourable treatment of income from employment in the means test. The first €75 of her additional income was disregarded in full and 25% of the rest of her additional income was also disregarded.

In comparison, income from other sources, such as Illness Benefit, is not treated as favourably. When the person in question was not working and claimed Illness Benefit, the amount of rent supplement payable fell to just over €70. When she returns to work her entitlement to rent supplement will be reassessed and she will again become eligible for the income disregard which applies to earnings from employment.

Family Support Services.

381. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs if he has conducted a review of the provision here of rights and of financial supports for flexible parental leave which could allow parents to better balance their family and work responsibilities; the way the

provision in Ireland in his area of responsibility compares with best practice, for example in Scandinavian countries or in France; and if measures to strengthen Ireland's provision in this respect will form a part of his five year strategy for his Department. [25292/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): My Department commissioned research under the Government's Families Research Programme entitled "*Balancing Work and Family Life: the role of flexible working arrangements.*" The report of this study was launched in December 2000.

This study looked at the role of flexible working arrangements in helping families reconcile their working lives with family responsibilities. The report highlighted that flexible working arrangements, when implemented effectively, can provide benefits to both employees and employers. It found that across the EU there is a growing recognition that fundamental changes in the labour market, rapidly changing technologies and other economic and social factors focus attention on the potential role to be played by more active promotion of flexible working arrangements.

Although the report did not investigate the issue of related financial supports, it did point out the considerable onus on individual employers to respond to changing labour market conditions by offering and extending flexible working arrangements. It also highlighted the important role of Government Departments and agencies working with employers and trade unions in taking forward the development of family friendly initiatives. In particular in this regard, it highlighted the role of the national framework committee for work-life balance policies.

The national framework committee for work-life balance policies, under the auspices of the Minister for Enterprise, Trade & Employment, includes representatives from a range of Government Departments and Agencies, as well as representatives from the Trade Union movement. This group is charged with overseeing the promotion of work/life balance policies at the level of the enterprise and also hosts the website www.worklifebalance.ie

Departmental Staff.

382. **Deputy Seán Connick** asked the Minister for Social and Family Affairs if an audit procedure will be established to review access of personal data by Departmental staff. [25328/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): My Department, because of the nature of its work, is privileged to hold extensive and detailed personal information about our customers. Most employees of the Department need and have access to this information in order to deliver the Department's services.

The Department is aware of its obligations to ensure that information is collected appropriately, is maintained securely and is used only for the purpose for which it was intended. A specialist Unit within the Department has been established to oversee business information security and has developed and communicated policies and procedures governing the use of systems and data. All complaints of unauthorised access to and/or disclosure of personal data are fully investigated — including access audits.

The Department takes the strongest line in relation to the misuse of customer information by its staff. Any breach of trust with regard to the confidentiality of customer information is treated as serious misconduct under the Disciplinary Code and comes under immediate consideration for dismissal. Finally, the Department's 4,800 staff are regularly reminded of their obligations under data protection and security policies and of the penalties applied to such misuse, including dismissal.

Pension Provisions.

383. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the extent of supports provided to private pension schemes through addressing and retransmission of correspondence with pension scheme members in terms of the number of letters handled, the manpower costs and other costs involved; the degree to which these costs are reimbursed by pension scheme administrators; the number of pension administration companies participating in this scheme; and the guidelines or instructions provided by his Department to pension scheme administrators regarding this facility. [25369/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): My Department was approached by third parties to assist them in contacting individuals who could not be contacted at the address held in their name on the third parties' records. In response, the Department proposed that, if it appeared to be in an individual's interests to be contacted, it would issue correspondence to an address recorded in that individual's name on the Department's records. The correspondence would contain advice as to the reason why the third party is seeking them and provide relevant contact details. At no stage would the Department pass any of the individual's personal details to the third parties.

The Data Protection Commissioner was consulted about the proposal and he approved it as it would appear to be to the individual's benefit to receive the correspondence, the Department would not be disclosing individual's details to third parties and it would be entirely up to the individual to decide whether or not they wished to contact the third party.

The specific circumstances raised by the Deputy could apply where a pension has matured

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and the pension company is unable to locate the policyholder. Insurance companies, non-commercial organisations such as adoption agencies and private individuals also avail of the service. The number of letters handled by my Department in respect of private pension schemes for the first nine months of 2007 is 4,891. These were processed on behalf of four specific pension companies and several individual construction companies. The manpower cost in forwarding these letters is estimated at €21,000. Other costs are estimated at €3,500.

My Department has kept the costs of providing this service under review but given the manageable numbers involved, has so far decided against applying a charge for it. That situation could change should costs in terms of demands on staff resources and postage warrant it.

Harbours and Piers.

384. **Deputy Joe McHugh** asked the Minister for Community, Rural and Gaeltacht Affairs the position regarding the upgrade of a pier (details supplied) in County Donegal; and if he will make a statement on the matter. [25265/07]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): The cost of upgrading the pier in question, including harbour developments and a marina, was approximately €10m according to estimates prepared some years ago. The scale of the project is beyond the scope of investment that my Department would be in a position to make under the Gaeltacht Strategic Piers Programme. Furthermore, I understand from discussions that my officials had with the Department of Communications, Marine and Natural Resources that no application for funding in respect of this pier was received from the relevant local authority under the 2007 Harbours & Coastal Development Programme.

Irish Language.

385. **Deputy Seán Ó Fearghail** asked the Minister for Community, Rural and Gaeltacht Affairs the progress made to date by Foras na Gaeilge on the development of a new official standard of Irish language grammar and spelling; and if he will make a statement on the matter. [24731/07]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): Statutory responsibility for promotion of the Irish language, including matters such as the development of terminology and dictionaries, rests with Foras na Gaeilge.

Earlier this year, I requested the Foras to carry out a review of An Caighdeán Oifigiúil/the Official Standard for Irish. I am informed by the Foras that it is in the process of drawing up a plan as to the most effective way of conducting the

review. The existing Standard has been in use since 1958 and has served the Irish language well since then. However, in light of the rapid and ongoing developments in the texture of the living language, I think it a review is timely. This will necessarily include a comprehensive process of consultation with all interested parties, including the Irish-speaking public. As the Deputy will understand, the review is likely to take a number of years to complete. In the interim, Foras na Gaeilge, as the body with statutory responsibility in this area, can assist public bodies, Rannóg an Aistriúcháin, translators and other interested bodies with definitive advice on any particular grammatical issues that may give rise to difficulty.

Departmental Reports.

386. **Deputy Richard Bruton** asked the Minister for Community, Rural and Gaeltacht Affairs if his output statement has been published on his Department's website; and the date on which it was put up on the website. [24736/07]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): My Department's Annual Output Statement was published on its website on 16 May 2007 and is available at the following address:

<http://www.pobail.ie/en/CorporateSupportServices/Finance/AnnualOutputStatement2007>

Departmental Travel.

387. **Deputy Leo Varadkar** asked the Minister for Community, Rural and Gaeltacht Affairs if his Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to his Department or if they can be retained by the individual concerned; and if he will make a statement on the matter. [24892/07]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): It is my Department's policy that frequent flyer points may not influence decisions taken in relation to the carriers used for official business. However, in recognition of the fact that official travel is disruptive to personal and family life, my Department allows any benefits that are received under frequent flier schemes in the course of official travel to be retained.

Dormant Accounts Funds.

388. **Deputy Joe McHugh** asked the Minister for Community, Rural and Gaeltacht Affairs if a project (details supplied) in County Donegal will be considered for funding which falls under the flagship criteria; and if he will make a statement on the matter. [24928/07]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy Pat Carey): The organisation in question applied for funding under the Dormant Accounts measure supporting Jointly Funded Flagship Projects, for the purpose of extending and refurbishing the local parochial hall. The application process for this measure was managed by Pobal on behalf of my Department. The application was deemed ineligible and the organisation was informed of this decision on 1 May, 2007.

In accordance with established procedure, the organisation was offered, and availed of, the opportunity to have this decision reviewed. The application was fully reviewed and the original decision was upheld. The organisation was informed of the outcome of the review process on 2 October 2007.

Departmental Expenditure.

389. **Deputy Brian Hayes** asked the Minister for Community, Rural and Gaeltacht Affairs the amount of money spent on paper and stationery in 2007: the amount of this money spent on recycled paper; and if he will make a statement on the matter. [25138/07]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): To date in 2007 my Department has spent approximately €22,912 on stationery items and paper. Out of this expenditure the sum of €11,726 represents the amount spent on purchases produced from 100% recycled material. My Department seeks to make use of recycled paper products to the greatest extent possible.

Inland Waterways.

390. **Deputy Catherine Byrne** asked the Minister for Community, Rural and Gaeltacht Affairs if, in view of the long delay in proceeding with a project following agreement reached between Dublin City Council and Waterways Ireland (details supplied), he will intervene to expedite the delivery of the contracts for sale, as the price has been agreed and the tenders are ready; if he will ensure that the development, which has been delayed for over a year, will begin without further delay; and if he will make a statement on the matter. [25251/07]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): I wish to inform the Deputy that I am advised by Waterways Ireland that its solicitors are dealing with the transfer of land in this case and that the matter will be progressed as soon as possible.

Community Development.

391. **Deputy Joe McHugh** asked the Minister

for Community, Rural and Gaeltacht Affairs the reason it has been decided to cut funding under the local improvement scheme for CLÁR areas; and if he will make a statement on the matter. [25260/07]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): Due to the significant increase in assistance for Local Improvement Scheme (L.I.S.) roads from the Department of Environment, Heritage and Local Government (D/EHLG) in the past number of years (approx €11m in 2002 & 2003, €12.1m in 2004, €12.5m in 2005, €25m in 2006 and €30m in 2007), my Department has decided to place a greater emphasis on funding water and sewerage schemes during 2007 under the CLÁR Programme. In this context, it is important to note that approvals under these schemes increased from €3.7m in 2005 to €6.9m in 2006 and to €7.4m in 2007 to date.

However, I recently announced a new CLÁR LIS roads measure for 2007. The Deputy should note that the total funding likely to be provided from both my Department and the D/EHLG for LIS roads in 2007 is set to increase by almost 6% on that available in 2006.

Departmental Correspondence.

392. **Deputy Brian O'Shea** asked the Minister for Agriculture, Fisheries and Food if she will answer the query of a person (details supplied) in County Waterford; and if she will make a statement on the matter. [24844/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): My Department has received correspondence from the person referred to by the Deputy. The correspondence raised a number of issues which require legal examination. Accordingly, the matter has been referred to my Department's legal advisors for advice. As soon as this is received, my Department will be in further communication with the person in question.

Food Labelling.

393. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food when country of origin labelling will be extended to pork, chicken and sheep meat; and if she will ensure that substantial transformation will not be used to defeat the purpose of this proposal. [24876/07]

406. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food when legislation will be put in place regarding country of origin labelling for meat and pig products; and if she will make a statement on the matter. [25157/07]

413. **Deputy Willie Penrose** asked the Minister for Agriculture, Fisheries and Food when she will take steps to honour the Government's commitment to introduce country of origin labelling legislation for the pig meat sector, in view of the fact that currently substantial transformation allows imported pork and bacon products to be labelled as Irish thereby misleading the consumer; and if she will make a statement on the matter. [25408/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I propose to take Questions Nos. 393, 406 and 413 together.

Draft regulations requiring the origin labelling of pigmeat, poultrymeat and sheepmeat were prepared in my Department and forwarded to the Department of Health and Children as the Regulations will be made under the Health Act 1947. A public consultation on the proposed regulations took place during the past month via the website of the Food Safety Authority of Ireland with the final date for receipt of comments being the 19th October. These comments will now be examined and the proposed legislation will be reviewed in the light of comments received. This process will take approximately three weeks. Thereafter the draft legislation will have to be forwarded to the European Commission. The commencement date for the legislation will depend on the Commission's response and possibly that of other Member States.

In the proposed legislation 'origin' will be defined as the country where the animal was reared and, if different, the country of slaughter. This will have to be indicated on meat and meat products containing over 70% meat. Regardless of the nature, extent or location of processing or packaging that has gone into the manufacture of the product the requirement to show actual country of rearing and slaughter of the animal will remain in place and this will not be superseded by any 'substantial transformation'.

Fisheries Protection.

394. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food if he will postpone the implementation of S.I. 531 of 2007 to allow for consultation with stake-holders and an appropriate ecological impact assessment; and if she will make a statement on the matter. [25212/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Following detailed consultations that resulted in the introduction of a Management Plan for the Waterford Cockle Fishery the Fishery was opened under S.I. 531 of 2007 (Cockle (Fisheries Management and Conservation) (Waterford Estuary) Regulations 2007) with effect from 21 July 2007.

This precautionary and planned approach, that restricts the areas which may be fished and limits harvesting to one third of that potentially available, represents a fundamental change in how the Fishery is managed. The Fishery will remain open until the limit is exhausted or, at the latest, January 15th 2008. In advance of the 2008 Cockle Fishery a further assessment, inclusive of stakeholder consultation, will be carried out.

Pesticide Residues.

395. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the number of mushrooms that tested positively for carcinogenic substances in 2006; and the number that were tested in total. [24715/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Thirteen samples of mushrooms were analysed in 2006 to check that they complied with the legislation controlling pesticide residues in food. The only pesticide residue found in the samples analysed was prochloraz and there is no evidence to suggest this is a carcinogenic substance. The prochloraz residues found in four of the samples analysed were present at levels less than or equal to 1/40th of the maximum residue level (MRL). The list of pesticides for which the mushroom samples were analysed in 2006 is as follows.

Pesticide Compounds	LCL* (mg/kg)	Pesticide Compounds	LCL* (mg/kg)	Pesticide Compounds	LCL* (mg/kg)
Acephate	0.05	dicofol	0.05	monocrotophos	0.02
aldrin	0.02	Dieldrin	0.02	myclobutanil	0.02
Alachlor	0.02	dimethoate	0.02	trans-nonachlor	0.02
Atrazine	0.02	diphenylamine	0.02	omethaote	0.02
azinphos-ethyl	0.05	disulfoton	0.02	oxadixyl	0.02
azinphos-methyl	0.05	endrin	0.02	paraoxon	0.02
azoxystrobin	0.05	endosulfan-alpha**	0.02	parathion	0.02
benalaxyl	0.02	endosulfan-beta	0.02	parathion methyl	0.02
— BHC	0.02	endosulfan-sulfate	0.02	paraoxon-methyl	0.02
— BHC	0.02	Est-fenvalerate	0.05	penconazole	0.02
— BHC	0.02	ethion	0.02	pendimethalin	0.02

Pesticide Compounds	LCL* (mg/kg)	Pesticide Compounds	LCL* (mg/kg)	Pesticide Compounds	LCL* (mg/kg)
bifenthrin	0.02	etrimphos	0.02	permethrin**	0.02
binapacryl	0.02	fenarimol	0.02	phosalone	0.02
biphenyl	0.02	fenbuconazole	0.02	phosmet	0.02
bitertanol	0.02	fenchlorphos	0.02	phosphamidon	0.02
bromopropylate	0.02	fenhexamid	0.05	pirimicarb	0.02
bromophos-ethyl	0.02	fenitrothion	0.02	pirimiphos ethyl	0.02
bromophos-methyl	0.02	fenpropathrin	0.02	pirimiphos methyl	0.02
Bupirimate	0.02	Fenthion	0.02	Prochloraz	0.02
Captafol	0.02	fenvalerate	0.02	Procymidone	0.02
carbaryl	0.02	fludioxinil	0.02	propachlor	0.02
captan**	0.02	flusilazole	0.02	propanil	0.02
carbendazim	0.02	fluvalinate-tau	0.02	propargite	0.02
Carbofuran	0.02	Folpet	0.02	propetamphos	0.02
chlorpfenvinphos	0.02	Fonofos	0.05	propiconazole	0.02
chlorbenzilate	0.02	heptachlor	0.02	propoxur	0.02
chlorpropham	0.02	heptachlor-epoxide	0.02	propyzamide	0.02
chlorothalonil	0.02	heptenophos	0.02	pyrazophos	0.02
chlorpyriphos	0.02	hexachlorobenzene	0.02	pyrimethanil	0.02
chlorpyriphos-me	0.02	hexaconazole	0.02	pyrifenox	0.02
cis-chlordane	0.02	iprodione	0.02	quintozone	0.02
trans-chlordane	0.02	isofenphos	0.05	quinalphos	0.02
coumaphos	0.02	iodofenphos	0.02	simazine	0.02
cyfluthrin	0.02	Kresoxim methyl	0.02	tebuconazole	0.02
—cyfluthrin	0.02	lindane (̑-HCH)	0.02	tecnazene	0.02
—cyhalothrin	0.02	Linuron	0.02	terbufos	0.02
cypermethrin	0.05	malathion	0.02	tetradifon	0.02
cyproconazole	0.05	malaoxon	0.02	thiabendazole	0.05
cyprodinil	0.02	mecarbam	0.02	tolcophos methyl	0.02
pp'DDT	0.02	metacriphos	0.02	tolyfluanid	0.02
op'DDT	0.02	metalaxyl	0.02	Triazophos	0.02
pp'DDE	0.02	methamidophos	0.05	triadimefon	0.02
op'DDE	0.02	methidathion	0.02	triadimenol	0.02
pp'DDD	0.02	methiocarb	0.02	trifluralin	0.05
op'DDD	0.02	Methiocarb sulfone	0.05	trichlorfon	0.05
deltamethrin	0.05	Methiocarb sulfoxide	0.05	vinclozolin	0.02
Demeton-s-me-sfone	0.02	methoxychlor	0.02	EBDC's (dithiocarbamates)	0.05
Diazinon	0.02	metolachlor	0.02		
dichlofluanid	0.02	mevinphos	0.02		
Dicloran	0.05	Mirex	0.02		
dichlorvos	0.02				

* = LCL is the lowest calibrated level and is equivalent to the limit of determination.

Installation Aid Scheme.

396. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food the position regarding the case of a person (details supplied) in County Tipperary who has submitted an appeal under the installation aid scheme. [24716/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Appeals require individual examination and are dealt with in the order in which they are received. The appeal was

received in the Agriculture Appeals Office 2nd August 2007 and was assigned to an Appeals Officer on 30th August 2007. The Appeals Officer has previously been in contact with the appellant to arrange an oral hearing, however the appellant was unavailable to attend. The Appeals Officer will be in contact again in the near future to arrange an alternative date suitable to all parties.

Departmental Reports.

397. **Deputy Richard Bruton** asked the Mini-

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ster for Agriculture, Fisheries and Food if her output statement has been published on her Department's website; and the date on which it was put up on the website. [24733/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The 2007 Annual Output Statement was published on my Department's website on 28 June 2007.

Fisheries Protection.

398. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food if an ICES report on fish stocks in Irish coastal waters is in the process of being prepared; and if she will make a statement on the matter. [24842/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Annual ICES advice was released on Friday 19th October 2007 and is available on the ICES website, <http://www.ices.dk/advice/icesadvice.asp>. I will carefully examine this advice which will inform the Commission's proposal for the 2008 TAC and Quota Regulation. I will be working with Industry representatives over the coming weeks to deliver the best possible TAC'S, for stocks of importance to Ireland, taking into account the scientific advice and socio-economic needs of the coastal communities dependant on fishing.

Departmental Travel.

399. **Deputy Leo Varadkar** asked the Minister for Agriculture, Fisheries and Food if her Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to her Department or if they can be retained by the individual concerned; and if she will make a statement on the matter. [24889/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Civil Service Code of Standards and Behaviour advises that benefits under frequent flier schemes may be retained by individual civil servants in recognition of the fact that official travel is disruptive to personal and family life. Accordingly, my Department permits Officers travelling on official business on behalf of the Department to retain any frequent flyer points earned.

Grant Payments.

400. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food the position regarding the case of a person (details supplied) in County Tipperary who has appealed the decision not to allow payment under the single payment scheme due to a delay in submitting their area aid application in 2005. [24911/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Single Payment Appeals Committee considered the case and requested the appellant to provide evidence that exceptional circumstances of Force Majeure precluded him from submitting his application prior to the closing date for receipt of applications. Despite several requests, no response has been received by the Committee to date, in support of his claim. In the absence of the evidence requested, The Committee upheld the decision of the Department of Agriculture, Fisheries and Food.

401. **Deputy Michael Lowry** asked the Minister for Agriculture, Fisheries and Food when he will issue payment of a farm improvement grant to a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [24913/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The person named is an applicant for grant-aid under the Farm Waste Management Scheme. Payment will be made by my Department to the person concerned shortly.

402. **Deputy Jim O'Keeffe** asked the Minister for Agriculture, Fisheries and Food if, further to the confusion that exists in relation to Ministerial responsibility for marine related functions, she will specify those for which she has responsibility. [24915/07]

408. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food the person who has responsibility for different sections under the marine and fisheries; and if she will make a statement on the matter. [25164/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I propose to take Questions Nos. 402 and 408 together.

In accordance with the government decision taken on the 9 October and on foot of the Sea Fisheries, Foreshore and Dumping at Sea (Transfer of Departmental Administration and Ministerial Functions) Order 2007, responsibility for the following legislation and associated functions has been transferred to my department: Sea Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006); Part 2 of the Maritime Safety Act 2005 (No. 11 of 2005) so far as that Part relates to a fishery harbour centre to which the Fishery Harbour Centres Act 1968 (No. 18 of 1968) applies; Fishery Harbour Centres Acts 1968 to 2006; Sea Fisheries Acts 1952 to 1982; Marine Institute Act 1991 (No. 2 of 1991) other than section 4A (inserted by section 30 of the Fisheries (Amendment) Act 1999 (No. 35 of 1999)); Fisheries (Amendment) Act 2003 (No. 21 of 2003) except Part 5; Aquaculture Acts 1997 to 2006;

Agricultural and Fishery Products (Regulation of Exports) Act 1947 (No. 18 of 1947) so far as that Act relates to sea fish and aquaculture products; Agricultural Products (Regulation of Import) Act 1938 (No. 14 of 1938) so far as that Act relates to sea fish and aquaculture products; Foreshore Acts 1933 to 2005; Dumping at Sea Acts 1996 to 2006; European Communities (Quality of Shellfish Waters) Regulations 2006 (S.I. No. 268 of 2006) other than in respect of any function exercisable by virtue of being a prescribed public authority as referred to in Schedule 1; European Communities (Sea Fisheries) (Conservation and Rational Exploitation of Scallops) Regulations 2005 (S.I. No. 297 of 2005); European Communities (Sea Fisheries) Irish Sea Herring Fishing (Licensing) Regulations 2005 (S.I. No. 547 of 2005); European Communities (Sea Fisheries) (Conservation and Rational Exploitation of Scallop) Regulations 2005 (S.I. No. 464 of 2005); European Communities (Common Organisation of Markets in Fishery and Aquaculture Products) (Financial Compensation for Withdrawal and Carry-over Aid) Regulations 2004 (S.I. No. 398 of 2004); European Communities (Veterinary Checks on Fish and Fishery Products Imported from Third Countries) Regulations 2003 (S.I. No. 548 of 2003); European Communities (Financing of Veterinary Inspections and Controls on Fresh Fish landed by Third Country Vessels) Regulations 2003 (S.I. No. 547 of 2003); European Communities (Labelling of Fishery and Aquaculture Products) Regulations 2003 (S.I. No. 320 of 2003); European Communities (Minimum measures for the control of certain diseases affecting bivalve molluscs) Regulations 1999 (S.I. No. 26 of 1999); European Communities (Trade in Fish) Regulations 1997 (S.I. No. 191 of 1997); Regulations 7, 15 and 24 of the European Communities (Natural Habitats) Regulations 1997 (S.I. No. 94 of 1997); European Communities (Aquaculture Animals and Fish) (Placing on the Market and Control of Certain Diseases) Regulations 1996 (S.I. No. 253 of 1996) as amended by- (a) European Communities (Aquaculture Animals and Fish) (Placing on the Market and Control of Certain Diseases) (Amendment) Regulations 2000 (S.I. No. 377 of 2000); (b) the European Communities (Aquaculture Animals and Fish) (Placing on the Market and Control of Certain Diseases) (Amendment) Regulations 2001 (S.I. No. 34 of 2001), (c) the European Communities (Aquaculture Animals and Fish) (Placing on the Market and Control of Certain Diseases) (Amendment) Regulations 2005 (S.I. No. 500 of 2005), and (d) the European Communities (Aquaculture Animals and Fish) (Placing on the Market and Control of Certain Diseases) (Amendment) Regulations 2006 (S.I. No. 614 of 2006).

In addition, it should be noted that some of the foreshore functions being transferred to my

Department are being transferred only pending their further transfer to the Minister for and Department of Environment, Heritage and Local Government in accordance a Government Decision taken on 2 October 2007. My Department is currently putting in place the necessary arrangements to ensure the efficient and effective transfer of the appropriate legislation and associated functions.

Rural Environment Protection Scheme.

403. **Deputy Dan Neville** asked the Minister for Agriculture, Fisheries and Food the position regarding payment of the REP scheme to a person (details supplied) in County Limerick. [24945/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Payment dated 11 October 2007 has issued in this case.

Departmental Expenditure.

404. **Deputy Brian Hayes** asked the Minister for Agriculture, Fisheries and Food the amount of money spent on paper and stationary in 2007: the amount of this money spent on recycled paper; and if she will make a statement on the matter. [25135/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): To date in 2007, my Department, through contracts arranged by the Government Supplies Agency, expended some €590,000 on all forms of stationary and office supplies including paper product, of which €135,000 was in respect of recycled paper/paper products.

Animal Feedstuffs.

405. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food the steps she is taking to protect the pig industry here in view of the high feeding costs and the fact that they have to compete with cheap genetically modified imported products; and if she will make a statement on the matter. [25156/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I am aware that the price of feed materials worldwide has increased significantly in the last 12 months and that this is putting serious pressure on pig producers. The EU Council of Agriculture Ministers has, in response to the pressures on the international cereal and feed markets, agreed to suspend the obligation to set 10% of arable land aside. This will ensure that more arable land is available for cereal cultivation in 2008.

All of the nutritional diets for pigs and poultry is derived from compound feeds. A significant element of these diets is soya meal which comes from authorised GM crops grown mainly in South

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America and which are subjected to the stringent assessment process required by EU legislation.

My Department is engaged in a wide range of activities that are vital to the development of the pig industry. These include national animal health programmes, monitoring of food safety compliance at production premises, the certification of meat for the various markets and improving access to new markets.

Pigmeat features prominently in Bord Bia's programme of promotion on home and export market. I have asked the Bord to intensify its autumn pork and bacon promotion campaign in order to ensure that the market remains firm over the coming months. I am also working with the Minister for Health and Children towards the introduction of legislation to provide better information to consumers on the origin of pigmeat. Considerable Bord Bia resources are also devoted to the pigmeat quality assurance scheme. Additional funding is being made available for this.

The Farm Waste Management scheme was extended to the pig sector and I brought in a programme of financial assistance for the transition to welfare-friendly sow housing.

Another issue facing pig producers is how to deal with pig slurry in a manner that complies with environment protection legislation. The Intensive Livestock Working Group which I established is currently examining the possible options for the sector in this regard.

I have asked the European Commission to introduce export refunds and aids to private storage (APS) for pigmeat. I am pleased that an APS scheme was introduced last week. I, along with Ministers from some other Member States, further pressed the Commission for additional support in the form of export refunds at the Agriculture Council in Luxembourg this week.

Question No. 406 answered with Question No. 393.

Pigmeat Sector.

407. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food if she will provide funding to market the Irish pork and bacon products here under An Bord Bia assurance scheme; and if she will make a statement on the matter. [25158/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Bord Bia receives a Grant-in-Aid to assist it in fulfilling its statutory marketing and promotion functions in relation to food, drink and horticulture. Decisions on the sectoral allocation of funds are made by Bord Bia taking account of EU state aid rules. In the case of pigmeat, Bord Bia is working closely with pro-

ducers to promote Quality Assured Pork and Bacon on the home market and I have asked Bord Bia to intensify this promotion campaign and am providing increased funding for this. I am pleased that the Pre-Budget outlook for 2008 provides for a Grant-in-Aid of €27.505 million (above the record €26.505 million Grant-in-Aid for 2007) to support Bord Bia in its marketing and promotion activities.

Question No. 408 answered with Question No. 402.

Beef Imports.

409. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food if she plans to reconsider her position in relation to Brazilian beef, in view of the safety fears over its importation; and if she will make a statement on the matter. [25259/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Approval of countries to trade with the EU is a matter for the EU Commission and the EU Commissioner for Health has assured me that the Commission will not hesitate to take the appropriate protection measures if a product, imported from a third country represents a risk for the health of EC consumers, livestock or plants. In this context the EU Food and Veterinary Office (FVO) is to carry out a further mission to Brazil in November to assess progress in the implementation and operation of controls by the competent authorities in that country. I will continue to pursue this matter at EU level.

Milk Quota.

410. **Deputy Seymour Crawford** asked the Minister for Agriculture, Fisheries and Food the situation regarding the transfer of milk quota in 2007; further to Parliamentary Question No. 204 of 1 March 2007, if she has satisfied herself that all milk suppliers have been treated fairly and that this new trading scheme has worked in the interest of all; and if she will make a statement on the matter. [25359/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): As the Deputy will be aware, the mechanism through which milk quota was transferred in 2007 was the Milk Quota Trading Scheme, which I launched at the end of last year. The Scheme is operated at Co-op area level, and is comprised of a market exchange and a priority pool. It facilitates a more market-oriented transfer of quota than had previously been the case under the Milk Quota Restructuring Scheme. Two exchanges took place in January and April of this year, allocating a total of 200

million litres, or 4 per cent of national quota, to active milk producers.

After a review of the Trading Scheme with the farming organisations and ICOS, I announced my intention to build on the success of the Scheme by holding a further two exchanges for the purpose of allocating quota ahead of the 2008/09 milk quota year. Indeed the closing date for the first exchange is this Friday, 26 October. The Scheme will remain largely unchanged, with a market exchange and a priority pool operating in each Co-op area. However, I have made two key changes that I believe will further improve its operation. In the priority pool, a new distribution ratio of 3:2 between young farmers and Category 1 producers should make increased volumes of quota available to small-scale producers. In addition, a new mechanism will be introduced to the exchanges to facilitate trade in areas where either low or no volumes of quota have been traded because of local supply/demand characteristics. I am confident that these changes will further enhance the amounts of quota traded around the country.

Grant Payments.

411. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the reason the farm development service is not processing CFP and DHS grant applications. [25402/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Grant applications under the various on-farm investment schemes operated by my Department are being processed in accordance with the standard administrative procedures in place for such applications.

Animal Feedstuffs.

412. **Deputy Willie Penrose** asked the Minister for Agriculture, Fisheries and Food if her attention has been drawn to the fact that up to 70% of the cost of producing a pig here is associated with the costs of feed; and that feed costs have risen by over €100 per tonne in 2007; if her attention has further been drawn to the fact that the competitors to the Irish based pig industry are able to avail of cheaper maize produce and by-products; the steps she is taking to help deal with this anomalous position; and if she will make a statement on the matter. [25403/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I am aware that the price of feed materials worldwide has increased significantly in the last 12 months due to a combination of factors which include (i) the increased demand from the feed industry generally and from the biofuel industry and also increased freight costs; (ii) unfavourable weather conditions in many of the major cereal growing regions of

the world; and (iii) in certain cases, the lack of synchronisation between the GM authorisation processes in the US and the EU.

The rules governing the marketing and use of GM crops for animal feed within the Community are set down in EU legislation that has been jointly adopted by the European Parliament and Council of Ministers. This legislation, which is binding on all Member States, dictates that only GM events that have been subjected to the necessary health and environmental safety assessment by the European Food Safety Authority (EFSA) and authorised under the relevant legislation can be placed on the market within the EU.

Indications are that the pressures on availability are easing somewhat with Irish importers securing significant supplies of whole maize and sorghum as substitutes for costly wheat and barley used in pig rations. I am hopeful that Herculex RW will be authorised in the near future for marketing within the EU and this should further assist in the availability of whole maize for importation.

Also the EU Council of Agriculture Ministers has, in response to the pressures on the international cereal and feed markets, agreed to suspend the obligation to set 10% of arable land aside. This, coupled with the prospect of farmers responding to more favourable cereal growing market conditions, should ensure that there is an increase in cereal cultivation in 2008.

Question No. 413 answered with Question No. 393.

Fisheries Protection.

414. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food if, in view of the Commission proposals of 17 October 2007, she has an estimate of the scale of illegal fishing within Irish waters both by non EU and EU based vessels. [25442/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I very much welcome the initiative from the EU Commission to address the challenge of international trade and Illegal, Unreported and Unregulated fishing.

Ireland has a very important position as custodian of some of the largest and richest waters within the EU but also in our location on the edge of the Atlantic Ocean. Ireland continues to maintain high standards in the enforcement of regulations within the Exclusive Fisheries Zone using the resources of both our Naval Service and Air Corps. The use of these resources with the addition of satellite monitoring of all fishing vessels both EU and Non-EU allows a high level of monitoring and surveillance of our waters. As partners in the regional fisheries management organisation NEAFC, Ireland continues to

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provide monitoring resources to assist in detection of IUU activity in the Atlantic Ocean beyond EU boundaries.

In 2007 the Naval Service has detected infringements on 12 vessels which resulted in their detention. All vessels were from EU Member States.

Commonage Division.

415. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food if there is a dealing (details supplied) taking place within the Land Commission. [25468/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): This is a complex case concerning title discrepancies on a re-arrangement scheme drawn up by the former Land Commission and involves the perfection of title of 94 plots. All necessary steps are being taken with a view to expediting the completion of the Schedule in question. I understand that the person named has not yet paid for his allotment and should contact my Department in this regard. The address is Land Commission Accounts, Department of Agriculture, Fisheries and Food, Government Buildings, Farnham Street, Cavan.

Site Acquisitions.

416. **Deputy Enda Kenny** asked the Minister for Education and Science if the Office of Public Works has contacted South Dublin County Council regarding a new site for a school (details supplied) in Dublin 22; and if she will make a statement on the matter. [25119/07]

Minister for Education and Science (Deputy Mary Hanafin): I am pleased to inform the Deputy that agreement has been reached to provide permanent accommodation for the school in question on a V.E.C. owned site. The site is currently being master planned to facilitate both this school and two other all-Irish schools. All of the school authorities will be kept informed of progress in this regard.

Educational Projects.

417. **Deputy Brendan Howlin** asked the Minister for Education and Science when the Music Network Feasibility Report for provision of local music education services will be implemented. [25208/07]

Minister for Education and Science (Deputy Mary Hanafin): Among the recommendations contained in the Music Network report was that a series of Music Education Partnerships would be developed between the County/City Develop-

ment Boards and the Vocational Education Committees on a phased basis.

In 2004, my Department began funding a pilot programme in both Dublin City and in Donegal VECs to test approaches to delivery of the proposed model. Resources are not available at present to expand this programme to other areas. However, the matter will be kept under review.

I believe that the arts have an important role to play in the education of the individual. Music, the visual arts and drama provide for sensory, emotional, intellectual and creative enrichment and contribute to the young person's holistic development and self esteem. Arts education (visual arts, music and drama) is one of the seven curriculum areas that comprise the primary curriculum, which was revised in 1999. At second level there are approved syllabuses for Junior Certificate in Music and Art, Craft and Design. In the senior cycle there are syllabuses in Music and Art. Modules in the Arts are also available as part of the Leaving Certificate Applied and in the Transition Year programme. In the delivery of these programmes, schools are encouraged to interact with practising artists in their own classrooms and in out of school settings.

In addition to supporting Music in the curriculum an additional allocation of the equivalent of 93 whole time teaching posts are allocated to a range of VECs to support Music education. This takes the form of individual tuition in instrumental and vocal music education, and provision of supports for choirs, orchestras and ensembles. Through this some 68,000 hours of music tuition are provided annually.

Site Acquisitions.

418. **Deputy Niall Blaney** asked the Minister for Education and Science when the Office of Public Works will release payment for land (details supplied) in County Donegal; and if she will make a statement on the matter. [25235/07]

Minister for Education and Science (Deputy Mary Hanafin): The Property Management Section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, has been requested to source a site for a new national school in Monreagh. The title on the preferred site option is currently being investigated by the Chief State Solicitors Office. Agreement to enter a Contract for purchase of this site will be considered in the context of the Department's 2008 budget for acquisition of sites, which has yet to be finalised.

Cross-Border Projects.

419. **Deputy Joe McHugh** asked the Minister for Education and Science if there are plans to harmonise the two educational Departments on the island allowing parents of children living in

border areas the right to choose which school their children attend. [25332/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department, together with the Department of Education Northern Ireland, has responsibility for the development of co-operation and common action in the field of education between both parts of the island of Ireland, in the context of the Good Friday Agreement. My Department is required to take forward this co-operation through the North/South Ministerial Council (NSMC) and to develop, within that framework, common policies in the designated areas of special education needs, educational underachievement, teacher mobility and school, youth and teacher exchanges.

The re-establishment of the NI Assembly structures including the North South Ministerial Council will present opportunities to enrich and develop cooperative activities with Northern Ireland in the education and youth sector.

Schools Building Projects.

420. **Deputy David Stanton** asked the Minister for Education and Science if her Department is in receipt of an application from a school (details supplied) in County Cork for assistance in securing a new building for the school; if she will arrange for a team from her building and planning unit to visit the school; and if she will make a statement on the matter. [24687/07]

Minister for Education and Science (Deputy Mary Hanafin): An application for capital funding towards the provision of new school building has been received from the school authority referred to by the Deputy. An assessment of projected enrolment trends, demographic trends and housing developments in the area will be required in order to determine the long term projected staffing figure on which the school's accommodation needs will be based. Once the long term projection has been determined and agreed with the school authorities the required building project will be considered in the context of the multi annual School Building and Modernisation programme.

State Examinations.

421. **Deputy Ulick Burke** asked the Minister for Education and Science the breakdown in subject area of the 2,063 successful appeals by students of the leaving certificate 2007 results; and the change in grades involved. [24692/07]

Minister for Education and Science (Deputy Mary 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.

The Commission issued a Press Release on 10th October giving details of the 2007 Leaving Certificate appeals by subject. A copy of the Press Release is included below for the Deputy's information.

The Press Release and other examination related information is available on the Commission's website www.examinations.ie

STATE EXAMINATIONS COMMISSION

PRESS RELEASE

LEAVING CERTIFICATE APPEALS 2007

10th October 2007

The State Examinations Commission (SEC) has released the appeal results for the 2007 Leaving Certificate examination. Candidates will receive the results of their appeals today either through their school or through the on-line examination results service on www.examinations.ie. At 12 midday today the Leaving Certificate examination results available on www.examinations.ie will be updated to reflect the appeal outcomes. The appeal results are also being transmitted electronically to the Central Applications Office.

In 2007, the Leaving Certificate (Established and Vocational) examinations culminated in the issue of some 350,000 grades to 50,870 candidates. A total of 5,635 candidates made applications for appeals against 10,135, grades leading to 2,063 upgrades. Small numbers of appeals were also processed in subjects in the Leaving Certificate Applied Programme.

In the processing of appeals, the work of each candidate is fully re-marked question by question using the original marking scheme. The re-marking is performed by a different examiner to the one who originally marked the work.

Candidates may opt to view their re-marked examination scripts. Candidates are required to complete the application form that accompanies the appeal results and to return it through the school that entered them for examination by Friday 12th October. Externally entered candidates should return the form directly to the SEC. All such applications must be with the SEC by 5 PM on Tuesday 16th October 2007. The viewing will be held in the Athlone office of the SEC on Saturday 20th October between 10.00 am and 4.00 p.m.

Candidates who are dissatisfied with the outcome of their appeal have recourse to the Independent Appeals Scrutineers. The Scrutineers' role is to ensure that due process has been followed in the case of each appeal and that all of the appeal procedures were properly carried out. The Scrutineers are independent of the State

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Examinations Commission and they have the power to request from the SEC all documentation relating to an appeal in conducting their investigations. Application forms for an appeal review by the Independent Appeal Scrutineers have been provided with the appeal results.

NUMBER AND OUTCOME OF APPEALS

2007

A total of 10,135 individual subject appeals were processed resulting in 2,063 upgrades. Details of the number and outcome of appeals are shown below for subjects in which more than 10 appeals were made.

Leaving Certificate Appeals 2007

Subject	Level	Candidates	Appeals	Upgrades
English	H	31,070	1,862	282
Biology	H	17,521	710	196
Geography	H	17,763	722	209
Irish	H	13,831	952	180
Business	H	12,670	608	128
French	H	13,770	731	143
Mathematics	H	8,388	496	95
Mathematics	O	35,075	583	83
History	H	7,411	454	121
Chemistry	H	5,729	380	56
Physics	H	5,223	178	43
Art	H	7,531	278	64
Links Modules (Lcvp)	C	14,080	225	56
Home Economics — S+ S	H	8,348	209	40
Accounting	H	4,922	225	64
Economics	H	3,493	188	24
German	H	4,554	206	48
Engineering	H	3,361	32	8
Music	H	4,369	147	19
Agricultural Science	H	3,261	146	74
Technical Drawing	H	2,878	108	16
Irish	O	25,662	75	8
Construction Studies	H	6,326	98	19
French	O	14,035	69	11
Spanish	H	1,535	89	19
English	O	17,377	53	17
Latin	H	111	14	1
Physics & Chemistry	H	392	13	0
Spanish	O	1,127	11	2

H = Higher, O = Ordinary, C = Common.

Appeals were also made in Higher Level ;Agricultural Economics, Arabic, Classical Studies, Home Economics, Italian, Japanese, Religious Education, Romanian, and in Ordinary Level Accounting, Agricultural Science, Applied Mathematics, Art, Biology, Business, Chemistry, Classical Studies, Construction Studies, Economics, Engineering, Geography, German, History, Home Economics S&S, Italian, Physics, and Technical Drawing; and in Foundation Level Irish and Mathematics. The figures do not include a small number of appeals which have yet to be finalised.

Schools Building Projects.

422. **Deputy Tony Gregory** asked the Minister

for Education and Science the progress made to provide a new school building for a school (details supplied) in Dublin 7. [24707/07]

423. **Deputy Tony Gregory** asked the Minister for Education and Science if a new building will be provided on the site of a school (details supplied) in Dublin 7 by leasing and sub leasing the land from its current occupants. [24708/07]

429. **Deputy Joe Costello** asked the Minister for Education and Science if she will provide a new school for the children of a school (details supplied) in Dublin 7. [24754/07]

444. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science the action she

will take to address the accommodation needs of the pupils attending a school (details supplied) in Dublin 7. [24802/07]

Minister for Education and Science (Deputy Mary Hanafin): I propose to take Questions Nos. 422, 423, 429 and 444 together.

The school to which the Deputies refer has submitted an application for a new school building and the Department is acutely aware of the need for a solution to the school's accommodation needs.

In this regard, officials in the School Planning Section are actively pursuing a number of options including the provision of a permanent structure on the school's current site. While a number of issues have arisen in relation to this proposal the Department is considering measures to address them.

In the meantime, it remains open to the authorities of school to apply to the School Planning Section of the Department for any remedial works required in respect of its existing accommodation.

424. **Deputy Deirdre Clune** asked the Minister for Education and Science the plans she has to provide a second level school in an area (details supplied) in County Cork. [24709/07]

Minister for Education and Science (Deputy Mary Hanafin): I am advised that it is the Department's understanding that traditionally pupils from the areas referred to by the Deputy attend Post Primary Schools in the surrounding areas of Cork City and County.

Special Educational Needs.

425. **Deputy Brendan Howlin** asked the Minister for Education and Science if her attention has been drawn to the fact that the speech and language service currently available to a school (details supplied) in County Wexford consists of only seven sessions per week, despite the fact that a minimum of two full-time speech and language therapists is required to provide an adequate service and that with a total enrolment of 133 pupils the average speech and language service per pupil is only five minutes and thirty five seconds per week; if her further attention has further been drawn to the fact that no speech and language therapy can be made available to new students in the current situation; her views on whether irrespective of which Department delivers speech and language therapy to schools, her Department is responsible for ensuring that early intervention requirements and an adequate speech and language allocation is available to the only special education school serving County Wexford; if she will take steps to remedy this situation; and if she will make a statement on the matter. [24726/07]

Minister for Education and Science (Deputy Mary Hanafin): The Deputy will be aware that the provision of therapy services including speech and language therapy is a matter for the Health Services Executive (HSE) and funding is provided to the HSE for such purposes.

The matter of early intervention supports relating to speech and language therapy for the school in question is specifically a matter for the HSE.

Site Acquisitions.

426. **Deputy Brendan Howlin** asked the Minister for Education and Science when a new premises will be provided for a school (details supplied) in County Wexford; and if she will make a statement on the matter. [24729/07]

Minister for Education and Science (Deputy Mary Hanafin): Discussions are on-going in relation to the acquisition of a site for the development of education style campus for the area to which the Deputy refers. It is intended to meet the needs of the school in question within this arrangement. Once a suitable site has been acquired, progress on its development will be considered under the multi-annual School Building and Modernisation Programme.

Departmental Reports.

427. **Deputy Richard Bruton** asked the Minister for Education and Science if her output statement has been published on her Department's website; and the date on which it was put up on the website. [24738/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department's Annual Output Statement for 2007 has not been published on the Department's website to date but was provided to the Education and Science Committee of the Dáil for its consideration of the Estimates.

My Department has begun the process of drafting a new Output Statement and it is envisaged that the 2008 Output Statement will be placed on the Department's website.

Schools Recognition.

428. **Deputy John O'Mahony** asked the Minister for Education and Science if a school (details supplied) in County Kerry and its courses are recognised by her Department; and if the school received funding from her Department for its recent summer courses. [24753/07]

Minister for Education and Science (Deputy Mary Hanafin): Gaelscoil Brú na Páirce, Cill Áirne officially known as Gaelscoil Faithleann is recognised as a Primary School by my Department.

The scheme for the Summer course programme for Primary teachers is administered by Drumcondra Education Centre on behalf of my

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Department. The main objective of summer courses is the development of teachers' pedagogic and management skills, in the context of the work of the Primary school. These courses are self financing. Drumcondra Education Centre or my Department has no record of receiving an application from Gaelscoil Faithleann for funding for its Summer Courses.

If Gaelscoil Faithleann wishes to apply for recognition for future summer courses they should contact Drumcondra Education Centre.

Question No. 429 answered with Question No. 422.

Higher Education Grants.

430. **Deputy Seán Sherlock** asked the Minister for Education and Science if she will pass the necessary legislation to facilitate the transfer of responsibility for the administration of the higher education grants from local authorities to the vocational educational committees in order that the transfer of the function can take place in advance of the 2008/2009 academic year; if additional funding is to be made available to the VEC for the recruitment of staff to deal with the increased volume of applications as a result of the transfer; and if she will make a statement on the matter. [24757/07]

489. **Deputy Damien English** asked the Minister for Education and Science the plans she or her Department has to change the higher education grants scheme; if she will undergo a public consultation process on this issue; and if she will make a statement on the matter. [25183/07]

Minister for Education and Science (Deputy Mary Hanafin): I propose to take Questions Nos. 430 and 489 together.

As the Deputies may already be aware, I plan to introduce a single unified scheme of maintenance grants for students and to consolidate the administration of this unified grants scheme in the VEC sector. This will, I believe, provide for a more coherent administrative system. The scheme, which will be underpinned by a new Student Support Bill, will facilitate consistency of application, improved client accessibility and timely delivery of grants.

The Student Support Bill is at an advanced stage of preparation, and I hope to be in a position to publish it shortly.

My Department is in consultation with the key stakeholders in order to map the most logical and effective arrangements for the future structure and administration of the student support schemes, including the arrangements for the 2008/09 academic year. These consultations are a priority for my Department at present.

Site Acquisitions.

431. **Deputy Leo Varadkar** asked the Minister for Education and Science her views on whether the site being proposed by Fingal County Council at Kellystown as a future post-primary school is suitable in terms accessibility, proximity to the homes of the likely student population and zoning; and if she will make a statement on the matter. [24772/07]

Minister for Education and Science (Deputy Mary Hanafin): As pointed out to the Deputy in my response to Parliamentary Question 461 on the 16th of October last, the Department works in partnership with Fingal County Council under the Fingal School Model Agreement to acquire sites for educational provision in the Dublin 15 area.

A site under this Model is being actively pursued to provide additional post primary places in the Castleknock area. The exact location of the new site has yet to be determined.

432. **Deputy Leo Varadkar** asked the Minister for Education and Science if, with reference to Parliamentary Question No. 418 of 2 October 2007, her Department keeps a copy of each county and city development plan and maps on file; if her staff are capable of reading these maps; and if she will make a statement on the matter. [24773/07]

435. **Deputy Leo Varadkar** asked the Minister for Education and Science if her Department maintains an inventory or map of sites that have been reserved for new schools by local authorities; and if she will make a statement on the matter. [24776/07]

436. **Deputy Leo Varadkar** asked the Minister for Education and Science the mechanism that exists within her Department to keep a record of reserved school sites and to ensure that they are not developed for another use; and if she will make a statement on the matter. [24777/07]

Minister for Education and Science (Deputy Mary Hanafin): I propose to take Questions Nos. 432, 435 and 436 together.

As the Deputy will be aware, Local Authorities are obliged by statute to refer draft local area development plans to the Department for observation and comment so that lands can be zoned and reserved for future education use. This process has resulted in numerous sites being reserved for education purposes particularly in the rapidly developing areas so as to ensure that there will be sufficient land set aside and available for the future development of education infrastructure.

While the Local Area Development Plans and their associated maps are an essential tool, the process of assessing the need for new or additional educational facilities at primary and

post-primary level in any given area also entails a broader consideration of all relevant factors, including enrolment and demographic trends, housing developments and the capacity of existing schools to meet the demand for school places.

In this context, officials of School Planning Section meet regularly with Local Authorities to establish the location, scale and pace of any major proposed developments to ensure, as far as possible the timely delivery of any required education infrastructure.

All relevant correspondence and local area development plans, including maps, are held in the School Planning Section of the Department.

433. **Deputy Leo Varadkar** asked the Minister for Education and Science if she will locate the new pilot VEC national school in Diswellstown; and if she will make a statement on the matter. [24774/07]

434. **Deputy Leo Varadkar** asked the Minister for Education and Science if she will open a pilot VEC national school in Dublin 15 in September 2008; and if she will make a statement on the matter. [24775/07]

Minister for Education and Science (Deputy Mary Hanafin): I propose to take Questions Nos. 433 and 434 together.

It is still intended that the proposed new model of national community school will be introduced on a pilot basis in September 2008. A specific location for the school has yet to be decided.

Questions Nos. 435 and 436 answered with Question No. 432.

437. **Deputy Leo Varadkar** asked the Minister for Education and Science if, with reference to Parliamentary Question No. 418 of 2 October 2007, she has confirmed the existence of this reserved site which is clearly shown in the Fingal County development plan maps 2004 to 2009; if she will acquire same; and if she will make a statement on the matter. [24778/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department has already made significant interventions in the particular part of Dublin 15 concerned. This area is now served by three primary schools one of which was established by the Department this year. Another is operating from a purpose built 24 classroom building and plans are being advanced to expand the third to a 32 classroom facility. My Department is monitoring the situation and will be making extra accommodation available for 2008 if this is necessary. The site to which the Deputy refers is reserved for educational provision. However, my Department is focusing on acquiring a much larger reserved site in the area which is considered to

be more suitable to the area's current and projected needs.

Rental Costs.

438. **Deputy Leo Varadkar** asked the Minister for Education and Science if, with regard to Parliamentary Question No. 416 of 2 October 2007, she will answer the question in a format of her choosing; and if she will make a statement on the matter. [24779/07]

Minister for Education and Science (Deputy Mary Hanafin): As I indicated in my reply to Question No. 416 of 2 October 2007, the information sought by the Deputy is not readily available. However, if the Deputy has a query in relation to a specific school he can contact my officials in the School Planning Section of the Department who will be happy to assist in this regard.

Schools Building Projects.

439. **Deputy Leo Varadkar** asked the Minister for Education and Science the thirteen new schools she has promised to build in Fingal by September 2008; the communities or areas they will serve; and if she will make a statement on the matter. [24780/07]

Minister for Education and Science (Deputy Mary Hanafin): The Department been working for some time with Fingal County Council on the acquisition of sites to enable new schools to open throughout its area of functionality in 2008.

The ability of the Department to open these schools next September is contingent on the sites being acquired very soon. The Department is encouraged by the Council's recent positive statement in relation to the progress being made in this regard. The schools themselves will be provided in areas to meet the needs arising from the local authority's own County Development Plan and its various Local Area Development Plans.

The Deputy will appreciate that due to commercial sensitivities, I cannot comment on specific sites at this time, however, I can assure the Deputy that the Department will continue to work very closely with Fingal County Council to meet the needs of the Fingal area for next year and beyond.

School Placement.

440. **Deputy Leo Varadkar** asked the Minister for Education and Science if her attention has been drawn to the acute shortage of places in a school (details supplied) in Dublin 15 which had to significantly reduce its catchment area; and if she will make a statement on the matter. [24781/07]

Minister for Education and Science (Deputy Mary Hanafin): The Department has made sig-

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nificant interventions in the Dublin 15 area in response to the acknowledged need for considerable extra school places for the area. The particular part of Dublin 15 to which the Deputy refers is now served by three primary schools one of which was established by the Department this year. Another is operating from a purpose built 24 classroom building and plans are being advanced to expand the third to a 32 classroom facility.

All three of the schools worked closely together this year to implement enrolment policies to ensure that all eligible pupils acquired places. I want to take the opportunity to commend the school authorities for their approach in this regard. The Department is monitoring the situation and will be making extra accommodation available for 2008 if this is necessary. In this regard, the Department has requested Fingal County Council to immediately acquire a reserved site under the Fingal School Model Agreement process to meet current and future needs.

Planning Issues.

441. **Deputy Leo Varadkar** asked the Minister for Education and Science if, in view of her recent criticisms of local authorities for granting too many planning permissions in areas with inadequate school places, she lodged an objection to proposals since granted to construct three hundred more houses and apartments (details supplied) in Dublin 15; and if she will make a statement on the matter. [24782/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy will be aware, Local Authorities are obliged by statute to refer draft local area development plans to the Department for observation and comment so that lands can be zoned for future education use. There are numerous sites reserved for education purposes under this process particularly in rapidly developing areas.

Once subsequent residential planning permissions are consistent with these plans, the focus for the Department is one of collaboration with the local authority to ensure that the lands set aside for educational provision can be acquired and developed as they are needed.

The Department has prioritised the acquisition of a reserved site in the area to which the Deputy refers in light of the planned housing developments for the area.

The acquisition of a site in the area is a priority for the Department in light of the planned housing developments.

School Curriculum.

442. **Deputy James Bannon** asked the Minister for Education and Science if she will introduce a

leaving certificate politics and law course as a natural follow-on to the junior certificate CSPE programme; and if she will make a statement on the matter. [24795/07]

Minister for Education and Science (Deputy Mary Hanafin): The Report of the Task Force on Active Citizenship includes a recommendation on the development of a senior cycle programme on citizenship for schools. Since 2005 the National Council for Curriculum and Assessment has been involved in an intensive phase of planning and development in key areas of senior cycle. As part of this, the development of a new subject “Politics and Society” is under way, which is proposed as an optional examinable full subject. A background paper on Social and Political Education in Senior Cycle was published for consultation, and the report on the consultation was completed in May 2007. Both reports are available on the Council’s website at www.ncca.ie. Development work is continuing. However, I have not as yet received any formal proposals in the matter from the Council.

It should be noted that education for citizenship is covered extensively in the curriculum for primary schools as part of Social Personal and Health Education, and History, Geography and Science. At second level, these themes are continued, and have a major emphasis in Social Personal and Health Education (SPHE) and in the examinable subject of Civic Social and Political Education (CSPE) at junior cycle. Both SPHE and CSPE are mandatory for all pupils.

CSPE includes provision for an innovative action project which is assessed as part of the Junior Certificate examination. The key aim of the action project is to give students a practical experience of active citizenship. This includes fostering a sense of belonging and awareness of social inclusion and justice issues, a capacity to gain access to information and structures relating to the society in which they live, and an ability and confidence to participate in democratic society. Students choose a theme for their action project which is designed around the skills of identification and awareness of a social issue, planning, research, analysis and evaluation, reporting and engaging in joint action which develop social and political skills. These themes are further strengthened through the Young Social Innovators programme and Gaisce, the President’s award, Open, a social enterprise module sponsored by the Credit Union of Ireland, in Search of Europe, St Vincent de Paul Education Pack etc., which are offered as modules in the Transition Year Programme. Within the Leaving Certificate Applied Programme, all students follow a compulsory module in Social Education.

Schools Building Projects.

443. **Deputy Caoimhghín Ó Caoláin** asked the

Minister for Education and Science the position in relation to a new community school that was to be constructed in Ballinamore, County Leitrim. [24801/07]

Minister for Education and Science (Deputy Mary Hanafin): The Office of Public Works, which acts on behalf of my Department in relation to sites acquisitions, has secured a site for the provision of a new school. The building programme required to deliver the new school building will be considered in the context of the multi-annual School Building and Modernisation Programme.

Question No. 444 answered with Question No. 422.

445. **Deputy Áine Brady** asked the Minister for Education and Science the progress to date on the proposed extension to a school (details supplied) in County Kildare; and if she will make a statement on the matter. [24803/07]

Minister for Education and Science (Deputy Mary Hanafin): I am pleased to inform the Deputy that construction recently commenced on the project in question.

446. **Deputy Áine Brady** asked the Minister for Education and Science when the extension to a primary school (details supplied) in County Kildare will be completed; and if she will make a statement on the matter. [24804/07]

Minister for Education and Science (Deputy Mary Hanafin): I am pleased to inform the Deputy that construction recently commenced on this project and it is envisaged that it will take about 15 months to complete.

Language Support.

447. **Deputy Denis Naughten** asked the Minister for Education and Science the resources that are available to schools where a student requiring language support arrives at a time other than at the beginning of the school year; and if she will make a statement on the matter. [24808/07]

Minister for Education and Science (Deputy Mary Hanafin): In order to meet the language needs of students in our schools whose first language is not English or Irish, additional support is given to their schools which can take the form of financial assistance, additional teaching posts or portions of posts.

The level of extra financial or teaching support provided to any school is determined by the numbers of eligible non-English speaking students enrolled. I indicated in January last that the limit of two teachers per school and the limit of two years' support to an individual pupil which had applied up to then, will no longer apply. As

a result, an individual school may be allocated up to six language support posts under the arrangements now in place.

Schools with between 3 and 13 eligible pupils receive grant assistance towards the cost of employing part-time teachers. Schools with 3 to 8 such pupils receive a grant of over €6,300, while schools with between 9 and 13 such pupils receive over €9,500. These amounts are based on the full school year. If the school only becomes eligible for a grant during the year, they would receive the pro-rata amount due.

Schools with 14 or more such pupils are entitled to one or more language support teachers, the number of which has increased dramatically in recent years. There are now over 1800 language support teachers in our primary and secondary schools.

In order to ensure that schools can accurately and objectively assess the language requirement of children, my Department will be sending to schools assessment materials which have been developed by Integrate Ireland Language and Training (IILT). The assessment materials will enable schools to ensure that the specific language requirements of children needing support are met in a targeted way. The IILT materials will also enable accurate initial and on-going assessment of the language proficiency of the child and his or her need for continued language support.

School Examinations.

448. **Deputy Denis Naughten** asked the Minister for Education and Science the discussions she has had with the State Examinations Commission regarding the use of dictionaries in exams; and if she will make a statement on the matter. [24809/07]

Minister for Education and Science (Deputy Mary 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.

The Commission operates a scheme of accommodations in the certificate examinations which includes provision for the use of bilingual dictionaries by candidates whose first language is not English or Irish. Bilingual translation dictionaries between the candidate's first language and English or Irish (i.e. without explanation of terms/definition) are permitted. Electronic bilingual dictionaries, translators, wordlists or glossaries are not permitted. This accommodation has been a feature of the scheme since 2004.

The use of a bilingual dictionary is not permitted in the case of examinations in the following subjects, viz. English Irish. The candidate's first language A language closely related to the candidate's first language (Where a query arises as to

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the definition of a closely related language, the Commission must be consulted in advance of the examination for advice in this respect).

The following are details in relation to the level of uptake of this accommodation since 2004—

Year	Total Candidates
2004	833
2005	1,000
2006	1,046
2007	1,528

Integration Policy.

449. **Deputy Denis Naughten** asked the Minister for Education and Science the plans she has to appoint a national coordinator to support and facilitate schools in facing the challenges of the increasing diversity of Irish society and the developing and implementation of inter-cultural education; and if she will make a statement on the matter. [24810/07]

Minister for Education and Science (Deputy Mary Hanafin): In June this year, the Taoiseach appointed a Minister of State with responsibility for the development of Integration policy based in the Department of Community Rural and Gaeltacht Affairs with links to both the Department of Justice, Equality and Law Reform and my Department.

This development will co-ordinate the response of the three Government Departments in relation to the integration of newcomers to Ireland. The appointment of the Minister and the establishment of the Office of the Minister for Integration will help ensure the provision of an efficient and effective delivery of services to assist the integration across a number of inter-related areas to minimise duplication and gaps in provision and to maximise opportunities for collaboration and co-operation.

The Office of the Minister for Integration will be involved in setting up new funding lines to address integration priorities; developing “principles” of integration; bringing Departments together to coordinate integration activities and helping all parties (local communities/local authorities/trade unions/religious groups etc.) to play their part in building an integrated Irish society. The Minister for Integration also intends to establish a Task Force on Integration in early 2008 to identify key topics affecting immigrant communities; consult widely with immigrants and Irish people; visit communities; examine previous research and report back with recommendations which may include the question of the appointment of a national co-ordinator.

Teacher Training.

450. **Deputy Denis Naughten** asked the Minister for Education and Science the number of places which are available at each training institution to train teachers in the teaching of English as a second language; if such training is available for all teachers, not just language support teachers; and if she will make a statement on the matter. [24811/07]

Minister for Education and Science (Deputy Mary Hanafin): The programmes in the Colleges of Education contain a number of elements aimed at enabling student teachers to address the various needs of all pupils in the classroom, including students whose first language is not English. In particular, all students undertake a course to prepare them to teach English in accordance with the revised primary school curriculum. Two modules of this course are taken in each year of the three year B. Ed. and it includes the teaching of English as an additional language for students. In addition, the Colleges of Education address the specific issues involved in the teaching of students whose first language is not English in a variety of ways. These include inter-cultural education, language acquisition and specialised courses in second language teaching. St. Patrick’s College provides an elective course with a specific focus on teaching English as a second language. Coláiste Mhuire Marino and Mary Immaculate College Limerick are considering options to further address the issues involved.

In addition, Integrate Ireland Language and Training has been providing training to language support teachers to date and from 2004 to 2006 nearly 1,800 teachers attended the training courses provided.

Additional downloadable material is available from the Integrate Ireland Web site at www.iilt.ie.

School Enrolments.

451. **Deputy Denis Naughten** asked the Minister for Education and Science the steps that have been taken by her Department to implement Recommendation No. 6 of the Joint Committee on Education and Science second report on the provision of educational services in a multi-ethnic/multi-cultural society; and if she will make a statement on the matter. [24812/07]

Minister for Education and Science (Deputy Mary Hanafin): Enrolment in individual schools is the responsibility of the managerial authority of those schools and the Department does not seek to intervene in decisions made by schools in such matters. The Department’s main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. This may result, however, in some pupils not obtaining a place in the school of their first choice.

It is the responsibility of the managerial authorities of schools that are not in a position to admit all pupils seeking entry to implement an enrolment policy in accordance with the Education Act. In this regard a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. In formulating an admissions policy a school must, however, ensure it is lawful. In particular, it must act in accordance with Section 7 of the Equal Status Act 2000 which, subject to very limited exceptions, prohibits schools from discriminating against people in relation to a number of matters including the admission of a pupil to the school.

Performance Management.

452. **Deputy Jan O'Sullivan** asked the Minister for Education and Science if she will expand on her proposals in relation to the dismissal of teachers who are not performing well; if badly performing principals are included in her proposals; the measures open to parents concerned about the performance of a principal where the board of management refuses to take action; and if she will make a statement on the matter. [24819/07]

Minister for Education and Science (Deputy Mary Hanafin): As part of the modernisation agenda for teachers under the Social Partnership Agreement Towards 2016 it was agreed to address the issue of difficulties in relation to Teacher performance. It was recognised that while the vast majority of teachers fulfil their teaching function and professional duties adequately and well, there are, as in all professions, a small number of under performing personnel in schools.

In that context discussions under the auspices of the Teachers Conciliation Council have commenced to review and revise existing procedures for the suspension and dismissal of teachers. The discussions comprehend the arrangements that will apply in the case of both teachers and Principals. One of the issues under consideration is the provision of assistance, where appropriate, to teachers who are experiencing professional difficulties as provided for in the Towards 2016 agreement.

The Teachers Conciliation Council is the recognised forum for dealing with matters relating to pay and conditions of service of teachers. The parties to the forum include representatives of the managerial authorities of schools, the teacher unions and the Departments of Education and Science and Finance.

As the proceedings of the Conciliation Council are confidential it would not be appropriate for me to make any further comment at this time.

In relation to the measures open to parents concerned about the performance of a principal

any such concerns should be raised in the first instance with the board of management of the school concerned. My Department's role is limited to insuring that fair and reasonable procedures are applied by the school authority concerned. It is open to a parent who alleges a lack of fair procedure in a school authority's handling of a complaint to approach my Department in this regard.

Schools Building Projects.

453. **Deputy Áine Brady** asked the Minister for Education and Science the progress to date on the proposed extension to a school (details supplied) in County Kildare; the proposed date for completion of the project; and if she will make a statement on the matter. [24824/07]

Minister for Education and Science (Deputy Mary Hanafin): I am pleased to inform the Deputy that following a recent review meeting held on Wednesday September 26 with officials from my Department, representatives of the School and their Design Team, approval in principle was given to the Stage 2 submission (Outline Sketch Scheme).

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.

Renewable Energy.

454. **Deputy Áine Brady** asked the Minister for Education and Science her plans to include the use of solar panels or other renewable technologies in the design of schools here; and if she will make a statement on the matter. [24825/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department is to the forefront of design with respect to energy efficiency in school buildings. However, the length of the school day and school holiday periods generally impact on the suitability of alternative energy options in school buildings.

My Department's design guidelines set the benchmark for low energy design in schools and are clearly focused on energy efficiency and are based on solid energy research projects.

It has been demonstrated that all schools designed and built to these standards can have an energy performance that is 2.3 times more efficient than international best practice and nearly five times more efficient than schools built in the late 80's.

My Department's policy is supported by a strong research programme with over twenty research projects at various stages currently in hand.

A hybrid approach is taken with respect to low energy design in schools based on maximising

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natural resources and energy efficient technologies. Schools are positioned to maximise gain from the sun during the day for passive solar heating and natural daylight. Passive solar design saves 20% of early morning heating period and adequate natural daylight when combined with automated lighting systems in the classrooms can eliminate the need for electrical light for up to 80% of the schools teaching hours.

Energy efficient boilers and individual room temperature controls combined with a strong emphasis on air tight testing and high insulation levels minimise heat requirements. Water usage is minimised through automatic shut off taps and dual flush toilets, while local water blending valves are provided to prevent scalding. All of the above design features are included in the Department's Generic Repeat Design schools.

My Department has developed a number of carbon neutral schools as part of research projects involving both geothermal and wood pellet installations and further projects are currently being assessed in respect of their suitability for wider rollout.

The performance of my Department in the area of low energy design has been recognised at both National and International level with sustainable energy awards for excellence in Design and Specification.

Schools Building Projects.

455. **Deputy Charles Flanagan** asked the Minister for Education and Science the steps she proposes to take to address problems at a school (details supplied) in County Laois where facilities for children with autism are required; and if the appropriate extension will be approved without delay. [24831/07]

Minister for Education and Science (Deputy Mary Hanafin): A technical inspection was recently carried out at the school to which the Deputy refers. Progress on the building project is being considered in the context of the multi-annual School Building and Modernisation Programme.

Class Sizes.

456. **Deputy Eamon Scanlon** asked the Minister for Education and Science the number of primary schools consisting of class sizes five, six, seven and eight that have been built in the north west area within the past two years; and if she will make a statement on the matter. [24845/07]

Minister for Education and Science (Deputy Mary Hanafin): The information requested is not readily available to my Department. I will arrange for the information to be forwarded to the Deputy as soon as possible.

Youthreach Programme.

457. **Deputy Paul Kehoe** asked the Minister for Education and Science, further to Parliamentary Question No. 125 of 27 September 2007, the provision made for an alternative education centre to mainstream school such as a Youthreach or Youth Train project in a town (details supplied) in County Wexford; and if she will make a statement on the matter. [24871/07]

Minister for Education and Science (Deputy Mary Hanafin): An application was submitted by Wexford VEC for funding towards Youthreach in the town referred to by the Deputy. The application was unsuccessful; however, it will be considered next year in the context of competing priorities.

School Transport.

458. **Deputy Michael Creed** asked the Minister for Education and Science if she will favourably consider a school transport request by a person (details supplied) in County Cork. [24872/07]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): One of my Department's objectives is to provide a reasonable level of transport service for eligible pupils to and from school. Bus Éireann, which manages school transport services on behalf of my Department, is responsible for the establishment, contracting and operation of those services.

Where it is not possible to provide a reasonable level of service, or where a service is considered unsuitable to meet the needs of the pupil/s concerned, my Department may offer a grant towards the cost of organising a private transport arrangement.

The pupil referred to by the Deputy in the details supplied has been provided with a service that is meeting his school transport requirements.

459. **Deputy Thomas Byrne** asked the Minister for Education and Science if she will assess the transport needs of persons (details supplied) in County Meath; and if the current parameters for free transport in east Meath will be re-examined. [24878/07]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): Under the terms of my Department's Primary School Transport Scheme, pupils who reside 3.2 kilometres or more from, and are attending, their nearest suitable school as determined by my Department, are eligible for free school transport.

The pupils referred to by the Deputy in the details supplied reside less than 3.2 kilometres from the school they are attending and, therefore, do not meet the eligibility criteria for free school transport.

Departmental Travel.

460. **Deputy Leo Varadkar** asked the Minister for Education and Science if her Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to her Department or if they can be retained by the individual concerned; and if she will make a statement on the matter. [24894/07]

Minister for Education and Science (Deputy Mary Hanafin): The Department of Education and Science's foreign travel policy currently makes no reference to the accrual by Ministers or civil servants of frequent flyer points, including the signing over to the Department or retention of these points. The Department adheres to the general Foreign Travel Policy document, issued by the Department of Finance, which states that "It will be the responsibility of each Department/Office to ensure that frequent flyer points are not allowed influence decisions taken in relation to the carriers used for official business."

Special Educational Needs.

461. **Deputy Niall Blaney** asked the Minister for Education and Science if she will intervene on behalf of a person (details supplied) in County Donegal who requires resource hours allocated to assist them; and if she will make a statement on the matter. [24906/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy will be aware, the National Council for Special Education is responsible, through its network of local Special Educational Needs Organisers, for the establishment of special classes for autism and for allocating resource teachers and special needs assistants to schools to support children with special needs. I have arranged for the details supplied by the Deputy to be forwarded to the NCSE for their attention and direct reply.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

Schools Building Projects.

462. **Deputy Dara Calleary** asked the Minister for Education and Science the position regarding the development of a school (details supplied) in County Mayo. [24932/07]

Minister for Education and Science (Deputy Mary Hanafin): I am pleased to advise the Deputy that on 25 June, 2007 my Department gave devolved authority for the project in question to advance to Planning Permission stage and

to commence preparation of tender documentation.

463. **Deputy Dara Calleary** asked the Minister for Education and Science the position regarding the provision of an extension for a school (details supplied) in County Mayo. [24933/07]

Minister for Education and Science (Deputy Mary Hanafin): An application for capital funding towards the provision of an extension has been received from the school authority referred to by the Deputy. An assessment of projected enrolment trends, demographic trends and housing developments in the area is currently underway in order to determine the long term projected staffing figure on which the school's accommodation needs will be based. Once the long term projection has been determined and agreed with the school authorities the required building project will be considered in the context of the multi-annual School Building and Modernisation programme.

464. **Deputy Dara Calleary** asked the Minister for Education and Science the position regarding the provision of a new building for a school (details supplied) in County Mayo. [24934/07]

Minister for Education and Science (Deputy Mary 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 site for this Gaelscoil.

An assessment of projected enrolment trends, demographic trends and housing developments in the area will also be required in order to determine the long term projected staffing figure on which the school's accommodation needs will be based.

Once a suitable site has been secured and the long term projection has been determined and agreed with the school authorities, the project will then be considered in the context of the School Building and Modernisation Programme.

465. **Deputy Dara Calleary** asked the Minister for Education and Science the position regarding an extension for a secondary school (details supplied) in County Mayo. [24935/07]

Minister for Education and Science (Deputy Mary Hanafin): An application for an extension and refurbishment project has been received from the school referred to by the Deputy. An assessment of projected enrolments, demographic trends and housing developments in the area will be required in order to assist in determining the long term projected enrolment for the school on which the school's long term accommodation needs will be based. When the long-term projected enrolment has been finalised and agreed with the school authorities my Department will

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draw up schedules of accommodation for the project which will be notified to the school management authority. The project will then be considered in the context of the multi-annual School Building and Modernisation Programme.

Schools Amalgamation.

466. **Deputy Ulick Burke** asked the Minister for Education and Science the position regarding the proposal for a school amalgamation (details supplied) at second level in Tuam, County Galway; the progress that has been made; and if she will make a statement on the matter. [24942/07]

Minister for Education and Science (Deputy Mary Hanafin): An agreement was reached by the Patron to rationalise provision of post-primary provision in the Tuam area to establish a single boys' school. The Patron has offered to provide a site to accommodate the new school and I understand is in discussions with the County Council in relation to same. As soon as the site issue is finalised, the building project required to deliver the appropriate accommodation will be considered in the context of the multi-annual School Building and Modernisation Programme.

Schools Building Projects.

467. **Deputy Mary O'Rourke** asked the Minister for Education and Science if full and early consideration will be given to a secondary school (details supplied) in County Westmeath which has applied for the summer works scheme 2008. [24968/07]

Minister for Education and Science (Deputy Mary Hanafin): Decisions on the scheme will be made later in the year.

468. **Deputy Denis Naughten** asked the Minister for Education and Science if she will approve funding under the summer works scheme for a project (details supplied) in County Roscommon; and if she will make a statement on the matter. [25031/07]

Minister for Education and Science (Deputy Mary Hanafin): Decisions on the Scheme will be made later in the year.

Grant Payments.

469. **Deputy Michael Ring** asked the Minister for Education and Science if a person (details supplied) in County Mayo will receive the third level maintenance grant. [25036/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department funds four maintenance grant schemes for third level and further education students. These are the Higher Edu-

cation Grants (HEG) Scheme, the Vocational Education Committees' Scholarships Scheme, the Third Level Maintenance Grants Scheme for Trainees and the Maintenance Grants Scheme for Students attending Post Leaving Certificate (PLC) Courses. The HEG Scheme is administered by the Local Authorities on behalf of my Department, the other three maintenance grant schemes are administered on a similar basis by the VECs.

The PLC Scheme prescribes the terms and conditions of funding in respect of students attending courses in approved PLC Centres. The other three schemes govern the award of grants to students attending approved courses in approved third level institutions. Grant applicants must be assessed by the awarding bodies with reference to the terms and conditions prescribed in the Scheme relevant to the course being pursued and the college being attended.

Students are eligible to be considered for grant assistance in respect of one approved PLC Course. Clause 3.2 of the PLC Scheme sets out the circumstances under which grant assistance may be awarded in respect of subsequent study at PLC Level — i.e where a candidate already holds a qualification, no higher than FETAC Level 5, and is now pursuing a course that offers progression which may be deemed eligible for grant aid.

The candidate referred to by the Department should apply, if they have not already done so, to their local VEC to establish eligibility for assistance for the Level 5 Certificate course in Horticulture.

Eligibility for grant assistance, in the case referred to by the Deputy, is a matter for the relevant VEC to establish.

Third Level Education.

470. **Deputy Damien English** asked the Minister for Education and Science her plans to provide a third level education campus in County Meath in order to allow the people living there to advance their skills base for the knowledge society; and if she will make a statement on the matter. [25049/07]

Minister for Education and Science (Deputy Mary Hanafin): In the State as a whole, there are over twenty publicly-funded higher education institutions, seven of which are universities and fourteen institutes of technology. In its review of Irish Higher Education published in 2004, the OECD observed that Irish Third Level Institutions were relatively small by international standards and that this posed particular challenges in terms of achieving critical mass for academic provision, infrastructure, research and support mechanisms.

In view of the current level of third level provision nationally, there are no plans to create additional third-level campuses.

Schools Building Projects.

471. **Deputy Olwyn Enright** asked the Minister for Education and Science the start date for construction work on a school (details supplied) in County Offaly under the current public private partnership programme; the length of time the work is expected to take. [25110/07]

Minister for Education and Science (Deputy Mary Hanafin): I wish to inform the Deputy that I recently announced that Macquarie Partnerships for Ireland have been selected as the preferred tenderer for the provision of four new schools including the school in question, which form the first bundle of PPP schools projects to be delivered under my Department's 2006-2010 PPP programme.

It is envisaged subject to the planning process, that construction will commence in early 2008 and the four new schools will be available from September 2009.

School Management.

472. **Deputy Denis Naughten** asked the Minister for Education and Science the reason she has directed that parents representatives on boards of management of Gaelscoileanna must be fluent in the Irish language; her views on whether this directive is discriminatory to parents not born in Ireland; and if she will make a statement on the matter. [25112/07]

Minister for Education and Science (Deputy Mary Hanafin): Firstly, I would like to assure the Deputy that I have not directed that parent representatives on boards of management of Gaelscoileanna must be fluent in the Irish language.

Under Section 14 of the Education Act 1998 it is the duty of a Patron, for the purposes of ensuring that a recognised school is managed in a spirit of partnership, to appoint, where practicable, a Board of Management.

The Patron is responsible for initiating the steps necessary for the establishment of the Board in accordance with the procedures set out in the Handbook "Boards of Management of National Schools — Constitution of Boards and Rules of Procedure". Boards of Management of primary schools are obliged to comply with the requirements set out in this handbook. The handbook is revised periodically and agreed through discussions between my Department and the education partners.

The Board of Management of a primary school is comprised of nominees of the patron and representatives of teachers, parents and the community. Apart from the requirement that they are parents of children currently enrolled in the school, there is no specific criterion set out in the handbook with regard to parents' representatives on the Board. However, in the case of Gaelscoileanna, the criterion outlined in the handbook concerning the community representatives states that

"persons nominated from the community served by the school shall have an understanding of and a commitment to the ethos of the school. It is expected also that those nominated shall have a good knowledge of the Irish language".

Schools Building Projects.

473. **Deputy Pat Breen** asked the Minister for Education and Science further to Parliamentary Question No. 128 of 11 October 2007, when the long-term projection assessment for a school (details supplied) in County Clare will be completed; and if she will make a statement on the matter. [25114/07]

Minister for Education and Science (Deputy Mary Hanafin): An assessment of projected enrolment trends, demographic trends and housing developments in the area is currently underway

in order to determine the long term projected staffing figure on which the school's accommodation needs will be based. Once the long term projection has been determined officials in School Planning Section will be in contact with the school authority.

The building project will be considered in the context of the multi annual School Building and Modernisation programme.

474. **Deputy Mary O'Rourke** asked the Minister for Education and Science the situation regarding the provision of new school facilities for a school (details supplied) in County Longford. [25115/07]

Minister for Education and Science (Deputy Mary Hanafin): The Board of Management of the school referred to by the Deputy is the Client/Contracting Authority for their proposed building project. As client, the Board is currently overseeing the appointment of an architectural Design Team and it is my understanding that this process is at an advanced stage.

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.

475. **Deputy Bernard Allen** asked the Minister for Education and Science the reason for the long delays in proceeding with the extension for a school (details supplied) in County Cork. [25125/07]

Minister for Education and Science (Deputy Mary Hanafin): Officials in the Department have completed a technical visit of the school referred to by the Deputy with a view to determining the project brief. The future progression of the project will be considered in the context of the School Building and Modernisation Programme.

Departmental Expenditure.

476. **Deputy Brian Hayes** asked the Minister for Education and Science the amount of money spent on paper and stationery in 2007: the amount of this money spent on recycled paper. [25140/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department purchases paper and stationery from suppliers selected by the Government Supplies Agency.

I understand that the Deputy's question specifically relates to the cost of photocopying paper and letterhead stationery used by my Department. The amount of money spent by my Department on these supplies for the year to-date is €41,881.40 and €13,043.77 respectively. While the photocopying paper and letterhead stationery now used are not made from recycled paper, I should point out that most of the envelopes used in my Department are made from recycled paper.

A number of years ago my Department undertook a trial use of recycled photocopying paper. A number of technical difficulties arose at that time and it was decided not to continue the use of that type of paper. However, the matter is now being reviewed in light of improvements in the quality of recycled paper available to purchase.

School Transport.

477. **Deputy Dan Neville** asked the Minister for Education and Science if she will sanction the bus tickets to children (details supplied) in County Limerick waiting for same to allow them to avail of school transport from her Department; and if she will make a statement on the matter. [25165/07]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): Under the terms of my Department's Post Primary School Transport Scheme, a pupil is eligible for transport if s/he resides 4.8 kilometres or more from her/his local post primary education centre.

The scheme is not designed to facilitate parents who choose to send their children to a post-primary centre outside of the catchment area in which they reside. However, children who are fully eligible for transport to the post-primary centre in the catchment area in which they reside may apply for transport on a concessionary basis to a post-primary centre outside of their own catchment area — otherwise known as catchment boundary transport. These children can only be facilitated if spare seats are available on the bus after all other eligible children travelling to their local post-primary centre have been catered for. Such children have to make their own way to the nearest pick up point within that catchment area.

The Transport Liaison Officer for Co. Limerick and Bus Éireann have advised that the transport service under the school transport scheme is

operating to capacity. The families in question should continue to liaise with Bus Éireann regarding the availability of catchment boundary seats in the future.

My Department is aware, since the phasing out of the three for two seating arrangement on school buses, that vacant seats, where they arise, are now more conspicuous than heretofore. It is a matter of concern that some parents would reserve seats for their children and then not make full use of these seats.

In circumstances where a complaint of this nature is received, Bus Éireann arranges to monitor the situation. Those who are identified as using the school transport services on an irregular basis can be asked to surrender their tickets and make alternative transport arrangements, in order to allow their seats to be reallocated to other families in accordance with the terms of the school transport schemes. Bus Éireann rely on the cooperation and goodwill of parents to release seats for the benefit of others in these circumstances.

If the Deputy has precise information which may assist in identifying those who appear not to be using their seats on a regular basis, my Department will be pleased to have the matter investigated.

Teaching Qualifications.

478. **Deputy Eamon Gilmore** asked the Minister for Education and Science the reason her Department has narrowed the qualifying standards for tutors providing tuition to pupils for which parents are availing of home tuition grants provided by her Department; if her attention has been drawn to the adverse effects this is having on tutors who do not meet these specific qualifications and on the pupils who can no longer avail of their services as a consequence; and if she will make a statement on the matter. [25172/07]

Minister for Education and Science (Deputy Mary 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. The Deputy will appreciate, that as home tuition takes place outside of the normal school framework, there is need to ensure that tuition providers are appropriately qualified to give education to the children concerned. The usual requirement is a fully qualified teacher. However, other qualifications are acceptable depending on the individual needs of the child. A list of relevant qualifications may be sourced on my Department's website on www.education.ie. It is in the interests of children to expect that home tutors funded under this scheme are appropriately qualified tuition providers. The revised standards were introduced

following a review in 2006. However my Department built flexibility into the implementation of the revised arrangement to accommodate parents/guardians who were experiencing difficulties in changing to a qualified tuition provider by extending the sanction with the current tuition provider until the end of the school year 2006/07 to facilitate the recruitment process. Parents who are still experiencing difficulties in this regard should bring them to the immediate attention of the officials concerned.

The Deputy will be aware that the current Programme for Government includes a commitment to the provision of a central database of suitably trained personnel seeking employment as home tutors.

School Staffing.

479. **Deputy Brian Hayes** asked the Minister for Education and Science the moneys paid to primary teachers in promoted positions in the last financial year; the moneys paid to voluntary secondary school teachers in promoted positions in the last financial year; the moneys paid to community/comprehensive school teachers in promoted positions in the last financial year; and if she will make a statement on the matter. [25173/07]

Minister for Education and Science (Deputy Mary Hanafin): The information requested by the Deputy is given in the following table which shows the rates of allowances for promoted posts effective since the 1 June 2007.

Principal's Allowance

Category	Point	Annual
		€
1	1	9,328.00
	2	9,328.00
2	3	10,452.00
3	4	12,261.00
4	5	14,387.00
5	6	16,737.00
6	7	19,120.00
7	8	21,427.00
8	9	23,759.00
9	10	25,475.00
10	11	27,249.00
11	12	29,833.00
12	13	31,580.00
13	14	34,959.00
14	15	36,099.00
15	16	39,154.00
16	17	40,854.00
17	18	42,550.00

Deputy Principal

Category	Point	Annual
		€
1	1	3,776.00
2	2	4,941.00
3	3	6,533.00
4	4	8,188.00
5	5	9,791.00
6	6	11,465.00
7	7	13,076.00
8	8	14,658.00
9	9	15,904.00
10	10	17,120.00
11	11	19,002.00
12	12	20,167.00
13	13	22,689.00
14	14	23,181.00
15	15	25,328.00
16	16	26,303.00
17	17	27,268.00

Assist. PO Allowance Pay Code 22

Category	Point	Annual
		€
	1	8,536.00

Special Duties Allowance Pay Code 23 01/06/2007

Category	Point	Annual
		€
	1	3,776.00

School Management.

480. **Deputy Brian Hayes** asked the Minister for Education and Science the training that exists for boards of management to take on positions of responsibility within a school structure; her views on providing funding for this purpose; and if she will make a statement on the matter. [25174/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department administers a scheme which provides funding to Boards of Management for their training needs. It enables Management Bodies to apply for direct support in addition to the existing support provided by the Education Centre Network.

The scheme is centrally managed by a representative Steering Committee. The committee is comprised of representatives of Teacher Education Section, the Departments' Inspectorate, the school management bodies at primary and

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post-primary level and Drumcondra Education Centre. Drumcondra Education Centre provides administrative support to the Steering Committee and the scheme.

The areas which are covered by training are Employment Law, Health & Safety, Child Protection Guidelines, Financial Management and Roles and Responsibilities of Boards Of Management.

School Accommodation.

481. **Deputy Brian Hayes** asked the Minister for Education and Science the number of temporary classrooms and prefabs which are in place within all primary schools; the cost in terms of granting these premises each year over the past five years; and if she will make a statement on the matter. [25175/07]

Minister for Education and Science (Deputy Mary Hanafin): The information requested by the Deputy in relation to the number of temporary classrooms is not readily available. The amount spent on temporary accommodation, including prefabricated accommodation in the last 5 years is as follows:

2006: €24.5M

2005: €15.7M

2004: €11.3M

2003: €9.4M

2002: €8.4M

The provision of rented accommodation provides an immediate solution to a deficit of school accommodation, and is often the only available option where extra accommodation is needed at short notice.

The demand for additional accommodation in schools has risen significantly over the last number of years mainly due to the rapid expansion in teacher numbers particularly in the area of special needs, the growth in the school-going population in rapidly developing areas and the demands to cater for diversity through the recognition of new Gaelscoileanna and Educate Together schools. The provision of rented accommodation is demand led and accordingly the number of schools in rented temporary accommodation can change on a daily basis.

The total capital expenditure at primary and post-primary level in 2006 was €524.68m, therefore, the expenditure on rental of temporary school accommodation for the same period represents only 4.67% as a % of the total capital expenditure.

Pension Provisions.

482. **Deputy Brian Hayes** asked the Minister for Education and Science her views on extending the 26 week period referred to in Circular 10/048

(4)(B), to one year to facilitate teachers who took leave from service to undertake postgraduate studies and were not on the payroll during the 26 week period prior to 1 April 2004; and if she will make a statement on the matter. [25176/07]

Minister for Education and Science (Deputy Mary Hanafin): The Public Service Superannuation (Miscellaneous Provisions) Act 2004 was enacted following the Government's consideration of the Final Report of the Commission on Public Service Pensions. That report included a recommendation that the age of retirement for new entrants to the public service be changed from an age range of 60 to 65 years to a single retirement age of 65. There were some exceptions to this where special retirement terms apply for operational reasons.

Section 2 of that Act provides that a person appointed as a public servant on or after 1 April 2004 will be considered a new entrant. A new entrant is a public servant who will not be required to retire on grounds of age and for whom pension benefits will not normally be payable before the age of 65 years. There are a number of exceptions to this. Where a person was employed as a public servant on 31 March 2004 and was on leave or secondment on that date then that person will not be treated as a new entrant on their return to work. In addition, a person will not be considered a new entrant where he or she was serving in a public body before 31 March 2004 or leaves public service employment now and returns to the public service under the same contract of employment or within 26 weeks of having left. Therefore the 26 week rule does not apply to public servants on approved leave of absence with a right to return to their employment. The period of 26 weeks is consistent with similar provisions dealing with continuous employment in other employment law statutes. Any change to this period would require a change the primary legislation which affects public service pensions generally. This is a matter primarily for the Minister for Finance but I understand that there are no plans to amend the law in this area.

School Management.

483. **Deputy Brian Hayes** asked the Minister for Education and Science the reason the VEC have been debarred from applying for the potential governance of new primary schools, which may or may not be established by her Department; and if she will make a statement on the matter. [25177/07]

Minister for Education and Science (Deputy Mary Hanafin): In February 2007 I announced my intention to introduce a new model of primary school patronage and that my Department would engage in a consultation process with the relevant

stakeholders in relation to the implementation measures required.

Pending the completion of the consultation process and the evaluation of the pilot community primary school project, I decided as a matter of policy that no vocational education committee (with the exception of the aforementioned pilot community primary school project) should act as a patron in respect of a primary school or otherwise, establish or maintain a primary school until further notice. I therefore directed all Vocational Education Committees not to establish or maintain a primary school and not to seek recognition of a primary school or recognition as a Patron pursuant to the provisions of the Education Act 1998 until further notice or direction.

Special Educational Needs.

484. **Deputy Brian Hayes** asked the Minister for Education and Science the reason there is no right of appeal in terms of decisions made by special education needs officers; and if she will make a statement on the matter. [25178/07]

Minister for Education and Science (Deputy Mary Hanafin): The Special Education Appeals Board (SEAB) was established under section 36 of the Education for Persons with Special Educational Needs Act 2004 to hear and determine appeals pursuant to a number of sections of the Act. Members of the inaugural appeals board have been appointed and are currently working on the development of processes and procedures which need to be in place before the relevant sections of the Act, which underpin the appellant process, are commenced.

In the interim, the NCSE will undertake to review a decision taken by a special educational needs organiser on foot of a request from a school or parents/guardians, when accompanied by relevant additional information, which may not have been to hand at the time of the decision. The NCSE has outlined this process in its Circular 01/05.

School Staffing.

485. **Deputy Brian Hayes** asked the Minister for Education and Science the special needs assistant and resource teacher allocation in each post-primary school in the country with a breakdown between those community schools within the VEC sector and all other schools; and if she will make a statement on the matter. [25179/07]

Minister for Education and Science (Deputy Mary Hanafin): The information requested is not readily available in the format required by the Deputy. However, as the Deputy is aware, there has been enormous progress made over the past number of years in relation to increasing the number of teachers in our second level schools

who are specifically dedicated to providing education for children with special educational needs.

My Department provides a range of supports to second level schools to enable them to cater for students with special educational needs. The supports in question include remedial and additional teaching support, special needs assistant support and funding for the purchase of specialised equipment.

At second level, approximately 1,943 whole time equivalent teachers are in place to support pupils with special educational needs. This compares to approximately 200 teachers that were in place in 1998 for such pupils. In addition, there are 561 whole time equivalent learning support teachers and approximately 1,724 whole time equivalent special needs assistants (SNA's) in our second level schools.

The Deputy will also be aware that with effect from 1 January 2005, the National Council for Special Education (NCSE) has taken over key functions from my Department in relation to special educational provision. The NCSE was formally established as an independent statutory body on the 1st October 2005 under the Education for Persons with Special Educational Needs Act 2005. The Council acts under the broad policy direction of the Department of Education and Science but has the resources and the remit to play the leading role in the delivery of education services to children with disabilities/special needs.

The NCSE co-ordinates with the health services, schools and other relevant bodies regarding the provision of education and related support services to children with disabilities/special needs.

The responsibilities of the NCSE include the following:

- Deciding on applications for additional teaching support in respect of children with disabilities with special educational needs at second level;
- Deciding on applications for special needs assistant (SNA) hours;
- Processing applications for school placement in respect of children with disabilities with special education needs.

The precise model of provision made available at second level will depend on the assessed needs of the pupils involved. Some pupils are capable of attending ordinary classes on an integrated basis with additional teacher and/or special needs assistant support. In other cases, placement in special dedicated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil teacher ratios. Students attached to these special classes may be facilitated in attending ordinary subject classes on an integrated basis wherever possible.

[Deputy Mary Hanafin.]

The NCSE, through the local Special Educational Needs Organiser (SENO) will process the relevant application for resources and inform the school of the outcome. It is important to note that in the case of decisions on additional teaching and SNA support, the SENO will outline the process to the school and parents, where appropriate, and will at the end of the process outline the basis on which the decision was made.

I am confident that the advent of the NCSE will prove of major benefit in ensuring that all children with special educational needs receive the support they require.

Road Safety.

486. **Deputy Brian Hayes** asked the Minister for Education and Science her position regarding the cost associated with establishing road markings outside schools as a means of improving student safety; if it is the case that local schools must pay for the full cost of this work to the local authority concerned; and if she will make a statement on the matter. [25180/07]

Minister for Education and Science (Deputy Mary Hanafin): The issue of road safety measures outside the vested site areas of primary schools 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 have in place appropriate measures to ensure the safety of school attending pupils.

It is open to the Boards of Management of schools to make an application for funding under my Department's Summer Works Scheme should safety measures be required within school boundaries.

School Inspectors.

487. **Deputy Brian Hayes** asked the Minister for Education and Science the number of inspectors within the primary school sector in each year over the past five years; if each primary school would receive a visit from an inspector every year or two years and so on; and if she will make a statement on the matter. [25181/07]

Minister for Education and Science (Deputy Mary Hanafin): The number of primary district and divisional inspectors employed within the Inspectorate of the Department of Education and Science on the 30 September for each of the past five years is as follows:

2003 — 72 primary inspectors
 2004 — 77 primary inspectors
 2005 — 71 primary inspectors
 2006 — 74 primary inspectors
 2007 — 82 primary inspectors

It should be noted that the number of inspectors involved in the evaluation of schools and teachers may vary throughout any given year due to assignments to other duties, secondments, or maternity leave.

The Inspectorate of my Department will conduct more than 2,500 inspections in primary schools during 2007. This figure includes 246 primary Whole-School Evaluations (WSE) and more than 2,300 inspections of primary teachers on probation. Inspectors, therefore, visit a significant proportion of the 3,284 primary schools in the country each year in the context of their inspection work and this is beneficial in terms of engaging with school principals and teachers and providing advice.

Up-to-date information on the inspections that have been carried out in primary and post-primary schools and the list of published reports are available on the Department's website (www.education.ie).

Learning Support.

488. **Deputy Brian Hayes** asked the Minister for Education and Science the reason the general allocation for learning support is based on figures five years old in terms of each school's catchment area; the reason the promise of a three yearly review has not been enforced to date; and if she will make a statement on the matter. [25182/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy is aware, a new general allocation system was introduced in May 2005, under which schools have been provided with resource teaching hours, based on their enrolment figures, to cater for children with high incidence special needs such as dyslexia and those with learning support needs.

This system was intended to be introduced for the 2004/2005 school year. Schools were notified of this in June 2004. However, it was not possible to introduce the general allocation system until the school year 2005/2006.

The allocation of resource teaching hours to individual schools under the system in respect of the current school year is at the same level as applied in the 2005/06 school year except in the case of schools with developing school status which qualify for an increased allocation.

A comprehensive circular (Sp Ed 02/05) issued to all Primary Schools in 2005 regarding the organisation of teaching resources for pupils who need additional support in mainstream primary schools. The main purpose of this circular was to provide guidance for schools on the deployment and organisation of the teaching resources that were allocated under the general allocation system. Reference was also made in this circular to the deployment of additional teaching resources that are allocated to schools for the support of individual pupils with low incidence disabilities. Further circulars, 0036/2006 and

0034/2007 issued to all Primary Schools regarding the updated position in relation to these teaching resources.

It is anticipated that the general allocation system will be reviewed after three years in operation.

Question No. 489 answered with Question No. 430.

School Transport.

490. **Deputy Phil Hogan** asked the Minister for Education and Science the reason school transport has not been provided for a person (details supplied) in County Carlow; and if she will make a statement on the matter. [25198/07]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): Under the terms of the Primary School Transport Scheme, children are eligible, subject to conditions, for free transport to their nearest national school or school of amalgamation.

Pupils not attending their nearest national school may avail of concessionary fare-paying transport to another school, provided:

- (a) the written agreement of the board of management of the nearest school is secured;
- (b) there are spare seats available on the bus; and
- (c) no extra State cost is incurred by extending or re-routing the service.

The family referred to by the Deputy should liaise with their local Bus Éireann office to establish whether they may avail of fare-paying transport on the foregoing terms.

Departmental Correspondence.

491. **Deputy Brendan Howlin** asked the Minister for Education and Science when a detailed response will issue to correspondence (details supplied) regarding support for deaf parents and hearing children. [25209/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department is currently considering the correspondence referred to by the Deputy, and will respond on the matter as soon as possible.

School Transport.

492. **Deputy Michael Ring** asked the Minister for Education and Science if she will respond specifically to a previous parliamentary question regarding persons (details supplied) in County Mayo; if these children will be allowed back on the school bus; and if she will make a statement on the matter. [25225/07]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): In my replies to previous questions on this matter, I informed the Deputy that the relevant E.U. Directives do not require the provision of child restraint systems for children travelling on buses fitted with safety belts. I also indicated that all nominated buses operating within the School Transport Scheme are fitted with safety belts, which the occupants are obliged to wear.

It is not my intention to permit the introduction of local arrangements for individual pupils, such as those proposed by the Deputy.

Bus Éireann, which operates the School Transport Scheme on behalf of my Department, has advised that the parents of the pupils referred to by the Deputy have chosen not to avail of the existing school bus service. Should they wish again to avail of transport on terms applicable to service recipients generally, they should liaise directly with the local Bus Éireann office regarding the continued availability of the pupils' seats.

Schools Refurbishment.

493. **Deputy Niall Blaney** asked the Minister for Education and Science the funding available to primary schools for the provision of renovation works such as renewal of outside walls due to dampness, replacement of windows and doors and extension to the school; the schemes under which she recommends the school apply for this funding; and if she will make a statement on the matter. [25236/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy will probably be aware, all primary schools receive an annual Minor Works Grant in the sum of €5,500 plus €18.50 per pupil. This is intended to be used by schools to address most of the type of works to which the Deputy refers.

The Summer Works Scheme (SWS), in place since 2004, also funds necessary small-scale works that, ideally, can be planned and delivered during the summer months. The closing date for the receipt of applications under the SWS for 2008 was the 28th of September 2007.

An extension to a school building is generally considered as a major capital application. The relevant application forms are available on the Department's website at www.education.ie. Where an extension project is required in conjunction with other renovation works, the approach generally taken would be to roll all the works together under one large scale project.

Special Educational Needs.

494. **Deputy Margaret Conlon** asked the Minister for Education and Science the support services available to parents of children suffering from autism; and if she will make a statement on the matter. [25240/07]

Minister for Education and Science (Deputy Mary Hanafin): I wish to clarify that my Department provides funding for the education of children with autism through the primary and post-primary school system, rather than any specific support services being provided for parents. Parents may contact their local Special Educational Needs Organiser (SENO) directly to discuss their child's special educational needs using the contact details available on www.ncse.ie.

The Deputy is aware that the National Council for Special Education is responsible, through its network of local SENOs, for the establishment of special classes for autism and for allocating resource teachers and special needs assistants to schools to support children with special needs. All schools have the names and contact details of their local SENOs.

Teaching Qualifications.

495. **Deputy Seymour Crawford** asked the Minister for Education and Science her views on the case of a person (details supplied) in County Monaghan; and if she will make a statement on the matter. [25257/07]

Minister for Education and Science (Deputy Mary Hanafin): The Deputy may be aware that, with effect from 28th March, 2006, the Teaching Council is the designated authority for recognition of qualifications for the regulated profession of primary and secondary teachers.

Persons wishing to be registered as a teacher in this country must apply to the Teaching Council for recognition of their qualifications. If their qualifications are recognised by the Teaching Council then my Department will assess their qualifications for salary purposes.

Higher Education Grants.

496. **Deputy Joe McHugh** asked the Minister for Education and Science the reason a person (details supplied) in County Donegal has been refused a grant upon returning to education as a mature student; if it is Government policy to penalise students who become unwell during their education; and if she will make a statement on the matter. [25262/07]

Minister for Education and Science (Deputy Mary Hanafin): 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.

The decision on eligibility for third level or further education 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.

Under the prescribed terms and conditions of my Department's student maintenance grant schemes, grant assistance may not generally be awarded in respect of a repeat period of study at the same level, irrespective of whether or not funding was previously awarded. However, the awarding body may waive this provision in exceptional circumstances such as cases of certified serious illness. It should be emphasised, however, that this discretion would generally only be exercised where a candidate is repeating a period of study on the same course.

However, Section 473A, Taxes Consolidation Act, 1997, provides tax relief, at the standard rate of tax, for tuition fees paid in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in E.U. Member States and in non EU countries.

The application form (I.T. 31 Form) to claim tax relief on tuition fees is available from the Revenue Commissioners. Further information is available from the candidate's Local Tax Office or alternatively from Revenue's Internet site at www.revenue.ie.

Any general extension to the scope of the grants scheme can be considered only in the light of available resources and in the context of competing demands and priorities within the education sector. There are no plans at present to extend the scope of the student support schemes to students who have previously pursued a course but not completed it.

497. **Deputy Joe McHugh** asked the Minister for Education and Science if there are plans to subsidise students from the north west to allow them to attend universities in Northern Ireland giving them the same educational opportunities as the students in the rest of the country; and if she will make a statement on the matter. [25266/07]

Minister for Education and Science (Deputy Mary Hanafin): Under my Department's Free Fees Initiative the Exchequer meets the tuition fees of eligible students who are attending approved undergraduate third-level courses in the State. There are no plans to extend this initiative to cover third level institutions in Northern Ireland.

Under my Department's Higher Education Grant Schemes, maintenance grants are available to eligible students pursuing approved undergraduate courses in other EU Member States, including Northern Ireland. In general, approved

courses are those pursued in a third level institution, which is maintained or assisted by recurrent grants from public funds. However the payment of undergraduate tuition fees under these schemes does not extend to approved courses outside the State and there are no plans to change this position at present.

It is understood however that students attending Higher Education Institutions in Northern Ireland and who are ordinarily resident in a Member State of the European Union will be eligible for a fee loan from the Northern Ireland Authorities up to the amount charged by the Higher Education Institution. Further clarification can be sought by the individual from Department of Employment and Learning in the Northern Ireland. Their e-mail address is student-finance@delni.gov.uk.

Section 473A Taxes Consolidation Act, 1997 also provides for tax relief on tuition fees, at the standard rate of tax in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in EU and non-EU member states.

Schools Refurbishment.

498. **Deputy Pat Rabbitte** asked the Minister for Education and Science if she will report on discussions involving her Department and South Dublin County Council regarding a refurbishment project (details supplied); and if she will make a statement on the matter. [25271/07]

Minister for Education and Science (Deputy Mary Hanafin): The Department is in receipt of an application from the school to which the Deputy refers for the refurbishment/redevelopment of its sports complex, including the swimming pool. The project has been assessed in accordance with the published prioritisation criteria for large scale building projects and has been assigned a band 4 rating. Progress on the project will be considered in the context of the multi-annual School Building and Modernisation programme.

Higher Education Grants.

499. **Deputy Joanna Tuffy** asked the Minister for Education and Science the position regarding the special rate of higher education maintenance grant and the need to ensure that all independent mature students who earned less than the income threshold for this special rate of grant would qualify for this grant without requiring to be in receipt of one of the qualifying social welfare payments or training allowance; and if she will make a statement on the matter. [25272/07]

Minister for Education and Science (Deputy Mary Hanafin): The Report of the Action Group on Access to Third Level Education made

detailed recommendations concerning the introduction of special rates of maintenance grants for disadvantaged students.

The target group of “those most in need” was defined in terms of the dependants of people receiving long-term welfare payments, where the necessary conditions are fulfilled. The special rates of grant are also available to mature students who meet the prescribed conditions.

In order to qualify for the special rate of maintenance grant a candidate must meet a number of conditions, including the following:—

- (i) the candidate must already qualify for one of my Department’s standard maintenance grants; and
- (ii) total reckonable income must not exceed the specified limit for the academic year in question; and
- (iii) on the operative date, the income into the household must include one of the specified long-term social welfare payments.

It is not proposed, at present, to change the current terms and conditions in respect of the special rates of maintenance grant.

School Staffing.

500. **Deputy Joe Costello** asked the Minister for Education and Science the reason a special school (details supplied) in Dublin 8 has not reopened in autumn 2007; what has happened to the pupils; if and when it is proposed to reopen the school; and if she will make a statement on the matter. [25280/07]

Minister for Education and Science (Deputy Mary Hanafin): I wish to advise the Deputy that there are three teaching vacancies out of a total teaching complement of four teaching posts. Due to this exceptional number of vacancies, the school was unable to re-open in September 2007. I am informed that the Board of Management is actively engaged in a recruitment process to fill these vacancies and that every effort is being made to expedite the process with a view to reopening the school as soon as possible.

In the interim, arrangements have been made to accommodate some children in other schools. Where this has not been possible, my Department has offered a home tuition grant to the remaining families.

Capitation Grants.

501. **Deputy Joe Costello** asked the Minister for Education and Science if she will make a provision for the payment of interpreters for parents who are deaf to assist them when meeting their children’s school teachers at parent teacher meetings; and if she will make a statement on the matter. [25281/07]

Minister for Education and Science (Deputy Mary Hanafin): Schools' running costs are met by my Department's scheme of capitation grants which affords schools considerable flexibility in the use of these resources to cater for the needs of their pupils. This is in my view a preferable approach to putting in place grants for specific cost items such as interpreters. These grants are intended to contribute towards the general operating costs of schools including, where necessary, the use of interpreters when dealing with parents.

The primary school capitation grant has been increased substantially in recent years. Since 1997 the standard rate of capitation grant has been increased from €57.14 per pupil to €163.58 from 1st January, 2007. This represents an increase of over 186% in the standard rate of capitation grant since 1997.

Furthermore enhanced rates of capitation funding are paid in respect of children with special educational needs who attend special schools or special classes attached to mainstream schools. The current rates range from €418 to €805 per pupil.

There have been significant improvements in recent years in the level of funding for voluntary secondary schools. With effect from January 2007, the standard per capita grant was increased by €18 per pupil and now amounts to €316 per pupil. In addition, voluntary secondary schools have benefited by the increase of €30 per pupil in 2007 in the support services grant bringing that grant to €189 per pupil.

The cumulative increase of €48 per pupil in a voluntary secondary school brings the aggregate grant to over €500 per pupil. These grants are in addition to the per capita funding of up to €40,000 per school that is also provided by my Department to secondary schools towards secretarial and caretaking services. For example in the case of a secondary school with 500 pupils, this brings annual grants towards general expenses and support service to over €290,000. This represents an increase of 83% since 2000.

Budget allocations for schools in the VEC and C&C sectors are increased on a pro rata basis with increases in the per capita grant. All schools are eligible for recurrent per capita grants towards special classes and curricular support grants.

The provision that I have made for these significant increases in the funding of schools is a clear demonstration of my commitment to prioritise available resources to address the needs of schools.

I have no plans to introduce a special provision for payment of interpreters as suggested by the Deputy.

Institutes of Technology.

502. **Deputy Seán Connick** asked the Minister for Education and Science when the report of a

person (details supplied) examining the designation of Waterford Institute of Technology as a university will be published. [25324/07]

504. **Deputy Brian O'Shea** asked the Minister for Education and Science further to Parliamentary Question No. 454 of 16 October 2007, the level of consideration given to date to a report (details supplied) in her Department; when it is expected that the consideration at official level in her Department will conclude and she will have the final report of her officials; and if she will make a statement on the matter. [25422/07]

Minister for Education and Science (Deputy Mary Hanafin): I propose to take Questions Nos. 502 and 504 together.

Earlier this year the person referred to by the Deputy was asked to provide preliminary advice on the merits of the submission by WIT, having regard to;

- (i) the national strategy for the development of Irish higher education,
- (ii) implications for regional development in the South-East in the context of the National Spatial Strategy and
- (iii) any likely implications for the overall structure of higher education in Ireland. This report is currently under consideration.

Aside from the very detailed statutory review process that is required in progressing an application, there are also significant wider issues that need to be considered in advance of any possible statutory review. For example, there have been important wider policy developments in the overall higher education sector that are relevant in this context. In particular, it is important that account is taken of the very significant recent changes in the overall legislative framework governing Irish higher education, with the commencement of the new Institutes of Technology Act 2006 on 1st February 2007, as well as wider Government policy on foot of the review of Irish higher education carried out by the OECD in 2004, the broad thrust of which was endorsed by the Government.

I am cognisant of the strong support that has been built in the south east region around the application from Waterford IT for university status. However, wider policy developments must also be central to the consideration of the appropriate next steps in relation to the application. WIT's application is currently being carefully assessed in that broad context.

Teaching Qualifications.

503. **Deputy Michael McGrath** asked the Minister for Education and Science the position regarding an application by a person (details

supplied) in County Cork for registration as a post-primary teacher. [25411/07]

Minister for Education and Science (Deputy Mary Hanafin): The Deputy may be aware that, with effect from 28 March 2006, the Teaching Council is the designated authority for recognition of qualifications for the regulated profession of primary and secondary teachers.

Persons wishing to be registered as teachers in this country must apply to the Teaching Council for recognition of their qualifications. The person to whom the Deputy's question refers is the subject of such an examination of qualifications.

In the course of examinations of this nature, applicants may be asked to make up shortfalls in their education, as I understand was the case with the person in question.

Once all requirements have been met by applicants, and their qualifications are recognised by the Teaching Council, applicants may apply to be registered as primary or post-primary teachers.

Question No. 504 answered with Question No. 502.

School Staffing.

505. **Deputy Michael McGrath** asked the Minister for Education and Science the position in regard to staffing allocation approval by her Department at a school (details supplied) in County Cork. [25443/07]

Minister for Education and Science (Deputy Mary Hanafin): Teacher allocations to second level schools are approved annually by my Department in accordance with established rules based on recognised pupil enrolment. Each school management authority is required to organise its time-table and subject options having regard to pupils needs within the limit of its approved teacher allocation.

The rules for allocating teaching resources provide that where a school management authority is unable to meet its curricular commitments within its approved allocation, my Department will consider applications for additional short term support i.e. curricular concessions.

The school in question submitted an application for curricular concessions and was allowed to retain 9.56 whole-time equivalent surplus teaching posts. An independent appeals mechanism is available to school authorities who wish to appeal the adequacy of their teacher allocation. The school in question availed of this appeals mechanism and the Appeals Committee decided that no further allocation was warranted. The school was advised of this decision in writing on 11th June 2007. The decision of the Appeals Committee is final. As the Appeals Committee operates independently of my Department in taking its decisions, you will appreciate that it would

not be appropriate for me to intervene in any such decision.

Grangegorman Development Agency.

506. **Deputy Joe Costello** asked the Minister for Education and Science her views on including An Garda Síochána as stake-holders in the development of Grangegorman; if she will include them as an additional group on the consultative forum; and if she will make a statement on the matter. [25457/07]

Minister for Education and Science (Deputy Mary Hanafin): Having consulted the Grangegorman Development Agency I am satisfied that the Agency is aware of the need to incorporate the expertise and observations of An Garda Síochána in developing the Strategic Plan for the Project. I understand that the Agency has contacted An Garda Síochána and established a channel of communication that will allow that body input into the process for developing the land use plan. The Agency has also formally invited An Garda Síochána as a guest to the next Consultative Group meeting where they can outline their general views and where also they will be advised of the opportunities to contribute to the preparation of the Strategic Plan. The Agency also envisages that another effective means of engagement with An Garda Síochána will involve direct bilateral meetings with the Agency and its advisors.

Accordingly, I am satisfied that there are satisfactory mechanisms already in place that will efficiently facilitate An Garda Síochána contributing fully to the project given the many demands on their resources.

Departmental Reports.

507. **Deputy Richard Bruton** asked the Minister for Defence if his output statement has been published on his Department's website; and the date on which it was put up on the website. [24737/07]

Minister for Defence (Deputy Willie O'Dea): The Defence Annual Output Statement was published on my Department's website on 26th July 2007.

Departmental Travel.

508. **Deputy Leo Varadkar** asked the Minister for Defence if his Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to his Department or if they can be retained by the individual concerned; and if he will make a statement on the matter. [24893/07]

Minister for Defence (Deputy Willie O'Dea): The general principles governing all travel are those set out in the Department of Finance Circu-

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lar 11/82. The Circular clearly indicates that it is the responsibility of each Department to ensure that frequent flyer points are not allowed to influence decisions taken in relation to the carriers used for official business. My Department is fully compliant with the Civil Service Code of Standards and Behaviour as contained in the Department of Finance Circular 26/04. Section 16 of that Circular states that: "Civil Servants should not accept special facilities or discounts on private purchases from suppliers with whom they have official dealings".

Departmental Expenditure.

509. **Deputy Brian Hayes** asked the Minister for Defence the amount of money spent on paper and stationery in 2007: the amount of this money spent on recycled paper; and if he will make a statement on the matter. [25139/07]

Minister for Defence (Deputy Willie O'Dea):

The amount of money spent on paper and stationery in the Department of Defence to date in 2007 is €38,872.28 of which €7,495.10 was spent on recycled paper (envelopes, folders and file covers). This does not include Defence Forces expenditure, which will be forwarded as soon as it is available.

Pension Provisions.

510. **Deputy Bernard Allen** asked the Minister for Defence the reason for the treatment being given to a person (details supplied) in County Cork; and his views on same. [25241/07]

Minister for Defence (Deputy Willie O'Dea):

Under the existing Defence Forces Pension Schemes, the minimum service required for an immediate pension in the case of NCOs and Privates is 21 years. The pension for 21 years' service consists of a flat rate amount which varies according to rank, together with an addition in respect of military service allowance (MSA). These elements of pension are payable for the lifetime of the pensioner.

Where service exceeds 21 years, an additional increment at a flat rate is payable for each year of service in excess of 21 years up to a maximum of 31 years. A top-up of the MSA addition is also payable in the case of personnel with 31 or more years' service. These extra payments cease to be payable when the pensioner reaches the qualifying age of 66 for a State Pension Contributory (formerly Old Age Contributory Pension) or becomes entitled at an earlier age to a State Pension Transition (formerly Social Welfare Retirement Pension). The maximum personal rate of either Social Welfare pension is currently €209.30 per week and is considerably greater than the maximum amount (currently €96.67 per week) by

which the Defence Forces pension would fall to be reduced.

The person referred to served in the Defence Forces for 39 years and his Defence Forces pension included the additional increment for 31 years' service and the MSA top-up. He reached the age of 66 years on 4 October 2007 and qualified for the State Pension Contributory. In accordance with the arrangements mentioned, these additional elements of his Defence Forces pension ceased to be payable from that date.

These arrangements are in accordance with the principle of integrating occupational pensions with Social Insurance benefits in the case of employees, such as NCOs and Privates, who are fully insured under the Social Welfare Acts. This principle applies right across the public service and, indeed, in many areas of the private sector. I should say, however, that the method of applying the integration principle in the case of retired NCOs and Privates is less severe than that applying in other areas of the public service.

The general issue of integration of occupational pensions in the public service was examined by the Commission on Public Service Pensions in its Final Report, published in January 2001. The Commission accepted that integration is a fundamental component in the public service pensions framework and was strongly of the view that it should be continued. It did not make any recommendations that would affect the current integration arrangements applicable to retired NCOs and Privates.

Overseas Missions.

511. **Deputy Brian O'Shea** asked the Minister for Defence his views on the concerns in regard to the Defence Forces possible service with MINURCAT (details supplied); and if he will make a statement on the matter. [25421/07]

Minister for Defence (Deputy Willie O'Dea):

On 25 September, 2007, the UN Security Council unanimously adopted Resolution 1778 establishing a multidimensional UN mission in Chad and in the Central African Republic (CAR) that will help strengthen security in the region. Resolution 1778 (2007) decided that the multidimensional presence would consist of (i) a new United Nations Mission in Chad and in the Central African Republic, to be known as MINURCAT, with a mandate focusing on the security and protection of civilians — particularly refugees, internally displaced persons (IDPs) and civilians in danger — and on human rights and the rule of law in eastern Chad and north-eastern CAR and (ii) troops deployed by the European Union with a robust authorisation to protect and support it.

Following Government and Dáil approval earlier this month, acting Lieutenant General Pat Nash has taken up the position of Operation Commander of the EU military operation with

four support staff at EU Operational Headquarters at Mont Valérien, Paris, France.

The operation on which the EU is engaged is designed to provide for the creation of a safe and secure area for refugees and internally displaced persons and to allow for the distribution of humanitarian aid. The nature of the operation is fully in accordance with Ireland's traditional policy of support for and participation in peace support operations, our close engagement in Africa and our support for the United Nations, which has authorised the proposed deployment of the peacekeeping troops.

The safety of Irish personnel serving overseas is always of paramount concern to me. While no absolute guarantees can be given with regard to the safety of troops serving in missions, it is policy and practice to ensure that Defence Forces personnel are appropriately trained and fully equipped to carry out their mission tasking. All possible precautions are taken to ensure the safety of our troops. In addition, Standard Operating Procedures are kept under review in light of experience and best practice. A detailed reconnaissance of the mission area and tasking together with a threat assessment is currently ongoing and this will inform the final decision on the nature of our participation and the requirements in terms of force protection and other defence assets, should we decide to deploy troops on the ground in Chad.

Fisheries Protection.

512. **Deputy Martin Ferris** asked the Minister for Defence if he is satisfied that the Naval Service is adequately resourced to deal with illegal fishing within Irish waters. [25444/07]

Minister for Defence (Deputy Willie O'Dea): The Department of Agriculture, Fisheries and Food has policy responsibility for sea fisheries protection, and the Naval Service provides a fishery protection service in accordance with the State's obligations as a member of the European Union. The Service is tasked with patrolling all Irish waters from the shoreline to the outer limits of the Exclusive Fishery Limits. At present, fishery protection activity accounts for roughly 90% of all Naval Service patrol time. The number of Naval vessels on patrol in Irish waters at any one time varies between three and seven. The Naval Service is committed to having at least three vessels on patrol within the Irish Exclusive Economic Zone at any one time. In 2006, the Naval Service achieved an output of 1,658 patrol days, which represents an average of 207 patrol days achieved per vessel.

It is my intention to maintain the established Government policy of ongoing and proactive recruitment to the Defence Forces. Recruitment into the Naval Service will continue to maintain the strength at the level set out in the White

Paper as required to meet all Naval Service tasks including Fishery Protection duties.

The White Paper provides that "new vessels will be brought on stream to replace older ones as these fall due for replacement". Naval Service vessels are replaced when they have come to the end of their useful life, which is normally around 30 years. Three ships will fall due for replacement over the next 3 to 5 years. Following a detailed examination of the needs of the Naval Service, a vessel replacement strategy has been put in place to cover the period up to 2012. The vessel replacement strategy combined with a continuous process of refurbishment will ensure that the operational capability of the Naval Service is maintained at a very high level.

I am satisfied that the Naval Service is fully resourced, on an on-going basis, to meet all its operational requirements.

Legislative Programme.

513. **Deputy Ciarán Lynch** asked the Minister for Justice, Equality and Law Reform when he will introduce the governing legislation for management companies and appoint a regulator of management companies to regulate all management companies, oblige vendors to provide clear information about the levels, changes in fee levels and the duration of the management company contract, and compel service providers to give detailed invoices for services supplied. [24730/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): In December 2006, the Law Reform Commission published a Consultation Paper on Multi-Unit Developments which drew attention to a broad range of issues arising in relation to the governance and operation of such developments, including problems arising from the manner in which company law currently applies to property management companies. The Paper makes it clear that action to address these problems will be required across several policy fields, including company law, consumer protection law and the development of regulatory structures.

In recognition of the cross-cutting nature of many of the issues identified by the Law Reform Commission in its Paper, a high-level inter-departmental committee has been established to assist in the development of a coherent and comprehensive response to the problems arising in this area. A key task of this committee will be to identify the legislative and administrative actions to be taken in response to definitive recommendations for legislative reforms which, following a lengthy consultation process, will be set out in the Law Reform Commission's forthcoming Report on Multi-Unit Developments and to determine a timescale for their implementation. I expect that this Report will be published later this year.

Visa Applications.

514. **Deputy Brendan Howlin** asked the Minister for Justice, Equality and Law Reform if there is mechanism whereby a Moldovan national who came here on a visa and work permit which both expired two years ago can be considered for a visa extension to enable them to remain here and to seek employment; and if he will make a statement on the matter. [24748/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Any foreign national in the State has a responsibility to ensure that his/her permission to remain in Ireland is kept up to date. A person without such permission is in the State unlawfully and must leave. However, if the person believes that he/she has a valid reason for remaining in the State they could write to the Irish Naturalisation and Immigration Service explaining the circumstances in which their permission to remain expired, backed up by relevant documentation, and explaining what their future plans are should they wish to remain in the State. Each case will be assessed on its merits.

It is understood that in this case the person involved is the fiancé of an EU national. EU Treaty rights may apply in this case but more information would be required in order to make that assessment. However, it should be noted that a person who is unlawfully present in the State and who later meets and marries an EU citizen does not in doing so either qualify for EU Treaty rights or indeed render their presence in the State lawful.

Decentralisation Programme.

515. **Deputy Damien English** asked the Minister for Justice, Equality and Law Reform the number of civil servants and other public servants who have relocated from Dublin to Meath under the decentralisation programme to date; and the estimated number who will have relocated by the end of 2007. [25190/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Under my Department's Decentralisation Programme, sixty-eight posts will move to Navan by the end of 2007.

Departmental Schemes.

516. **Deputy John O'Mahony** asked the Minister for Justice, Equality and Law Reform the future plans which the Government has for accepting refugees; the nationalities and numbers involved; and if he will make a statement on the matter. [25210/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I take it that the Deputy is referring to the Government's scheme of "resettlement" or "quota" refugees. In May 2005, the Government decided to increase Ireland's

annual quota of resettlement refugees from 10 families (around 40 persons) to 200 persons. Decisions on nationalities and source countries are made in close consultation with the Department of Foreign Affairs and the United Nations High Commissioner for Refugees (UNHCR) who advise us annually on their priorities.

Ireland is one of 18 countries world-wide and one of six EU countries that participates in this UNHCR-led resettlement programme. Other EU countries are currently in the process of joining the programme.

Driver Testing.

517. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the difficulties being experienced by members of the public in acquiring a public service vehicle licence as outlined in correspondence (details supplied); if he will take steps to streamline the process; and if he will make a statement on the matter. [25297/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): In the time available it has not been possible for the Garda authorities to supply the details requested by the Deputy. I will be in contact with the Deputy when the information is to hand.

Ministerial Transport.

518. **Deputy Liz McManus** asked the Minister for Justice, Equality and Law Reform the number of ministerial cars converted to environmentally friendly and fuel efficient alternatives; the Departments they belong to; the number of Ministerial cars that are diesel; the number that are hybrid; the number powered by biofuels; and if he will make a statement on the matter. [25367/07]

548. **Deputy Damien English** asked the Minister for Justice, Equality and Law Reform if he plans to instruct the Office of Public Works to source a biofuel or hybrid vehicle when Ministerial vehicles are replaced. [25080/07]

549. **Deputy Damien English** asked the Minister for Justice, Equality and Law Reform the date Ministerial vehicles were acquired by the State; the number of miles that have been accumulated since this date by Minister; the vehicles engine specification; and the expected disposal date of the vehicles. [25095/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 518, 548 and 549.

The requirements for the fleet of cars provided for Members of the Government are subject to regular review and assessment in order to ensure that the most suitable vehicles are purchased hav-

ing regard to a range of criteria including whole-of-life cost, fuel efficiency, economy and environmental considerations, bearing in mind the function of the vehicles and their suitability for the specific transport requirements involved.

The details requested with regard to the cars for Members of the Government are set out in the following table.

Government Member	Date vehicle assigned to fleet	Kms (09/07)	Engine Specification
Taoiseach	April 2006	69,350	Petrol
Tánaiste and Minister for Finance	April 2005	140,950	Petrol
Minister for Health and Children	December 2006	49,750	Petrol
Minister for Transport and the Marine	December 2003	235,840	Petrol
Minister for Foreign Affairs	December 2005	186,960	Petrol
Minister for Enterprise, Trade and Employment	November 2005	166,465	Petrol
Minister for Arts, Sport and Tourism	March 2004	189,872	Petrol
Minister for Social and Family Affairs	March 2004	132,980	Petrol
Minister for Community, Rural and Gaeltacht Affairs	February 2005	294,200	Petrol
Minister for Agriculture, Fisheries and Food	March 2005	212,900	Petrol
Minister for Education and Science	April 2005	147,500	Petrol
Minister for Defence	December 2005	86,950	Petrol
Minister for Justice, Equality and Law Reform	September 2004	134,835	Petrol
Minister for the Environment, Heritage and Local Government	July 2007	11,870	Petrol-Electric
Minister for Communications, Energy and Natural Resources	July 2007	11,800	Petrol-Electric
Minister of State with Special Responsibility as Government Chief Whip	June 2006	99,999	Petrol-Electric
Minister of State with Special Responsibility for Children	August 2006	89,600	Petrol-Electric
Attorney General	June 2006	43,200	Petrol-Electric

The kilometrage figures are the latest readily available and refer to the distance covered by the vehicles. Ministers may from, time to time, be assigned a replacement car to cover service periods or other events and the assignment of vehicles may change with new appointments. In general, cars are considered for replacement when they are two years old and/or have travelled 160,000 kms.

An open tender competition for the supply of large executive saloon cars was held recently and a policy decision was taken to tender for diesel-powered vehicles on that occasion. No biofuel-powered cars are in use at present. Hybrid petrol-electric cars are already in use and more of these or biofuel cars may be purchased as appropriate.

Asylum Applications.

519. **Deputy Paul Gogarty** asked the Minister for Justice, Equality and Law Reform when a person (details supplied) in County Dublin will be informed of a decision made on the family reunification application for persons; and if he will make a statement on the matter. [24688/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The person in question made an application for Family Reunification in January 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 will be considered by my Department and a decision will issue in due course. At the present time Family Reunification applications are taking up to 24 months to process.

Citizenship Applications.

520. **Deputy Charles Flanagan** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for citizenship in respect of a person (details supplied). [24689/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): An application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Section of my Department in November 2005. Officials in that section are currently processing applications received at the beginning of 2005 and have approximately 3,700 applications on hand to be dealt with before that of the person concerned. These are generally dealt with in chronological order as this is deemed to be the fairest to all applicants. It is likely, therefore, that further processing of this application will commence in the first half of 2008. I will inform the applicant and the Deputy when I have reached a decision on the matters.

Visa Applications.

521. **Deputy John Deasy** asked the Minister for Justice, Equality and Law Reform the position with regard to a spouse visa for a person (details supplied) in County Waterford; and when this visa will issue. [24690/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The application referred to by the Deputy for a “Join Spouse” visa was received in the Visa Office, Dublin on 27 September 2007. Visa applications are processed as speedily as possible having regard to the numbers on hand and the resources available to process them. The application referred to by the Deputy is currently pending examination by a Visa Officer. I would expect a decision on the application in this case within the next two weeks.

Citizenship Applications.

522. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform when a decision will be made on the applications for naturalisation by persons (details supplied); and if he will make a statement on the matter. [24706/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Applications for certificates of naturalisation from the persons referred to in the Deputy’s Question were received in the Citizenship Section of my Department in September 2007. Officials in the Citizenship Section inform me that the applications have not been examined in detail. Examination of the residency requirement will take place in the near future and the applicants will be contacted at that time informing them when their applications will be further examined or of any shortfall in their residency.

Departmental Reports.

523. **Deputy Richard Bruton** asked the Minister for Justice, Equality and Law Reform if his output statement has been published on his Department’s website; and the date on which it was put up on the website. [24744/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The output statement for my Department was published on the Department of Justice, Equality and Law Reform’s website in May 2007.

Firearms Theft.

524. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the number and type of legally held firearms which ended up in the hands of criminals every year for the past five years. [24814/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The information requested by the Deputy is set out in the tabular statement which show the number of firearms recorded as stolen in years 2002 to 2007. The category of “Other” includes Starting Pistols, Starting Revolvers, Stun Guns and similar guns.

The number of firearms recorded as stolen for years 2002 to 2007*

	2007*	2006	2005	2004	2003	2002
Rifles	67	69	84	68	99	97
Shotguns	176	215	278	267	346	332
Others	7	10	9	3	18	9

* Statistics provided for 2007 are provisional, operational and liable to change and are up to and including 16th October 2007.

State Laboratories.

525. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will publish the review (details supplied) into the resource needs of the forensic laboratory; and if he will make a statement on the delay in building a state of the art forensic laboratory. [24816/07]

572. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will address the personnel shortages at the State Forensic Laboratory in an effort to speed up Garda preparation of books of evidence which in turn could help reduce the numbers absconding while on bail. [25464/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 525 and 572 together.

The position is that my Department works closely with the Forensic Science Laboratory in assessing and responding to its needs. To this end an additional 10 staff were sanctioned for the Laboratory in December of last year and, of foot of the analysis referred to by the Deputy, it is expected that staffing will be increased further in the near future. The review in question, which was carried out by an international expert, addressed a range of issues and is currently under consideration in my Department, in conjunction with management at the Laboratory. The relevant staff associations have been provided with a copy of its findings. I can also inform the Deputy that arrangements are in place between the Laboratory and the Gardaí which provide for high priority cases to be examined immediately upon receipt. These arrangements are reinforced by ongoing interaction between the Laboratory and the Garda authorities with a view to ensuring that the needs of crime detection and prosecution are met.

Insofar as the provision of a new Laboratory is concerned, plans to provide this facility within the Garda Headquarters complex were found not to be feasible. It remains a priority, however, to provide a new facility for the Forensic Science Laboratory and development of this project will proceed as a matter of urgency.

526. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform his views on comments made by the director of the State Forensic Laboratory which will operate the Government's proposed DNA database who stated that the DNA database poses no threat to human rights, in particular given the conflicting grave concerns raised by the Human Rights Commission who pointed to far reaching implications for human rights; and if the first step in the protection of human rights must be a full recognition of all the threats posed to same. [24817/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Last February the Government approved the Heads of the Criminal Justice (Forensic Sampling and Evidence) Bill. The Bill will provide for the establishment of a DNA database. The Heads as approved by the Government were sent to the Irish Human Rights Commission and the Commission was invited to submit its comments on the proposal. I was very pleased to receive those comments in early August. They are being examined by my Department and where possible, I would propose to take as many as possible of the Commission's recommendations into account while the Bill is being drafted.

I have noted the comments of the Director of the Forensic Science Laboratory on the proposal and on the Commission's comments. She usefully points to the contribution DNA sampling can make to the investigation of crime.

The objective when framing the proposals was to ensure we provided the Garda with a comprehensive database that could be relied on as a source of reliable intelligence while also ensuring the safeguards that are included were strong, verifiable and effective. I am satisfied that balance has been achieved.

Citizenship Applications.

527. **Deputy Arthur Morgan** asked the Minister for Justice, Equality and Law Reform when an application for naturalisation by a person (details supplied) in County Louth will be processed; the expected period of time to complete the processing of same; and if he will make a statement on the matter. [24829/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): An application for a certificate of naturalisation from the person referred to in the Deputy's question was received in the Citizenship Section of my Department in

March 2005. Officials in that section inform me that processing of the application has commenced and the file will be forwarded to me for a decision in the coming months.

Garda Operations.

528. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will put in place a safety and security plan in an area (details supplied) in Dublin 5 as a matter of priority. [24858/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that several incidents in the area referred to have been reported to them. These incidents are under investigation and have resulted in a number of arrests.

I am further informed that the area is in Raheny Garda District and is patrolled by Garda foot and mobile patrols. Members of the local Community Policing Unit are also allocated to this area and liaise with the local community providing crime prevention and security advice. Additional Garda patrols, including patrols by the District patrol car, District Detective and Drug Units, the Community Policing Unit and the Mountain Bike Units have been directed to pay particular attention to this area.

Current policing policy in the area is predicated on the prevention of crime including crimes of violence against persons and property, the prevention of public order offences and the maintenance of an environment conducive to the improvement of the quality of life of the residents. This strategy is, and will continue to be, central to the delivery of the policing service in this area.

529. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will clarify the situation regarding people who give information to the Gardaí but who are themselves involved in crime; and if a blind eye is turned on these individuals. [24859/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The use of intelligence sources by members of An Garda Síochána is under the direct operational control of the Garda authorities. I am informed by the Garda authorities that policy and procedures which reflect best international practices have been introduced for the management and use of such sources by members of An Garda Síochána.

All members of the public, including those who provide information to An Garda Síochána, are subject to investigation and/or prosecution by the law enforcement agencies of the State where a criminal offence is disclosed. 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

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independent in the performance of his functions, makes his decision on the basis of Garda findings viewed against the background of common and/or statute law.

530. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will put in place a safety and security plan in a location (details supplied) as a matter of priority. [24860/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that local Garda management is aware of anti-social behaviour and other public order offences in the area referred to. These incidents are under active investigation and have resulted in a number of arrests for public order offences, criminal damage and drug-related offences.

I am further informed that the area is in Coolock Garda District and is patrolled by Garda foot and mobile patrols from that station. Members of the local Community Policing Unit are also allocated to this area and liaise with the local community providing crime prevention and security advice. Additional Garda patrols, including patrols by the District patrol car, District Detective and Drug Units, the Community Policing Unit and the Mountain Bike Units have been directed to pay particular attention to this area.

Current policing policy in the area is predicated on the prevention of crime including crimes of violence against persons and property, the prevention of public order offences and the maintenance of an environment conducive to the improvement of the quality of life of the residents. This strategy is, and will continue to be, central to the delivery of the policing service in this area.

Residency Permits.

531. **Deputy Edward O'Keefe** asked the Minister for Justice, Equality and Law Reform if he will grant long term residency to a person (details supplied) in County Cork. [24864/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): 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

grant an exemption from employment permit requirements to any such dependants.

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 October 2006. I understand that applications received in early July 2006 are currently being dealt with.

Departmental Travel.

532. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform if his Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to his Department or if they can be retained by the individual concerned; and if he will make a statement on the matter. [24900/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I can refer the Deputy to the Civil Service Code of Standards and Behaviour (Department of Finance Circular 26/2004) and to Section 16.2 in particular, which deals with the receipt of gifts by Civil Servants, and provides that “benefits under frequent flier schemes may be retained by individual Civil Servants in recognition of the fact that official travel is disruptive to personal and family life”.

Prisoner Transfers.

533. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the stage the repatriation process has reached for a person (details supplied); and if he will make a statement on the matter. [24908/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I can inform the Deputy that my Department has recently received the High Court warrant which allows for the transfer of this individual into this country and the continued enforcement of his prison sentence under the Transfer of Sentenced Persons legislation. I have been assured that this transfer will be effected as soon as is practically possible.

Garda Investigations.

534. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform his views on a newspaper article (details supplied); if he will ensure that the Garda authorities clarify that the person who is the subject of that article was not involved in any criminality in order that the person can clear their good name and rebuild their career; and if he will make a statement on the matter. [24909/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The position remains as stated in my reply to Parliamentary Question No. 923 of 26 September, 2007. A Garda investigation file relating to the proceeds of the Northern Bank robbery has been submitted to the Director of Public Prosecutions (DPP), and directions are awaited thereon. As the DPP is independent in the exercise of his functions, it would not be appropriate to comment further.

Prison Committals.

535. **Deputy Fergus O'Dowd** asked the Minister for Justice, Equality and Law Reform the number of people who were committed to prison for penalty point violations recorded since their introduction; and if he will make a statement on the matter. [24914/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): As the Deputy will be aware there is no relationship between penalty points and committal to prison. Consequently, the Irish Prison Service does not record information relating specifically to the imposition of penalty points.

Foreign Lotteries.

536. **Deputy Jim O'Keeffe** asked the Minister for Justice, Equality and Law Reform the extent to which foreign lotteries are operating here; the number of prosecutions under the Gaming and Lotteries Act, 1979 over the past ten years in this regard; and if he has proposals to warn the public about fraudulent operators contacting people on the basis of bogus lottery wins with a view to obtaining their bank account numbers. [24923/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Gaming and Lotteries Act, 1956, as amended, covers gaming and lotteries other than the National Lottery, which is governed by the National Lottery Act 1986. In addition, the Betting Act, 1931 governs matters relating to betting. In general, all forms of gaming are illegal in this jurisdiction except where specifically permitted by law.

Sections 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.

I have asked the Garda authorities to provide details of prosecutions under the Act, over the past ten years, and I will forward these to the Deputy once they have been provided to me. However, in relation to the supervision and monitoring of the operation of foreign lotteries, I have been informed by an Garda Síochána, when information is received by them concerning the running of illegal lotteries in this jurisdiction

enquiries are conducted by an Garda Bureau of Fraud Investigation and any evidence found in support of such allegations are acted upon.

The National Consumer Agency contains information on how to avoid being taken in by lottery scams, and it recently issued a public warning following complaints about a fraudulent multi-million euro Spanish Lottery scam. The website of the National Consumer Agency is: www.consumerconnect.ie.

I am informed that An Garda Síochána has received a number of complaints from members of the public relating to fraudulent withdrawals from their bank accounts. The offences are committed using a technique known as “phishing” — i.e. the theft or attempted theft of personal information using e-mail and “bogus” web-sites. It is a relatively recent phenomenon. The act of “phishing” constitutes a number of offences contained in the Criminal Justice (Theft and Fraud Offences) Act 2001.

I am informed that a number of persons have been prosecuted on charges of theft offences relating to “phishing” incidents where the proceeds of fraudulent withdrawals have been transferred to an apparently legitimate account which has been used to facilitate the withdrawal of the stolen funds. An Garda Síochána is working with the Banking industry to counteract this phenomenon. A High-Tech Crime forum has been established with all relevant stakeholders including An Garda Síochána and the Financial Services Industry including the banking sector. This forum facilitates the rapid dissemination of information related to “phishing” and other methods being used in an attempt to compromise banking services.

I am also informed that The Irish Bankers Federation participates in the MakeITSecure campaign, a national information campaign aimed at educating consumers on how to use IT securely, particularly in relation to financial transactions. MakeITSecure is a coalition of partners including from the private sector led by the Department of Communications, Energy and Natural Resources. The campaign was launched in November 2005 and focused on four areas — identity theft, “phishing”, spyware and child safety on-line. MakeITSecure aims to help individuals, families and businesses protect themselves by showing the main risks and offering some solutions to make their internet experience more secure.

I am also informed that the Financial Regulator issues press releases on the topic from time to time. Consumers are advised how to protect themselves from fraud and scams on the Financial Regulator's website site at www.ifsra.ie. The Irish Payment Services Organisation is also very active in raising awareness of such issues. I understand that most financial institutions publish warnings on their own website when they are the subject of such activities. Victims of “phishing” attacks are advised by An Garda Síochána and the indus-

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try to report any such attack immediately to An Garda Síochána for investigation.

An Garda Síochána's primary function relates to the investigation of the criminal conduct through which the monies have been lost by the injured parties as opposed to the recovery of funds. However criminal courts may make orders restoring funds which have been identified as the proceeds of crime following conviction of the offender. I am confident that every assistance is given by An Garda Síochána to injured parties and their representatives in their effort to recover monies. If a consumer is a victim of this crime, he or she should report the matter to the Gardaí and to their bank. The best line of defence against this type of fraud is to educate consumers so they are aware that they should not disclose their personal financial information to anyone.

Garda Investigations.

537. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform the position of the property of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [24950/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda Commissioner that, as a result of a complaint received by the Gardaí in Kildare, the property referred to was seized and is currently retained at Kildare Garda Station.

Proposed Legislation.

538. **Deputy Martin Ferris** asked the Minister for Justice, Equality and Law Reform if he will use his influence to ensure that the Criminal Evidence Act, 1992 is amended in order to ensure that persons with intellectual disabilities are provided with greater protection with regard to sexual abuse and specifically to ensure that the section that refers to sexual intercourse is amended to include other forms of abuse. [24954/07]

544. **Deputy Jimmy Deenihan** asked the Minister for Justice, Equality and Law Reform if he will amend the Criminal Evidence Act, 1992 to include provisions to deal with sexual assault or any kind of sexual offence against an adult with an intellectual disability; and if he will make a statement on the matter. [25028/07]

545. **Deputy Jimmy Deenihan** asked the Minister for Justice, Equality and Law Reform the legislation, in view of the decision delivered by Judge Patrick McCartan in the Circuit Criminal Court in Dublin (details supplied) he proposes enacting and enable a person who is the victim of rape or sexual abuse and who suffers from an intellectual disability to properly process a claim

for damages against an alleged perpetrator or have such claim processed on their behalf; and if he will make a statement on the matter. [25029/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 538, 544 and 545 together.

I am examining the implications of a recent decision in the Dublin Circuit Court to ascertain whether any legislative change is required.

Citizenship Applications.

539. **Deputy Joe McHugh** asked the Minister for Justice, Equality and Law Reform the reason a person (details supplied) who has been seeking naturalisation since 2004 is not being processed for consideration; and if he will make a statement on the matter. [24955/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): An application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Section of my Department in March 2007. On examination of the application it was determined that the person concerned did not satisfy the residency requirements as set out in the Irish Nationality and Citizenship Act 1956, as amended. A letter informing the applicant of this issued to him on 4 July 2007. I am informed by my officials that there is no record of a previous application for naturalisation from the person referred to in 2004. It is open to the individual in question to lodge a new application if and when he is in a position to meet the statutory residency requirement applicable at that time.

Proposed Legislation.

540. **Deputy Jim O'Keeffe** asked the Minister for Justice, Equality and Law Reform if he has proposals to provide for the offence of corporate manslaughter arising from the proposals of the Law Reform Commission of October 2005. [24956/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Proposals to provide for the offence of corporate manslaughter arising from the Law Reform Commission's Report published in October 2005 are included in the Government's Autumn Legislative Programme for 2007. These proposals are at a preliminary stage of examination. In due course, they will be brought to Government for approval after consultations with relevant parties have been completed, in particular with the Department of Enterprise, Trade and Employment, where much of the expertise on company and corporate matters resides.

Residency Permits.

541. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if he will award stamp four or temporary residency status in the case of a person (detail supplied) in Dublin 22; and if he will make a statement on the matter. [24961/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I refer the Deputy to Parliamentary Question No. 929 & 985 of Wednesday, 26 September, 2007. As stated in that reply the person in question has been granted temporary leave to remain in the State for three years until 9 May, 2010, subject to certain conditions. This was notified to her by letter dated 9 May, 2007.

Garda Training.

542. **Deputy Tony Gregory** asked the Minister for Justice, Equality and Law Reform if specific training is part of the programme for Garda recruits at the Templemore training facility to enable them to more correctly understand the special needs of persons with a sensory or physical disability; and if he will make a statement on the matter. [24964/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda Commissioner that the Student Probationer School delivers a training programme in Social and Psychological Studies to all Students/Probationers on meeting and communicating with people who have special needs. Instructors from Rehab Enterprises deliver the training programme with regard to dealing with persons with the following disabilities:

1. Wheelchair users.
2. Disabled persons.
3. A person who has polio, cerebral palsy or learning difficulties.
4. Persons with mental health illness or mental health difficulties.
5. People with learning difficulties.
6. Persons with Down's Syndrome
7. People who are blind, visually impaired, hard of hearing, with a hearing impairment or hearing disabled.

Closed Circuit Television Systems.

543. **Deputy Mary O'Rourke** asked the Minister for Justice, Equality and Law Reform when precisely closed circuit television will be installed in Athlone; and if he will make a statement on the matter. [24971/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Athlone is one of 14

locations into which the Garda town centre CCTV programme is being expanded. I have been informed by the Garda authorities that the tenders received for the provision of a town centre CCTV system for Athlone are currently being evaluated and this process is expected to be completed shortly. Following approval of the preferred suppliers it is planned that the contract for the system will be awarded before the end of 2007. Works on the installation of the CCTV system should commence shortly after that, subject to planning permissions, wayleaves and any civil works required.

Questions Nos. 544 and 545 answered with Question No. 538.

Garda Training.

546. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform his plans to provide funding to the Garda to provide a dedicated firearms range; the facilities available to the Garda for such training; and if he will make a statement on the matter. [25032/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The provision of firearms training and related facilities for members of An Garda Síochána who are authorised to carry firearms are matters for the Garda Commissioner in accordance with his identified operational requirements.

I am informed that An Garda Síochána has ordered two Prefabricated Modular Firearms ranges at a cost of €3.2 million. Delivery and installation of the new ranges is expected before the end of this year and they will be put into operation early in 2008. These prefabricated ranges are newly designed products that will facilitate live fire shooting for up to four persons in a carefully contained environment which adheres to all range safety requirements.

I am further informed by the Garda authorities that three Firearms Automated Training Systems (FATS) units were purchased in January 2006 at a cost of €512,878 and are currently in use. FATS training has allowed the development of judgmental firearms training as well as traditional marksmanship training in a non-live fire environment. Members of An Garda Síochána and the Garda Specialist Training Unit also make use of Military ranges countrywide. Firearms training and facilities are constantly reviewed to ensure sufficient and appropriate training is provided and that training compares favourably with international best practice.

Garda Investigations.

547. **Deputy Damien English** asked the Minister for Justice, Equality and Law Reform if Garda investigations into PIPS, a bogus invest-

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ment scheme, are ongoing; and if he will make a statement on the matter. [25048/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): An Garda Síochána continues to investigate complaints from members of the public as they arise relating to the operation of bogus investment schemes such as PIPS which may involve fraudulent withdrawals from persons' bank accounts, offences which are committed using a technique known as "phishing". This is a term used to describe the theft or attempted theft of personal information using e-mail and bogus web sites. It is a relatively recent phenomenon.

An Garda Síochána continues to work with the banking industry to counteract the phenomenon. All the banks offering on-line banking services have posted warning notices on their websites to the effect that this activity is occurring and that members of the public should not respond to any request relating to their personal banking security details.

Victims of "phishing" are advised by An Garda Síochána and the industry to report any such activity immediately to An Garda Síochána for investigation. Every assistance to recover monies is given by An Garda Síochána to injured parties and their representatives.

Garda investigations to date have resulted in a number of persons being prosecuted for theft offences related to "phishing" incidents in which the proceeds of fraudulent withdrawals have been transferred to an apparently legitimate account which has been used to facilitate the withdrawal of the stolen funds.

An Garda Síochána, through the Garda Bureau of Fraud Investigation, has participated in a number of initiatives by various Government Departments and the financial institutions which have as their primary aim the raising of public awareness of this type of criminality. These include:

- A website entitled 'Safecard', which was launched in partnership with the Irish Payment Services Organisation. This website addresses many issues around payment card fraud, in particular the issue of identity theft. The Garda website (www.garda.ie) also provides advice to members of the public on how to avoid this type of criminal activity.
- The 'MakeITSecure' Programme, in conjunction with the Department of Communications, Energy and Natural Resources which, *inter alia*, produced advice booklets including one on identity theft, for the public and which have been distributed to every Garda Station.

Questions Nos. 548 and 549 answered with Question No. 518.

Citizenship Applications.

550. **Deputy John Curran** asked the Minister for Justice, Equality and Law Reform when he will make a decision regarding applications for naturalisation made by persons (details supplied) in Dublin 22. [25109/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Processing of applications for certificates of naturalisation from the persons referred to in the Deputy's question are at an advanced stage and I expect to be in a position to advise the Deputy and the applicants of my decision in respect of each application in the near future.

Garda Operations.

551. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the plans there are to move the Garda divisional headquarters from Roscommon Town; if he will review the situation; and if he will make a statement on the matter. [25113/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): In accordance with section 22 of the Garda Síochána Act 2005, decisions on the establishment or relocation of a Garda Divisional Headquarters are matters for the Garda Commissioner in the first instance, in the context of his Annual Policing Plan. The Annual Policing Plan will be laid before the Houses of the Oireachtas in due course.

Departmental Expenditure.

552. **Deputy Brian Hayes** asked the Minister for Justice, Equality and Law Reform the amount of money spent on paper and stationary in 2007: the amount of this money spent on recycled paper; and if he will make a statement on the matter. [25146/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I can inform the Deputy that, based on an analysis of payments to the main suppliers of paper stationery products to my Department, it is estimated that in the region of €288,000 has been spent on such products to date in 2007. A very wide range of products are covered under this heading and it is not readily possible to ascertain in all cases whether the particular product contained recycled material. I can confirm, however, that at least €87,000 of this expenditure does relate to recycled products.

Visa Applications.

553. **Deputy Richard Bruton** asked the Minister for Justice, Equality and Law Reform if he has placed new restrictions on the issue of holiday visas; and if he will examine the case of a person (details supplied) where only two weeks have effectively been granted. [25167/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I would inform the Deputy that the criteria for consideration of visa applications have not been changed and each application is considered on its merits. In the case referred to, I am pleased to advise the Deputy that the application has been re-examined and the applicant has been granted a visa valid for ninety days.

Residency Permits.

554. **Deputy Damien English** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 225 of 27 March 2007, if his Department will reassess if a person (details supplied) in County Meath qualifies for long term residency; and if he will make a statement on the matter. [25195/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Immigration Division of my Department has recently been in contact with the person concerned requesting further documentation. On receipt of a response the application will be processed further.

Garda Strength.

555. **Deputy Brian Hayes** asked the Minister for Justice, Equality and Law Reform the number of gardaí on active duty at the end of September 2007 and the same figure for October 2006; and if he will make a statement on the matter. [25200/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): As of the 30 September 2007, the latest date for which figures are readily available, the personnel strength on An Garda Síochána was 13,531. The personnel strength of An Garda Síochána on 30 October 2006 was 12,709.

Citizenship Applications.

556. **Deputy Jim O'Keeffe** asked the Minister for Justice, Equality and Law Reform the position in relation to the application for a certificate of naturalisation for a person (details supplied) in Cork south west; and if same will be granted. [25206/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): 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 the 9 January 2007.

Officials in that Section are currently processing applications received in the beginning of 2005 and have approximately 11,300 applications on hand to be dealt with before that of the person concerned. These are generally dealt with in chronological order as this is deemed to be the

fairest to all applicants. It is likely, therefore, that further processing of the application will commence in the second half of 2009. I will inform the Deputy and the person in question when a decision is reached in the case.

Visa Applications.

557. **Deputy Peter Power** asked the Minister for Justice, Equality and Law Reform the reason for refusing the granting of a holiday visa to a person (details supplied); the evidence that would satisfy to grant such a visa; and if he will make a statement on the matter. [25228/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I refer the Deputy to my answer to Parliamentary Question 355 of the 17 October 2007, in which I listed the reasons why a visa had not been approved in this case. The decision of the Visa Officer may be appealed within two months of the date of the original decision — in this case before 11 December, 2007. An appeal should be submitted to the Visa Appeals Officer and should address all the reasons for the original refusal.

Departmental Reports.

558. **Deputy Michael D'Arcy** asked the Minister for Justice, Equality and Law Reform when the Gaming Commission will be set up; where it will be located; the time schedule as to when it will be established; and if he will make a statement on the matter. [25246/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Deputy will be aware that in August, 2006, the Government agreed to the proposal of my predecessor for the establishment of a Committee (the Casino Regulation Committee) to report on the possibilities for a legislative basis for the strict regulation of casino-style operations in the State.

The Casino Regulation Committee completed their Report in April of this year. It is a lengthy document which deals with a range of complex and inter-related public policy issues which are now being considered within my Department. Following consideration of the issues, I intend bringing the Report before the Government. As the Report has yet to be presented to Government I do not propose to comment on the Report or any of its recommendations at this time.

Garda Stations.

559. **Deputy James McDaid** asked the Minister for Justice, Equality and Law Reform the situation regarding the new Garda station at Buncrana County Donegal. [25248/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I have been informed by the Garda authorities that plans for the new

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Garda station in Buncrana are well advanced. Contracts for additional land for the new station are being processed by the Chief State Solicitors Office and tenders for the provision of the new building are currently being evaluated by the Office of Public Works. It is expected that work will commence as soon as contracts have been put in place.

Prison Building Programme.

560. **Deputy Jim O’Keeffe** asked the Minister for Justice, Equality and Law Reform the estimated date for the completion of the new prison facility to replace Cork Prison; and the approximate cost of same. [25249/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Allowing for the steps still to be taken, including the tendering process as well as the design and construction phase, it is unlikely that a new prison facility to replace Cork prison will be completed at Kilworth before 2011. In relation to the approximate cost, the Deputy will appreciate that the terms and scope of the project have not yet been finalised. In addition, this project will be procured by means of a public tender competition and the Deputy will be aware that, accordingly, it is not appropriate for a number of reasons to publish estimates of the cost at this point.

Ground Rents.

561. **Deputy Tony Gregory** asked the Minister for Justice, Equality and Law Reform if his Department will assist a person (details supplied) in Dublin 9; if he will take action to resolve the general ground rent issue; and if he will make a statement on the matter. [25253/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): In relation to ground rents in general, the law already provides for a statutory scheme for the acquisition of the fee simple in dwelling houses which is set out in the Landlord and Tenant (Ground Rents) (No. 2) Act 1978. Part III of that Act provides a special procedure, operated by the Property Registration Authority, whereby a person may acquire the fee simple in their dwelling house. Under this legislation I am also precluded from any involvement in specific cases.

Ground rents legislation makes clear that when the lease has only a few years to run or has expired the purchase price of the fee simple increases. It also means that the rent, were it to continue, will be substantially greater than previously existed. The principle inevitably involved in the legislation is one of compensation that is reasonable in all the circumstances. A legal challenge to the constitutionality of certain provisions of existing ground rents legislation was heard in

the High Court during 2005. The Court’s judgment upholding the constitutionality of the legislation was delivered in early 2006 but it has been appealed to the Supreme Court. It is likely that the appeal will be heard later this year.

Operation of the law in relation to ground rents continues to be reviewed in my Department. There are no proposals for change pending the outcome of the appeal that I have mentioned.

Parental Leave Provisions.

562. **Deputy Richard Bruton** asked the Minister for Justice, Equality and Law Reform if he has conducted a review of the provision here of rights and of financial supports for flexible parental leave which could allow parents to better balance their family and work responsibilities; the way provision in Ireland in his area of responsibility compares with best practice, for example in Scandinavian countries or in France; and if measures to strengthen Ireland’s provision in this respect will form a part of his five year strategy for his Department. [25294/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The development of work life balance policies in Ireland is addressed on two fronts. Firstly, appropriate legislative measures provide for statutory entitlements such as maternity leave, adoptive leave, carer’s leave, parental leave, maximum working hours, rest periods, annual leave and public holiday entitlements.

In accordance with section 28 of the Parental Leave Act 1998 and a Government commitment in the Programme for Prosperity and Fairness, a review of the Act of 1998 was conducted by a Working Group chaired by my Department, which comprised the social partners, relevant Government Departments and the Equality Authority. The *Report of the Working Group on the Review of the Parental Leave Act 1998* was published on 29 April, 2002. The Working Group as part of its work researched the practice in other countries.

Parental Leave provisions were subsequently increased in 2006 giving a statutory entitlement to take the 14 weeks parental leave in separate blocks of a minimum of 6 continuous weeks, or on more favourable terms with the agreement of the employee. Additional provisions raised the maximum age of the eligible child from 5 to 8 years; increased the maximum age of the eligible child to 16 years in the case of children with disabilities; extended parental leave entitlements to persons acting *in loco parentis* in respect of an eligible child; and extended the force majeure provisions to include persons in a relationship of domestic dependency, including same-sex partners.

The Government and the social partners are committed in the new social partnership agreement, Towards 2016, to review the level of pro-

vision of maternity/paternity leave again before the end of 2008. In this review, as in the previous exercise, note will be taken of comparative provisions and best practice across Europe. Moreover, the Government is committed in its Agreed Programme for Government to increase paid maternity leave by five weeks, to make all leave after the first 26 weeks available to either parent and to examine the possibility of introducing paternity benefit and shared parental leave.

Work life balance policies are also supported on a second front, through the voluntary approach which is supported by the work of the National Framework Committee for Work Life Balance Policies. The Committee, which was established under Social Partnership and chaired by the Department of Enterprise, Trade and Employment, is charged with supporting and facilitating the development of family friendly policies at the level of the enterprise through the development of a package of practical measures that can be applied. One of the tasks of the Committee is to examine how best to improve access to family friendly working arrangements in order to realise the potential benefits that these arrangements would offer from both an equality and competitiveness perspective.

The Agreed Programme for Government includes a commitment to work with the social partners to promote the greater availability of family-friendly work practices. This is being pursued through the work of the National Framework Committee for Work Life Balance Policies. My Department's Strategy Statement will be drawn up in a manner consistent with the Government's commitments under the Agreed Programme for Government and *Towards 2016*.

Garda Stations.

563. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform the number of Garda stations that have internet access; the number that have e-mail accounts; the number generally equipped with broadband capability; and if he will make a statement on the matter. [25295/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda Authorities that the Garda Information System (GIS) which includes access to PULSE, the Garda National Immigration Bureau Systems, is also used to deliver external Email and internet access on a user by user basis as operational needs dictate. Internet access is currently availed of in all District and Divisional Headquarters.

External email is available to all Gardaí from the rank of Inspector upwards and is also available to other Gardaí and civilian staff as operational needs require. A total of 1,066 external email addresses are currently being utilised by Gardaí and civilian staff. The Garda Wide Area Network (WAN) provides broadband perform-

ance levels in delivering these services and is available at 338 locations nationwide.

I am further informed by the Garda Authorities that a pilot project to facilitate email communications between An Garda Síochána and members of the public using mailboxes assigned to individual sections and stations is currently underway. The pilot will assess the various factors that need to be addressed with regard to greater use of external email by An Garda Síochána, including the type and volume of Garda business that can be transacted using email, the potential uses for Section and Station emails and the security and resource implications for the Garda network.

Following the pilot project external email facilities will be rolled out on a phased basis to all stations in the DMR and to District HQ stations and other stations outside the DMR where the necessary network infrastructure is in place. The roll-out will also include making external email facilities available for all members of Sergeant rank of whom there are over 2,100 in active service.

Garda Training.

564. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform the proportion of serving Gardaí who have information technology training; if basic competence in information technology is required for recruitment to the force; the proportion of the force that has regular resort to IT; and if he will make a statement on the matter. [25296/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I have requested the information sought by the Deputy from the Garda Commissioner. I will write to the Deputy directly when this information is to hand.

Visa Applications.

565. **Deputy Willie Penrose** asked the Minister for Justice, Equality and Law Reform the reason an application for a visa by a person (details supplied) in County Westmeath was recently refused; if this application will be reviewed; and if he will make a statement on the matter. [25319/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The application for a "Join Spouse" visa referred to by the Deputy was received in the Visa Office, Dublin on 31 July 2007. It was refused on 14 August 2007 because the Visa Officer was not provided with satisfactory evidence of a pre-existing relationship. As no appeal was received within two months of the refusal decision being communicated to the applicant, no further review of the application can take place. It is open to the applicant, however to make a fresh application.

Residency Permits.

566. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform if non-EU nationals who enter the State as the spouse of an Irish citizen are entitled to a C or a D visa while their application for residency is pending; if the Garda National Immigration Bureau are empowered to grant Stamp 4 status to such spouses; if so, the grounds upon which it may or may not be granted; if the nationality of the spouse is a factor in determining what visa or status is granted; and if he will make a statement on the matter. [25330/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Marriage to an Irish national does not grant any automatic right to enter or reside in the State solely on that basis. Non-EEA nationals who have no current permission to remain within the State are required to make an application for residence on the basis of marriage to an Irish national to the Immigration Division of the Irish Naturalisation and Immigration Service of my Department. Such applicants cannot register with the Garda National Immigration Bureau until their application for residency has been processed and cannot therefore be given Stamp 4 status while the application is pending.

As such persons are already in the State, the question of a “C” or “D” visa does not arise. However, a visa-required national will not normally be given a re-entry visa while the application for legal residence based on marriage is pending. The nationality of the non-EEA spouse has no bearing on the immigration status which is granted to such applicants.

567. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform the processing times for applications for residency based upon marriage to an Irish citizen; if his attention has been drawn to the hardship posed to these families due to the denial of employment rights while these applications are pending; if his attention has further been drawn to reports that some Irish emigrants are refusing to return home due to the fact their families can not afford to live on one income while waiting for the non-EU spouse to be granted employment rights; and his views on allowing these spouses the right to work pending the outcome of their application, as is the case in many other countries including the USA and Britain. [25331/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Marriage to an Irish national does not grant any automatic right to enter or reside in the State solely on that basis. Non-EEA nationals who have no current permission to remain within the State are required to make an application for residence on the basis of marriage to an Irish national to the Immi-

gration Division of the Irish Naturalisation and Immigration Service of my Department. Applications, in fairness to all other such applicants, are dealt with in chronological order and are currently taking 12 months to process.

The Irish Naturalisation and Immigration Service of my Department has growing experience of marriages being entered into for the sole purpose of enabling the non national spouse to enter and remain in the State. Frequently in these circumstances, the Irish national may be totally unaware that this is the primary intention of the non national and will feel aggrieved by the perception that the immigration authorities are interfering with their private life in refusing to allow their spouse to enter or remain in the State. On occasion the Irish national may be a willing party for their own personal benefit. ‘Convenience’ marriages for the purpose of circumventing normal immigration controls are experienced by immigration jurisdictions worldwide.

In order to prevent abuses of the system, insofar as is possible and without unduly interfering with the Irish citizen’s private circumstances, the Immigration Division will seek to establish various matters. These include the context in which the marriage took place, the validity of the marriage and whether the couple are residing together in a family unit. This will involve requesting documentation in support of the application for residence and may also require an interview of either or both parties by the immigration authorities.

It has always been the case that non EU nationals could not enter employment pending the outcome of an application for residence based on marriage to an Irish national. I do not envisage any change in this practice at this time.

Citizenship Applications.

568. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform when the naturalisation application by a person (details supplied) will be processed; and if same can be expedited as the applicant, a spouse of an Irish citizen, reports regular harassment on their visits to their native country including demands for bribes from local immigration officials, which foreign passport holders are not generally subjected to. [25459/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): 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 the 12 May 2007. Officials in that Section are currently processing applications received in the beginning of 2005 and have approximately 12,800 applications on hand to be dealt with before that of the person concerned. These are generally dealt with in chronological order as this is deemed to be the fairest to all applicants. It is

likely, therefore, that further processing of the application will commence towards the end of 2009.

Departmental Expenditure.

569. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the amount of the €3 million promised to the graffiti removal operation launched in June 2006 that was actually spent before it was decided by his Department to wind it up. [25461/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): As the Deputy will be aware, primary responsibility for the removal and cleaning of graffiti rest with Local Authorities under the Litter Pollution Act, 1997. This Department in association with the Departments of the Environment, Heritage and Local Government and the Department of Community, Rural and Gaeltacht Affairs has over the past year been operating a pilot Graffiti Removal scheme, in — Bray Town, Dublin City and Galway City. This scheme supplements the local authorities in their efforts to combat graffiti.

Far from being wound up, the scheme is being restructured in line with the evaluation of the scheme which was carried out by the Institute of criminology, UCD. The overall total spent by the Department on the scheme since it began is approximately €1,421,000.

Garda Deployment.

570. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the comments by a senior Garda Officer (details supplied) to the effect that the local drugs units are re-directed into other policing tasks which emerge thereby disrupting their focus on drugs; and if, in view of the scale of the drugs crisis and associated gangland crime, he will bring this matter to the attention of the Garda Commissioner and ask him to urgently ensure that the full capacity of all drugs units, national and local, are directed at disrupting drug supply. [25462/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): As the Deputy will appreciate, policing operations and the deployment of Garda resources are matters for the Garda Commissioner. It is and must remain the responsibility of Garda management to allocate personnel within the Garda organisation on a priority basis in accordance with overall policing requirements.

Since the publication of the Government's National Drugs Strategy 2001-2008, Garda resources generally in the fight against illicit drugs have increased. This is particularly evident with the creation of additional Divisional Drug Units in areas of particular need. These Drugs

Units operate in Divisions throughout the country with a primary focus on local drugs activities.

These units are also supported in their work by officers from other national units such as the National Bureau of Criminal Investigation, the Garda Bureau of Fraud Investigation and the Criminal Assets Bureau. In addition, all Gardaí are tasked with confronting drugs related issues as they arise.

Furthermore, I can assure the Deputy that additional Garda resources are coming on stream all the time and that these additional human resources will facilitate the Garda Commissioner in the allocation of additional manpower to areas most in need, including in the fight against illegal drugs.

Finally I can also assure the Deputy that the enforcement of the law relating to drugs and public order continues to be a key element in the Government's policing priorities.

Courts Service.

571. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will make additional resources available to the Courts Service for the Circuit Criminal Court to speed up the acquirement of hearing dates in an effort to reduce the numbers absconding while on bail. [25463/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Deputy will be aware that evidence in relation to the likelihood of an accused person absconding whilst on bail is one of the factors which may be taken into account by a court in refusing bail. Section 13 of the Criminal Justice Act 1984 (as amended) provides that if a person who has been released on bail in criminal proceedings fails to appears before a court in accordance with his recognisance, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €5000 and/or imprisonment for a term not exceeding 12 months. The section also treats this offence as an offence committed on bail which must attract a consecutive sentence.

The Courts and Court Officers (Amendment) Act 2007 enacted earlier this year provided for 14 additional judges, of whom four are judges of the Circuit Court. These additional judges were appointed to deal with delays and generally speed up the judicial process. I understand that the President of the Circuit Court has given priority to the clearing of criminal cases and that six Circuit Court Judges are currently dealing with criminal matters on a full-time basis in Dublin Circuit Criminal Court.

The Courts Service is responsible for the day to day management of the courts and I am responsible for ensuring that the Service has adequate provision. I am firmly committed to ensuring that the Courts Service has resources adequate to the demands placed on it and in this

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regard I am pleased to inform the Deputy that the recently announced pre-budget estimates include a 4.9% increase in current spending for the Courts Service.

Question No. 572 answered with Question No. 525.

Joint Policing Committees.

573. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform further to his response to Parliamentary Question No. 349 of 17 October 2007, the person who will be invited to participate in the consultation seminar on the experiences gained in the operation of the pilot Joint Policing Committee projects; his views on whether the broadest participation possible would contribute to the quality of findings; and if all JPC members can expect an invite. [25465/07]

575. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will make a statement detailing what the €500,000 funding for Joint Policing Committees provided for in Budget 2007 has been spent on to date. [25467/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 573 and 575 together.

Officials from my Department and the Department of the Environment, Heritage and Local Government are currently engaged in organising a consultation seminar on Joint Policing Committees to be held before the end of November. My colleague the Minister for the Environment, Heritage and Local Government and I will participate in the seminar, which will examine the experience gained in the operation of the committees which were established in the pilot phase. It is proposed to invite members of An Garda Síochána, local authorities, the Oireachtas and the community and voluntary sector who are involved in Joint Policing Committees, as well as inviting the participation of the representative associations for local authority members and city and county managers. I share the Deputy's view that the broadest participation possible in the seminar would contribute to its success. At the same time I believe that the numbers of those attending should not exceed the level at which all will have the opportunity of participating fully.

The Department of the Environment, Heritage and Local Government, in conjunction with my Department, is in discussion with the local authority representative bodies concerning the disbursement of the funding being made available by the two Departments.

Statutory Inquiries.

574. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the date he expects to publish the report of the statutory inquiry headed by Mr. Hugh Hartnett SC into the death of a person (details supplied) following Garda custody. [25466/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The report was submitted to me on 3 October last.

At present my officials are in consultation with the office of the Attorney General regarding the legal implications of the report's contents for any further course of action that might be adopted by me.

While it is my intention to publish the report, I am unable to be definitive about a date at this stage.

Question No. 575 answered with Question No. 573.

Water Pollution.

576. **Deputy Damien English** asked the Minister for the Environment, Heritage and Local Government the processes that are in place to stop water pollution in Meath's rivers and lakes; the new measures that will be introduced soon; and if he will make a statement on the matter. [25057/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

Primary responsibility for the protection and improvement of water quality is assigned statutorily to local authorities, which in the case of Meath's rivers and lakes is the responsibility of Meath County Council. In this regard local authorities act under the supervision of the EPA. Measures for the protection and improvement of water quality are being progressed on a systematic basis, in the context of the Water Framework Directive (WFD) which provides generally that there must be no deterioration in the status of any waters and that all waters achieve at least "good status" by 2015. A comprehensive programme of activities is currently underway by local authorities, the EPA, my Department and other relevant bodies for full implementation of the Directive. This is being supported by river basin district projects, led by local authorities, together with a wide range of other measures including ongoing investment under the Water Services Investment Programme, implementation of the Nitrates Action Programme, and new regulatory controls in relation to the licensing of aerial fertilisation of forestry and discharges from local authority wastewater treatment plants.

Further information on the measures being taken to stop pollution in Meath's rivers and lakes may be obtained from Meath County Council.

Aarhus Convention.

577. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the status on the adoption of the Aarhus Convention; and if he will make a statement on the matter. [25201/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Ireland signed the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters on 25 June 1998. Progress towards ratification of the Convention is closely aligned with work at EU level and, in that context, the European Union has adopted two Directives as part of the ratification process for the Convention. These deal with public access to environmental information (2003/4/EC) and public participation in certain environmental decision-making procedures (2003/35/EC).

Regulations transposing the European Communities (Access to information on the Environment) Directive 2003/4/EC were signed and came into effect on 1 May 2007.

The process to transpose Directive 2003/35/EC is well advanced with legislation completed to amend the majority of the relevant consent systems. The remaining work on the outstanding consent systems will be completed at the earliest possible date.

Having regard to the above, I will ensure that the instrument of ratification of the Aarhus Convention is submitted to Government and laid before the Dáil as soon as possible.

Social and Affordable Housing.

578. **Deputy Brian O'Shea** asked the Minister for the Environment, Heritage and Local Government his proposals to allow tenants of voluntary housing agencies who are living in three bedroom houses which are not adequate to their needs and where the voluntary housing agency does not have larger houses to become approved applicants of local authorities that have four bedroom houses, to facilitate transfers; and if he will make a statement on the matter. [24704/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): The provision of accommodation by approved voluntary and co-operative housing bodies is an integral part of my Department's overall response to delivering on social housing need. In cases where a particular social housing need exists and where a voluntary housing body is unable to meet this need from its existing housing stock, the person or family concerned should apply to the relevant housing authority for social housing appropriate to their needs. It is a matter for housing authorities to determine the eligibility of all applicants for

social housing including applicants who may be tenants of voluntary housing bodies.

In keeping with the lifecycle framework introduced in the new Partnership Agreement, Towards 2016, which has been reflected in my Department's housing policy statement, Delivering Homes, Sustaining Communities, we are working to put in place a graduated and flexible system of housing supports to meet the housing needs of applicants over their lifetimes including strengthening appropriate mechanisms to cater for those households already in receipt of housing support who require a change in the support being provided on foot of their changing circumstances.

Road Network.

579. **Deputy Brian O'Shea** asked the Minister for the Environment, Heritage and Local Government his views regarding the concerns of a person (details supplied) in County Waterford relating to the M3 project; and if he will make a statement on the matter. [24705/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I have no statutory remit in relation to the approval, or otherwise, of a road development, such as the M3. That is a matter for An Bord Pleanála, whose decisions in this regard are subject to challenge only by way of judicial review.

Following the approval of a road development by An Bord Pleanála, section 14A of the National Monuments Act, 1930, as amended, provides for two situations in which Ministerial directions relating to works of an archaeological nature associated with the road development fall to be issued.

Firstly, archaeological works, as identified in the Environment Impact Statement (EIS) for the scheme as necessary to mitigate the impacts of the scheme, carried out in respect of an approved road development must be carried out in accordance with Ministerial directions issued following consultation with the Director of the National Museum.

Secondly, Ministerial directions may be issued where, as in the case of Lismullin, a national monument is discovered during the carrying out of a road development subsequent to its approval by the Board, and neither the approval under the Roads Act, 1993, nor the EIS prepared for the scheme dealt with the newly discovered monument. The question of determining whether any such directions require a material change to the road development, and whether any such change is likely to have significant adverse effects on the environment is by law a matter for determination by An Bord Pleanála. In the Lismullin case, An Bord Pleanála has made a determination that no material alteration arises to the approved road development as a consequence of the direction

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issued my predecessor in respect of the national monument at Lismullin.

In the course of a Reasoned Opinion received in June 2007 the EU Commission expressed its view that under the requirements of the EIA Directive a new environmental impact assessment was required before a decision was taken on how to proceed in relation to the newly discovered National Monument at Lismullin. Ireland responded in detail to the concerns raised by the Commission, indicating that the Irish authorities consider that the provisions of EU and Irish Law were fully complied with in this case and that they are supported in that view by legal advice from the Attorney General as well as judgements from the High and Supreme courts. The Commission has now decided to refer its case to the European Court of Justice and it will be a matter for that Court to determine the legal issues involved in due course.

There is a commitment in the Programme for Government to maximise and clarify the protection provided to our archaeological heritage. On foot of this commitment I have initiated a comprehensive review, in consultation with relevant stakeholders, of archaeological policy and practice in Ireland. It is my intention, following the review, to bring forward any necessary measures, including legislative proposals, to enhance the protection we afford to our archaeological heritage.

Local Authority Funding.

580. **Deputy Olwyn Enright** asked the Minister for the Environment, Heritage and Local Government the reason the local authority playground grant was suspended for 2007/2008; if the scheme will be re-introduced in 2009; if there are plans to replace the suspended funding with a similar scheme; and if he will make a statement on the matter. [24727/07]

621. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local Government the funding supports available in his Department for community groups wishing to build a children's playground. [25438/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 580 and 621 together.

I refer to the reply to Question No. 121 of 10 October 2007. The position is unchanged.

Departmental Reports.

581. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government if his output statement has been published on his Department's website; and the

date on which it was put up on the website. [24740/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Department's Annual Output Statement for 2007 has not been published on the Department's website but copies have been laid before both Houses of the Oireachtas and have been made available on request. I have now asked that the Annual Output Statement be put on the Department's website.

Management Fees.

582. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the high cost of management fees for people living in apartments and developments owned by management companies; and if he will make a statement on the matter. [24764/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): My Department has no function in relation to the cost of management and maintenance of private accommodation. Property management companies, consisting of the owners of dwellings, are generally constituted under the Companies Acts and are required to operate in compliance with company law, which comes within the area of responsibility of the Minister for Enterprise, Trade and Employment.

Determination of management charges is primarily a matter for individual management companies. My Department does not have a role in this or other aspects of company governance.

Library Projects.

583. **Deputy Seán Ó Fearghaíl** asked the Minister for the Environment, Heritage and Local Government the submissions he has received from Kildare County Council in relation to the provision of a new branch library in Kildare Town; if his attention has been drawn to the fact that the local branch library is temporarily located in a business campus at a considerable distance from the town centre and that a newly built facility intended for library use stands vacant in the town centre for more than two years; his views therefore on the level of library service available to the rapidly growing population of Kildare Town; and if he will make a statement on the matter. [24765/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen): In 2006, a request for Approval-in-Principle for a revised library project in Kildare was received in the Department. It was proposed by the library authority that this project be undertaken as a leasing arrangement with a private developer. For such an arrangement to be

considered for sanction, however, the proposal must represent the best value for money taking all options into account. The proposal from Kildare County Council was examined by inspectors in the Department who concluded that the proposed leasing arrangements did not represent value for money when compared with the option of building or acquiring a facility which would remain in the ownership of the local authority.

I am aware that the library in Kildare Town is currently operating from a Business Park and the Department remains open to considering assisting the library authority with any reasonable project to improve the library service in Kildare town.

The Department has provided funding of almost €1 million to Kildare County Council for a Library Headquarters in Newbridge, which is located 5 miles from Kildare Town. In addition, the Department has recently awarded €200,000 to Kildare County Council for a replacement Mobile Library and a replacement Delivery Van for the library service which will allow it to augment service to all areas of the county, including Kildare town.

Social and Affordable Housing.

584. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that buyers of affordable housing can not change their mortgage provider; if he will make changes to the scheme to enable them to do so; and if he will make a statement on the matter. [24785/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): The question of facilitating arrangements for persons in affordable housing wishing to re-mortgage with private lenders has been the subject of discussions between my Department and a number of the financial institutions. The current practice requires that if a private lender agrees to provide re-mortgage finance it will be on the basis that their mortgage charge will rank below the clawback charge where such a charge exists. This is consistent with the time sensitive nature of property charges under which the priority of charges is determined by the sequence in which they were placed on the property. The private financial institutions have indicated an unwillingness to advance re-mortgage finance on this basis.

Accordingly, my Department is examining the feasibility of introducing a set of arrangements under which a local authority would agree to its clawback charge ranking in second place behind a new, or topped-up, mortgage charge, in certain circumstances. The practicalities of this will have to be considered in consultation with the local authorities and the lending institutions. It is likely

that any new set of arrangements that may be introduced will require enabling legislation.

Election Management System.

585. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government when he will enact section 22 of the Local Government Act, 2001; and if he will make a statement on the matter. [24786/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Question Nos. 509 and 510 of 2 October 2007. The position is unchanged.

Planning Issues.

586. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government if his Department has produced guidelines for local authorities in setting the level of bonds that must be paid by developers of new residential developments; if he has satisfied himself at the level at which bonds are being set; and if he will make a statement on the matter. [24787/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Sections 34(4)(g) and 180(2)(b) of the Planning and Development Act 2000 provide that a planning authority may attach a condition to a planning permission requiring the giving of adequate security for the satisfactory completion of a development, and, if the development is not subsequently completed satisfactorily, may apply the security to that satisfactory completion. The determination of an adequate amount to complete any particular development is a matter for the relevant local authority, having regard to the circumstances in its area. However, in the interests of those purchasing a property in a development, it is essential that the bond be adequate, to enable the local authority carry out the work if the developer defaults.

In circular letter PD1/06, issued on 25 January 2006, my Department informed planning authorities that it was necessary for all planning authorities to establish, as a priority, a policy on taking in charge of estates, to be approved by the members of the authority and reviewed at least once a year. This circular further stated that the policy should, among other requirements, provide that:

- an acceptable level of security be provided by the developer towards the completion of a development,
- the security not be released until the estate is completed to the specified standards, and
- the bond obtained from the developer be applied to carry out any outstanding work

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where needed to ensure the estate is completed.

My Department issued further guidance to planning authorities on this issue in the Development Management Guidelines, published in June 2007 under section 28 of the Planning and Development Act 2000. The Guidelines provide specific recommendations on attaching conditions relating to grants of permission for residential development including that:

- a planning condition requiring an acceptable security by way of bond, cash or otherwise is essential so as to secure satisfactory completion of the development,
- the amount should be specified and should be index linked,
- the amount should enable the planning authority, without cost to itself, to complete the necessary services to a satisfactory standard,
- the condition should require lodgement of the security coupled with an agreement enabling the local authority to realise the bond,
- the bond should be of sufficient duration to allow inspection of the development and still call in the bond if necessary, and
- the bond should be refunded on satisfactory completion of the development.

My Department also established a Working Group, representative of local authorities, architects, planners and consumer interests to consider this issue and other related issues around taking in charge of estates. The Group has now completed its work and the draft guidance has been submitted to me. I expect to be in a position to issue revised guidance on taking in charge shortly.

Election Management System.

587. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government when current district electoral divisions for the purpose of the census were last reviewed; if he will carry out a review of the same in view of the change in the pattern of development across Ireland in the past few decades; and if he will make a statement on the matter. [24788/07]

616. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government if the proposed commission in relation to local electoral areas will mean the change of local electoral boundaries; and if not, if local representatives or representation within existing boundaries will change. [25334/07]

622. **Deputy Deirdre Clune** asked the Minister for the Environment, Heritage and Local Government if he will alter local electoral boundaries prior to the next local elections; if so, when he will do so; and if he will make a statement on the matter. [25445/07]

623. **Deputy Deirdre Clune** asked the Minister for the Environment, Heritage and Local Government when the next local elections will take place; and if he will make a statement on the matter. [25446/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 587, 616, 622 and 623 together.

Unlike for Dáil and European Parliament constituencies, there are no legal requirements in relation to the frequency of local electoral area reviews. The last review of local electoral areas was carried out in 1998; the next local elections are required under the terms of section 26 of the Local Government Act 2001 to take place in May or June 2009. I am at present considering the issues around a review of local electoral areas and I expect to be in a position to make a statement on the matter shortly.

The last significant revision of electoral divisions was carried out in 1994. There are no current proposals to undertake a review of electoral divisions.

Incinerator Safety.

588. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government his views on whether there are significant health risks associated with incineration; and if he will make a statement on the matter. [24843/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Incinerators are subject to independent statutory planning and waste licence approval processes. My Department is aware that the Environmental Protection Agency takes human health issues into account when considering waste licence applications. The Agency takes the view that if the licensed emission limits are complied with, then human health is adequately protected in line with best practice.

Election Management System.

589. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the financial cost of breaking the contracts with the storage providers of the electronic voting machines in each constituency; the cost of transporting electronic voting machines to the centralised storage location in Gormanstown; the cost of the upkeep for the centralised storage location in

Gormanstown; and if he will make a statement on the matter. [24854/07]

590. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the plans the Government has for a second centralised storage facility in view of the fact that the Gormanstown site does not have enough room to store all the election voting machines that were originally planned; and if he will make a statement on the matter. [24855/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 589 and 590 together.

Significant progress has been made in the transfer of the electronic voting equipment to centralised premises in Gormanstown; arrangements are being made to transfer further such equipment to Gormanstown. The total transport costs available at present amount to €25,118 (VAT inclusive). It is anticipated that ongoing costs associated with the upkeep of the storage premises will be minimal. It would not be appropriate to comment at this stage on detailed costs that might be involved in the buy-out of leases given the commercial considerations involved.

It has been known from the outset that, while the majority of the electronic voting equipment could be stored at Gormanstown, an additional premises would be required to store the remainder; this matter is under consideration at present.

Local Authority Housing.

591. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the names and addresses of all housing estates that were deemed to be unfinished arising from the request for such information in a letter (details supplied) circulated to local authorities in January 2006; and if he will make a statement on the matter. [24856/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The information requested is not available from my Department and was not sought from planning authorities by circular letter PD 1/06.

Construction Materials.

592. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the role of the EPA in relation to investigating quarries for pyrite in stone; if he will outline reports available; and if he will make a statement on the matter. [24880/07]

593. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government if he will introduce a certification procedure in respect of stone products in view of recent

problems associated with house construction in Dublin and the discovery of pyrite; and if he will make a statement on the matter. [24881/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 592 and 593 together.

I refer to the reply to Question Nos. 1150, 1151, 1153, 1155 and 1167 of 26 September 2007.

The certification of products is the responsibility of the National Standards Authority of Ireland (NSAI). The NSAI is giving urgent consideration to publication of additional guidance in relation to appropriate protocols for testing underfloor infill material, whether by way of a new standard, amendment to an existing standard or a standard recommendation, as found appropriate. It is my intention to adopt any recommendation of the NSAI in this regard, when available, in the relevant Technical Guidance Document to the Building Regulations.

The Environment Protection Agency has no role in relation to this matter.

Departmental Travel.

594. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government if his Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to his Department or if they can be retained by the individual concerned; and if he will make a statement on the matter. [24896/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): In accordance with the Civil Service Code of Standards and Behaviour, benefits under frequent flier schemes may be retained by individual civil servants in recognition of the fact that official travel is disruptive to personal and family life. Nevertheless, in accordance with my Department's travel policy the availability of frequent flyer points is not allowed to influence decisions taken in relation to using any particular airline for official business.

Local Authority Housing.

595. **Deputy John Deasy** asked the Minister for the Environment, Heritage and Local Government the checks carried out by local authorities to determine whether or not housing applicants both national and non Irish national are property owners in another country; and if he will make a statement on the matter. [24943/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): The assessment of housing need, including verification of the relevant circumstances of applicants, is a matter for the local authority concerned. As standard procedure,

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local authorities seek information on applicants' accommodation history and have powers under Section 15 of the Housing (Miscellaneous Provisions) Act 1997 to seek information from a range of relevant bodies in relation to applicants.

596. **Deputy John Deasy** asked the Minister for the Environment, Heritage and Local Government his views on putting a cap on rent for local authority tenants who due to financial circumstances in the past were unable to purchase their homes and who have remained tenants for over 30 years and due to age and the increase in house valuations find that they are still unable to purchase their home but are paying rents in some instances the equivalent of a mortgage; and if he will make a statement on the matter. [24944/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): Local authorities are responsible for the adoption of their differential rents schemes and my Department has no direct function in their administration. While my Department's circular letter HRT 3/2002 laid down broad principles in relation to the content of local authority differential rents schemes, including that the rent payable should be related to income with a smaller proportion of income being required from low income households, the placing of a cap on rent charged under a scheme is a matter for each individual local authority.

Local Authority Funding.

597. **Deputy Brian O'Shea** asked the Minister for the Environment, Heritage and Local Government if it is proposed to address the issue of local authorities which have very low commercial rate bases and which are overly dependent on inadequate central funds; and if he will make a statement on the matter. [24958/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The unprecedented expansion in the economy in recent years, supported by the Government's economic policies, has resulted in growth in local authorities' commercial rates bases by some 60% in the period 1997–2006. The additional income provided through this growth has assisted local authorities in expanding and improving the services they provide to their customers. The income that each authority generates from commercial rates and from charges for goods and services is taken into account in determining annual general purpose grants from the Local Government Fund. These grants are my Department's contribution towards meeting the cost to local authorities of providing an acceptable level of day to day services for their customers. Some €948m has been allocated in general purpose grants to local authorities in 2007, an increase of

8% over the amount provided in 2006 and an increase of 116% over the level of grant provided in 1999 when the Fund was established. I am satisfied that the general purpose allocations from the Local Government Fund notified to local authorities for 2007, together with the income available to them from other sources, will enable all local authorities to provide an acceptable level of services for their customers.

Waste Management.

598. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the new information he received which led to the claim that 1.3 million tonnes of Irish municipal waste, 40% of all municipal waste generated, can be dealt with through mechanical biological treatment; the person from whom he received that information; if he will make that information available for the public record; and if he will make a statement on the matter. [25030/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department in the normal course of business provides me with information and projections based on data from various sources but principally the National Waste Report produced annually by the Environmental Protection Agency. Such projections allow the impact of various policy options to be assessed. The scenario cited is based on projections to 2016 which take account of planned progress in waste prevention and recycling in order to quantify the amount of residual waste requiring pre-treatment and/or final disposal. This is estimated at 1.7m tonnes. High quality mechanical and biological treatment (MBT) capacity of just under 1 million tonnes per annum will enable Ireland to meet the landfill diversion targets under the Landfill Directive while reducing the amount requiring further treatment to about 400,000 tonnes; while MBT capacity of between 1.3m and 1.4m tonnes will enable us meet the more challenging Programme for Government target to landfill only 10% of all waste.

Social and Affordable Housing.

599. **Deputy Damien English** asked the Minister for the Environment, Heritage and Local Government the amount of money awarded to Meath County Council as payments in lieu of the requirements of Part V of the Planning and Development Act, 2000 to date; the number of affordable homes delivered in each area to date; and the breakdown of affordable homes by those given under Part V and those built directly by the local authority in tabular readable form. [25050/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): Information on payments in lieu of land transfers under Part V of the Planning and Development Acts 2000 to 2006 and a breakdown of the number of houses provided under the various affordable schemes in each local authority area up to end June 2007, is available on my Department’s website at www.envron.ie. Information is also published in my Department’s Housing Statistics Bulletins, copies of which are available in the Oireachtas Library.

600. **Deputy Damien English** asked the Minister for the Environment, Heritage and Local Government the number of new social housing family units excluding affordable and senior citizens housing which have been completed by Meath County Council for each of the years 2002 to date in 2007; and if he will provide a breakdown by electoral area in tabular readable form. [25051/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): Information on social housing completions in County Meath in each of the years 2002 to 2006 is available on my Department’s website at www.envron.ie. Information is also published in my Department’s Annual Housing Statistics Bulletins, copies of which are available in the Oireachtas Library. There were 52 social housing completions in County Meath in the 9 months to end September 2007.

A breakdown of this information by electoral areas is not available in my Department.

Local Authority Funding.

601. **Deputy Damien English** asked the Minister for the Environment, Heritage and Local Government the amount of additional funding allocated to Meath County Council during October 2007 for DPG’s and ERG’s. [25055/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): A capital allocation of €2.2 million was made available to Meath County Council for funding of disabled persons and essential repairs grant schemes in 2007.

Following an application for additional funding from Meath County Council, that authority’s capital allocation was increased in October 2007 by €1.8 million, to give a total capital allocation of €4 million for 2007.

Recycling Centres.

602. **Deputy Damien English** asked the Minister for the Environment, Heritage and Local Government his plans to introduce additional recycling bring centres to the Johnstown, Beech-

mount, Windtown, Blackcastle areas of Navan in County Meath; and if he will make a statement on the matter. [25058/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The identification of sites for the location of recycling bring banks is a matter for the relevant local authority in accordance with the objectives set out in the particular statutory waste management plan. My Department has no function in the determination of the location of these sites. However, my Department understands that bring banks are already in operation in Johnstown, Windtown and Blackcastle and proposals are in place for the introduction of a bring bank in the Beechmount area. Further information on these facilities may be obtained from Meath County Council.

National Parks.

603. **Deputy Enda Kenny** asked the Minister for the Environment, Heritage and Local Government if he plans to develop a national park along the River Liffey; and if he will make a statement on the matter. [25118/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Office of Public Works, in association with Dublin City Council and Fingal, Kildare and South Dublin County Councils, commissioned ERM Consultants to draw up a strategy for the Liffey Valley. The report, *Towards a Liffey Valley Park*, was published in November 2006.

The report does not recommend the designation of the Liffey Valley as a National Park nor would this be possible at present given that only State lands are comprised in Irish National Parks. However, the Department is keeping the proposal for the creation of a National Park under review.

The Development Plans of the relevant local authorities provide the primary land use protection for the Liffey Valley. In addition, parts of the Valley are covered by special designations. The area between Chapelizod and Lucan is protected by a Special Area Amenity Order and part of the Valley is designated as a Natural Heritage Area (site code 128).

Departmental Expenditure.

604. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the amount of money spent on paper and stationery in 2007: the amount of this money spent on recycled paper; and if he will make a statement on the matter. [25142/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The total cost of paper supplies including headed paper, compliment slips, envelopes and photo-

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copying paper was €238,700 in the period January to October 2007. Of this figure €104,300 was expended on recycled paper. The cost of other stationery items such as pens, pencils, erasers, paper clips, staples and miscellaneous office supplies was €51,300. It is the policy of my Department to purchase recycled products whenever possible. Due to its texture recycled paper is not compatible with the automated mailing equipment used in the Vehicle Registration Unit in Shannon (now part of the Department of Transport) and this accounted for some €130,000 spent on non-recycled paper.

Building Regulations.

605. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government if there is a need to introduce additional fire protection features in buildings such as automatically activated sprinkler systems in order to reduce the risk of fire hazard; and if he will make a statement on the matter. [25166/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Part B (Fire Safety) of the Building Regulations sets out the legal requirements in relation to fire safety in the design and construction of new buildings and the extension of, material alteration to, and certain changes of, use of existing buildings. The related Technical Guidance Document B (TGD-B) provides guidance on how to comply with the requirements of Part B.

Automatic sprinklers can play an important role in fire protection, and TGD-B recommends their use in specific circumstances. Where sprinkler systems are fitted in buildings, TGD-B requires that the sprinkler system should meet the relevant recommendations of British Standard 5306: Fire extinguishing installations and equipment on premises: Part 2: 1990 specification for sprinkler systems. TGD-B allows for a fire engineering approach as an alternative to following its own specific recommendations; this approach may include the use of sprinkler systems as part of an overall flexible package of fire protection measures, even where there is not a requirement to have sprinkler systems. The Building Regulations and associated technical guidance are reviewed as necessary; a review of certain aspects of Part B and TGD-B was completed in 2006.

Water and Sewerage Schemes.

606. **Deputy Dinny McGinley** asked the Minister for the Environment, Heritage and Local Government if he has received the preliminary report for the Bundoran sewerage scheme, County Donegal; when the report was received; the position of same; when it is expected that approval will be given to allow the scheme to pro-

ceed to tender and construction; and if he will make a statement on the matter. [25203/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Bundoran Sewerage Scheme is included in my Department's Water Services Investment Programme 2007-2009 as a scheme to commence construction in 2008. The wastewater treatment plant for Bundoran is being procured under a single Design/Build/Operate contract that also includes Killybegs and Glencolmcille. Donegal County Council's Preliminary Report for Bundoran was received in my Department in February 2006. Since then detailed discussions have taken place between my Department and the Council in relation to the apportionment of costs between the domestic and non-domestic sectors in the context that my Department will meet the domestic element of the capital costs. I expect a decision on the Preliminary Report to be conveyed to the Council shortly. The Preliminary Report for Glencolmcille is also under consideration in the Department and is being dealt with as quickly as possible. The Preliminary Report for Killybegs has already been approved. Once the Preliminary Report for Bundoran has been approved the Council will be in a position to prepare Contract Documents for the collection system which will be procured under a separate contract. Tender documents for the three treatment plants can be drawn up when all Preliminary Reports have been approved.

607. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government if, in view of the fact that the sewage treatment plant at Osberstown in County Kildare is at full capacity, he will intervene to prevent the proposed further zoning of land for residential use at Prosperous, County Kildare as the waste water from any development there would have to be pumped to and treated at the Osberstown plant; and if he will make a statement on the matter. [25211/07]

617. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that the Osberstown sewage treatment plant in County Kildare is at full capacity and that the water supply in the county is at near maximum capacity; if his attention has further been drawn to the fact that there are 2000 acres of land zoned for development in the county and that the River Liffey is at capacity in its ability to assimilate further phosphates from sewerage treatment plants or to have further water abstracted for human consumption; the plans in place to pipe water for human consumption in County Kildare from the River Shannon and to pump the sewerage to a marine outfall for treatment; if he will declare a moratorium on further

zoning of land for development in County Kildare until such time as there is an adequate water supply and capacity to treat waste water; and if he will make a statement on the matter. [25366/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 607 and 617 together.

The current position in relation to water services schemes in Kildare is set out in Question No. 559 of 16 October 2007 and previous replies. The Draft Prosperous Local Area Plan was published for public consultation in April 2007. Zoning of land is addressed in the Draft Plan. I understand from Kildare County Council that the Draft Plan is currently at amendments stage and will shortly be presented to the elected members for adoption. In accordance with section 20 of the Planning and Development Act 2000 as amended by the Planning and Development (Amendments) Act 2002, the making of a local area plan is a reserved function of the planning authority for the area and I have no function in relation to this. Furthermore, under the above Acts, reviewing or varying the Kildare County Development Plan 2005-2011 is also a reserved function of the elected members of Kildare County Council.

Planning Issues.

608. **Deputy Peter Power** asked the Minister for the Environment, Heritage and Local Government the position regarding council development plans requesting that only people living within or from a specified distance of the site of proposed development be granted planning permission while that distance is less than the size of the actual locality parish; his views on whether this rule is too inflexible; and if he will make a statement on the matter. [25227/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): In accordance with Part II of the Planning and Development Act 2000, as amended by the Planning and Development (Amendment) Act 2002, the making, reviewing and varying of development plans and local area plans are a reserved function of the elected members of a planning authority. Guidelines for Planning Authorities on Development Plans and Development Management were published by my Department in June 2007 in order to assist planning authorities in carrying out their responsibilities in these regards. I have no function in relation to the issue raised in the question.

Environmental Policy.

609. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local

Government if there are plans to push for an international agreement to keep the rise in global temperature to two degrees celsius or less and to support developing countries to adapt to the unavoidable effects of climate change; and if he will make a statement on the matter. [25263/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): At this year's Spring meeting of the European Council, EU Heads of State and Government agreed to reduce EU greenhouse gas emissions by at least 20% on 1990 levels by 2020. They also committed to a reduction of 30% of greenhouse gas emissions by 2020 compared to 1990 as the EU contribution to a global and comprehensive agreement for the period beyond 2012, provided that other developed countries commit themselves to comparable emission reductions, and economically more advanced developing countries adequately contribute to the global response according to their responsibilities and respective capabilities.

At the forthcoming meetings of the Parties to the UN Framework Convention on Climate Change and to the Kyoto Protocol, which take place in Bali in December, the EU will emphasise the urgency of making progress towards a comprehensive international agreement to succeed the Kyoto Protocol. The fundamental EU position is that this new post-Kyoto agreement should be based on commitments to bring global greenhouse gas emissions down to a level that is consistent with limiting the increase in global average temperature to not more than 2° C above pre-industrial levels.

Departmental Programmes.

610. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 1140 of 26 September 2007, when an application will be completed for a person (details supplied) in County Galway. [25268/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The contracts for this sale have been executed by my Department. I am hopeful that the case will be finalised by the Chief State Solicitor's Office shortly.

Local Authority Housing.

611. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government the works undertaken in an estate (details supplied) in County Louth in the course of the remedial scheme undertaken there; the number of houses affected by the service road realignment works or other such infrastructural works carried out in the course of said scheme; the number of houses that were in local authority

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ownership at the time of the works approval; if this number changed in the course of the works undertaken; the nature of works undertaken at privately owned homes in the estate that were 100% funded; the number of such houses that benefited to that extent; if there were privately owned properties in the estate that had front external works carried out and did not receive 100% finance support; and if he will make a statement on the matter. [25288/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): A programme of remedial works at the estate in question was undertaken in four phases from January 2003, with work still ongoing. To date almost €7 million in Internal Capital Receipts and Exchequer funding has been expended on the works. The refurbishment works broadly include the provision of external insulation, replacement of windows and doors, removal of external panelling, provision of central heating and roof and wall insulation. The project also includes extensive external and site development works. The breakdown of the information relating to the individual houses as requested in the question is not available in my Department. This information has been sought from the local authority concerned who are responsible for the management of the project and I will communicate the information to the Deputy when it becomes available.

Noxious Weeds.

612. **Deputy Enda Kenny** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 310 of 10 October 2007, when the regulations referred to will be drawn up; when the invasive weed referred to will be banned; and if he will make a statement on the matter. [25291/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): It is my intention to make the regulations under section 52(6)(a) of the Wildlife Act 1976 (as amended) in the first quarter of 2008, and to provide for a short lead in time, after which possession or introduction of *Lagarosiphon major* will be prohibited.

National Parks.

613. **Deputy Andrew Doyle** asked the Minister for the Environment, Heritage and Local Government if he has prepared a deer management plan for the Wicklow Mountains National Park since the previous management plan expired in 2006. [25306/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The deer management strategies for Wicklow Moun-

tains National Park are set out in the Wicklow Mountains National Park Management Plan 2005 to 2009. There is no separate plan for deer management within the national park, nor did such a plan exist previously.

Social and Affordable Housing.

614. **Deputy Pat Rabbitte** asked the Minister for the Environment, Heritage and Local Government the action he will take to deal with the matter of the affordable housing clawback clause in relation to the proceeds of the sale of an affordable home should the market value of the home be less than when the home owner purchased it; and if he will make a statement on the matter. [25329/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): Where an affordable home is sold within a period of 20 years from the initial purchase, a proportion of the proceeds must be repaid to the relevant local authority. This requirement, known as clawback, is necessary to ensure that there is no short-term profit taking on the resale of houses provided under the various affordable housing schemes at a discount from market value. Where the clawback amount payable would reduce the proceeds of the sale below the initial price actually paid, the legislation provides for the amount payable to be reduced to the extent necessary to avoid that result.

Architectural Heritage.

615. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government the position regarding an abbey (details supplied) in County Donegal. [25333/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The abbey is listed on the statutory Record of Monuments and Places for County Donegal. Section 12(3) of the National Monuments (Amendment) Act 1994 provides for the protection of monuments and places listed on the statutory Record of Monuments and Places. Two months notification in writing must be given to the Minister for the Environment, Heritage and Local Government of any proposed works at or in relation to such monuments or places. It is understood that the local authority owns the graveyard in which the recorded monument is located. Both the care and maintenance of the graveyard and the protection of the monument are matters for the local authority in the first instance. My Department will draw the concerns relating to the condition of the monument to the attention of the county council and is available to provide archaeological advice in the matter if required.

Question No. 616 answered with Question No. 587.

Question No. 617 answered with Question No. 607.

Local Authority Staff.

618. **Deputy Frank Feighan** asked the Minister for the Environment, Heritage and Local Government if he will introduce a gratuity scheme for retiring councillors similar to the 1999 scheme for 2009; and if he will make a statement on the matter. [25368/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Following a review of financial supports available to councillors, a range of improvements was introduced with effect from 1 January, 2007. These improvements resulted from a careful and detailed review of the expenses allowances system and the retirement gratuity scheme for councillors and involved extensive consultation with the elected members' associations. The amendments to the gratuity scheme provided for:

- an increase in the maximum retirement gratuity from three times to four times the rate of the Representational Payment after twenty years of service,
- a minimum death in service benefit of one year of the prevailing rate of Representational Payment, and
- an ex-gratia payment of 75% of the appropriate annual rate paid under the provisions of the first ever retirement gratuity scheme for serving councillors in 1999 for service pre May 2000.

As a result, councillors retiring at the 2009 local elections will have the benefit of these significant improvements to their retirement gratuity scheme.

Local Authority Housing.

619. **Deputy Willie Penrose** asked the Minister for the Environment, Heritage and Local Government the amount of resources that have been allocated to Athlone Town Council in respect of proposals submitted by them for the regeneration renewal of an estate (details supplied); and if he will make a statement on the matter. [25406/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): My Department wrote to Athlone Town Council in January 2007 in relation to the proposed regeneration of the estate in question, seeking a review of the objectives of the regeneration project, taking into account Athlone's Gateway status. Discussions on the project between my Department and the

Council are ongoing, after which it is expected that a revised submission will be prepared by the Council.

Fire Service.

620. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if it is his or the local authority whose responsibility it is to set up a full-time fire service in a county. [25432/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen): The provision of a fire service in its functional area, including the establishment and maintenance of a fire brigade, the assessment of fire cover needs, the provision of a premises and the making of such other provisions as it considers necessary or desirable, is a statutory function of individual fire authorities under section 10 of the Fire Services Act 1981. The Department has no direct role in the matter.

The Department's role is one of supporting and assisting local authorities in delivering fire services through the setting of general policy and the provision of capital funding. Under the Fire Services Change Programme a risk-based approach to the provision of fire cover is being developed. It is expected that when this system is available it will inform future policy development in this area and assist local authority management in its functions under section 10 of the Act.

Question No. 621 answered with Question No. 580.

Questions Nos. 622 and 623 answered with Question No. 587.

Energy Resources.

624. **Deputy Liz McManus** asked the Minister for Communications, Energy and Natural Resources if he has received representations from the Italian based environmental organisation, OPEN, asking that he would support the inclusion in the new EU Treaty, an article that would include the objectives of the Trans-European Network on Renewable Energy Sources in regard to the reduction of greenhouse gas levels; his views on the request; and if he will make a statement on the matter. [24702/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I understand that representations were received by An Taoiseach from OPEN, requesting support for the inclusion of an Article in the new EU treaty, in relation to a Trans European Network on Renewable Energy Sources. The existing programme run by the European Commission for Trans-European Networks in Energy (TENS-E) makes provision for feasibility studies for energy networks with a cross-border component in both

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electricity and gas. In the electricity sector, the networks are technology neutral, and so their support is of equal benefit to renewable energy as any other generation technology.

Departmental Schemes.

625. **Deputy James Bannon** asked the Minister for Communications, Energy and Natural Resources the reason a person (details supplied) in County Longford is being penalised in relation to a reduction in the grant-aid under the greener homes scheme; and if he will make a statement on the matter. [24797/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I issued a press release on 3rd September last announcing that Phase I of the Greener Homes Scheme had fulfilled all of its initial objectives and surpassed its targets ahead of schedule. My Department's website was updated accordingly. Sustainable Energy Ireland's (SEI) website was also updated on that day with information on the scheme and all suppliers were notified directly by SEI. Dissemination of the details on Greener Homes was by way of leaflets for Phase I and was made available to all applicants. A similar approach has been adopted for Phase II.

Administration of the Greener Homes Scheme is an operational matter for SEI. SEI has advised my Department that the individual to whom the Deputy refers requested an information pack on 28th August. Phase I of the scheme subsequently closed on 3rd September. Anyone who had sought an information pack at this time would have received a letter at the time of closure explaining that Phase I was now closed for applications. They would also have received an information pack and new application form for Phase II after October 1st.

SEI further advise that as with any such announcement, there has to be some reference date and in this instance applications received date stamped September 3rd were accepted to allow for forms which may have already been dispatched in the post at time of the announcement.

Prospecting Licences.

626. **Deputy Michael Ring** asked the Minister for Communications, Energy and Natural Resources if a person in a commonage holding situation can stop an activity (details supplied). [25037/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): Issues relating to access to lands arise occasionally in relation to mineral prospecting. These often come to attention in the context of public consultation phases of applications for prospecting licences. In

the case of prospecting under licence, a land-owner does not have the legal right to refuse access. I have no applications for State mining leases for gold mining at present but the onus would be on the developer to resolve any issues relating to access or ownership of lands.

Energy Efficiency.

627. **Deputy Willie Penrose** asked the Minister for Communications, Energy and Natural Resources if there are grants available to householders to install the appropriate insulation procedures in particular where the dwelling houses are old and do not have appropriate insulation installed; if it is his intention to grant aid such work particularly in view of heat conservation that is involved; and if he will make a statement on the matter. [25318/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Government is committed to promoting and incentivising energy efficiency in the residential sector. In the context of the National Energy Efficiency Action Plan and the Programme for Government, we will be giving particular priority to upgrading the energy efficiency of older housing stock. I have mandated my Department to develop detailed proposals for the requisite scheme and related measures, working with Sustainable Energy Ireland.

Departmental Reports.

628. **Deputy Richard Bruton** asked the Minister for Communications, Energy and Natural Resources if his output statement has been published on his Department's website; and the date on which it was put up on the website. [24735/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The 2007 Annual Output Statement in respect of the Department of Communications, Marine and Natural Resources was published on 18th April 2007 on my Department's website.

Departmental Travel.

629. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources if his Department has a policy with regard to frequent flyer points accrued by Ministers or civil servants; if these must be signed over to his Department or if they can be retained by the individual concerned; and if he will make a statement on the matter. [24891/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The general principles governing all travel are those set out in Department of Finance Circular 11/82 and those set out in travel policy document and accompanying letter of 31 March 1998. While

there is no specific policy in relation to the collection or surrender of frequent flyer points, it is a general principle of the Department that the best value for money in respect of each official trip undertaken should be obtained, consistent with the requirements of official business.

Departmental Responsibilities.

630. **Deputy Jim O’Keeffe** asked the Minister for Communications, Energy and Natural Resources if, further to the confusion that exists in relation to ministerial responsibility for marine-related functions, he will specify those for which he has responsibility. [24916/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I would like to assure the Deputy that there is no confusion over Ministerial responsibility for marine related functions. As of the 19th of October, responsibility for Sea Fisheries, Aquaculture Policy, Marine Engineering and the Foreshore passed to my colleague, the Minister for Agriculture, Fisheries and Food. As soon as primary legislation can be prepared and passed by the Oireachtas, responsibility for foreshore licensing, in so far as it relates to energy related projects, mineral or aggregate extraction or within certain harbours, will pass to the Minister for the Environment, Heritage and Local Government. Responsibility for Inland Fisheries will remain with my Department, pending the completion of a review.

Telecommunications Services.

631. **Deputy John O’Mahony** asked the Minister for Communications, Energy and Natural Resources when service will be available from the Kiltimagh metropolitan area network; the obligations of a company (details supplied) as regards the delivery of service over the MAN’s generally; the situation as regards the provision of backhaul; the costs of connection and the different levels of service to be made available; and if the company are not in a position to provide service over the Kiltimagh MAN by the end of 2007, if another management entity can be appointed which would include the local community development company and Mayo County Council. [24924/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The provision of broadband services is, in the first instance, a matter for the private sector. Broadband service providers operate in a fully liberalised market, regulated by the independent Commission for Communications Regulation, (ComReg). The widespread provision of broadband services continues to be a priority for the Government. In that regard my Department has undertaken initiatives to address the gaps in broadband coverage. These include investment in

Metropolitan Area Networks (MANs). The MANs constructed under Phase I of the MANs Programme, including Kiltimagh are complete and are fully open for business. They have been handed over to the Managed Services Entity, eNet, who manage, market, operate and maintain the networks on behalf of the State. Services available on these networks include, dark fibre, ducting and co-location facilities. I understand that connectivity to backhaul services would be available to operators using the MAN in this area from at least one backhaul provider.

Fisheries Protection.

632. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources when the Lough’s agency will award a payment to a person (details supplied) in County Donegal who has signed up for compensation under the hardship scheme; and if he will make a statement on the matter. [24940/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Salmon Hardship Scheme is being administered by the Loughs Agency of the Foyle Carlingford Irish Lights Commission. I have no role in the scheme or information about individual applications.

Departmental Expenditure.

633. **Deputy Brian Hayes** asked the Minister for Communications, Energy and Natural Resources the amount of money spent on paper and stationery in 2007: the amount of this money spent on recycled paper; and if he will make a statement on the matter. [25137/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): To date in 2007 the Department has spent €85,043.17 on supplies of paper and stationery. The Department has made no purchases of recycled paper in the period in question as we are carrying a significant stock of recycled paper, bought previously, which is in regular use. In addition, since 2003 the Department has operated a rigorous waste management policy aimed at reducing the use of paper, reusing as much as possible and recycling of paper for use within the Department.

Telecommunications Services.

634. **Deputy Dinny McGinley** asked the Minister for Communications, Energy and Natural Resources if there are plans to provide broadband services to a location (details supplied) in County Donegal; if it is expected that this service will be made available; and if he will make a statement on the matter. [25286/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The

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provision of broadband services is, in the first instance, a matter for the private sector. Broadband service providers operate in a fully liberalised market, regulated by the independent Commission for Communications Regulation, (ComReg). The role of the Government is to formulate regulatory and infrastructure policies to facilitate the provision of high quality telecommunications services, by competing private sector service providers. The widespread provision of broadband services continues to be a priority for the Government. In that regard my Department has undertaken initiatives to address the gaps in broadband coverage. These include providing grant-aid under the recently concluded Group Broadband Scheme and investment in Metropolitan Area Networks (MANs).

There are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband services. Accordingly, the procurement process for a National Broadband Scheme (NBS) is under way. The NBS will provide broadband services to areas that are currently unserved and will ensure that all reasonable requests for broadband in unserved areas are met.

The first phase of the procurement process, the Pre-Qualification Questionnaire (PQQ) phase, is now complete and four candidates have pre-qualified. As my Department indicated on 2 September 2007, the four candidates are, in alphabetical order, BT Communications Ireland Ltd Consortium, eircom Ltd, Hutchinson 3G Ireland Ltd and IFA/Motorola Consortium. The next phase of the procurement process involves inviting candidates to participate in a competitive dialogue process. My Department is anticipating

that the award of the NBS contract will be during Quarter 2 of 2008, with rollout of the services due to begin as soon as possible thereafter. This timeline is subject to negotiations with candidates during the competitive dialogue phase of the procurement process.

Broadcasting Legislation.

635. **Deputy Seán Connick** asked the Minister for Communications, Energy and Natural Resources if he will designate all competitive sporting events staged here and all competitive sporting events involving Irish international teams as free to air sporting events. [25323/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Television Without Frontiers Directive provides that Member States of the European Union may take measures to ensure wide access by the public to television coverage of national or non-national events of major importance for society. The events designated are available to qualifying broadcasters to provide coverage on free television services. The events are designated under The Broadcasting (Major Events Television Coverage) Act, 1999 (Designation of Major Events) Order 2003. These include a number of significant sporting events. When carrying out a review of events to be designated, consideration is specifically given to the extent to which the event has a special general resonance for the people of Ireland and the extent to which the event has a generally recognised distinct cultural importance for the people of Ireland. The legislation specifies that a review should be carried out every three years. The next review will take place in 2009.