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DÁIL ÉIREANN

Dé Céadaoin, 30 Aibreán 2008.
Wednesday, 30 April 2008.

Chuaigh an Ceann Comhairle i gceannas ar 10.30 a.m.

Paidir.
Prayer.

Leaders' Questions.

Deputy Enda Kenny: Everybody in the country recognises the scale of the challenge facing our economy and our people as a nation. The announcement by the Dell Corporation yesterday will send shivers down the spine of many involved in employment. Dell is an iconic employer, listed No. 34 on the Fortune 500, with massive revenue all over the world. These job losses in Cherrywood and in Limerick are obviously a cause of concern for everybody, principally because those involved are mainly young workers and this is happening at a time of deterioration in our economy, which means it will be a great challenge for Government. In that sense, the loss of competitiveness in recent years is a cause of serious concern.

The fact that there are nearly 200,000 people on the live register, we have had the highest inflation rate in the euro zone in recent years, this situation leaves almost 100,000 young people facing negative equity, there is a collapse in the housing market and a virtual total collapse of the second-hand car market are also causes of concern to many people. The Tánaiste and Minister for Finance, Deputy Cowen, will be acutely aware of the implications of all this.

We are leading into a position where the Government enters seriously pay talks at a crucial time. This is obviously a matter of grave concern to workers and unions who represent them. From that perspective, the Tánaiste spoke out last week about the high pay increases given to persons in the private sector. He will recall that the pay increases recommended for Ministers and members of the Government are directly linked to those pay increases. In the context of those crucial pay agreements, will he, as Tánaiste and Minister for Finance and as Taoiseach elect, show an act of leadership by rejecting, instead of deferring, the recommended pay increases for Ministers in view of the fact that workers all over the country are being asked to tighten their belts?

The Tánaiste: On the situation Deputy Kenny refers to regarding the slow-down in global growth, from which we will not be immune, it is clear that the issue of competitiveness and higher productivity is critical to ensuring that we come through this period in the economic cycle better than others, as we did in the past. In the context of pay talks, which have just commenced, I indicated the need to focus on increased productivity as a criterion that needs to be addressed in the context of any suggested pay increases because it is the only way in which we can maintain jobs and not see a deterioration in job security in the economy generally.

The Deputy referred specifically to the remuneration body which came forward with benchmarking for higher paid officeholders, including politicians. As he will be aware, we made a

[The Tánaiste.]

differentiated decision on politicians *vis-à-vis* other high earners. The pay talks have just begun and I do not intend to anticipate the outcome of those discussions except to say that obviously the Government is anxious to sit down with partners and address the issues in a way that will meet the requirements of everybody.

Deputy Enda Kenny: The Tánaiste will be well aware that what one might call ordinary TDs are linked to principal officers and in terms of their pay there were no recommendations under the benchmarking system. The recommendations for pay increases of between €30,000 and €38,000 for members of the Government were directly linked to the private sector pay increases that the Tánaiste spoke about last week. He stated here on 3 April last that this House should have the courage to change recommendations of independent commissions if it saw fit and if it thought that a wrong should be put right. In the context of his reply to Deputy Bruton last week, when he stated that the Government has not revisited this decision, does the Tánaiste have a personal view, as the Taoiseach elect, on whether it is appropriate for members of the Government to receive pay increases of between €30,000 and €38,000 when every other worker in the country is being asked to accept realistic pay increases and to tighten their belts?

In the context of his words about his political role models, the late Seán Lemass and, indeed, the late Paddy Hillery, does the Tánaiste, on his assumption to the seat of power next week, intend to show political leadership to every worker in the country by rejecting the ministerial pay recommendations? This would send a clear message that he means business in meeting the economic challenge faced by the country and that everybody, including those from the top down, can play their part in that.

The Tánaiste: The higher remuneration body referred to the pay comparability of office-holders with the lower quartile of the private sector. The references I made last week were in respect of the highest earners who were earning millions of euro that they were obtaining obviously with shareholder approval, which is in compliance with company law but which, in terms of the message it sends — I was simply making the point — was important in the context of pay talks.

On Deputy Kenny's specific question about the Government decision, the decision, to which I was a party, was taken to defer the increase. That decision does not apply to other persons who will receive pay awards under that pay body recommendation. We deferred the increase for a year and then it will be paid over three further years.

The issue here is that the pay talks have begun and a contribution from all sides can be made in the context of those pay talks and those negotiations, but not beforehand.

Deputy Eamon Gilmore: Did the Tánaiste see the RTE "Prime Time" programme last night about homeless people? If not, I recommend that he take a look at it. The programme showed that seven homeless persons died in this city over Easter. It showed the reporter on the programme trying to make telephone contact with the 24-hour emergency homeless service. He started ringing it at 10 p.m. but did not get through until after midnight and was then told there was no bed available. The programme went on to explain that a number of facilities which have been built and provided with public money are either not open or are operating under capacity, because the money has not been provided to staff them. The programme gave an example of a 30 bed unit on James's Street that was built for €7 million but which is not yet open because the money has not been provided for staffing. It showed that in Cork Street, only half of the 23 units designed for families are in use. Only seven of the 17 units in Brunswick Street are in use, while a facility on Abbey Street for homeless people congregating on the river boardwalk is not functioning.

I raised this very issue with the Tánaiste on 28 February, when I drew his attention to reports at the time that cutbacks by the HSE would result in facilities for homeless people not being made available. The Tánaiste told me at the time that there were no cutbacks in existing services and there would be no cutbacks in new services. Following last night's programme, does he now accept that there are in fact cutbacks? Does he accept that these services are not operating? When will these services for homeless people be fully operational and when will the money necessary to staff them be provided?

The Tánaiste: I did not see the programme, although I heard about it. If I can get an opportunity to see it, I will do so in due course. The homeless issue is important and something we need to address. Resources have been increased in this area from €12.5 million a few years ago to over €52 million this year, and the Department of the Environment, Heritage and Local Government provides this funding to meet accommodation related running costs of homeless facilities, as well as capital funding for their development. The responsibility of funding care-related costs of homeless facilities rests with the HSE, which is providing €33 million this year. Therefore, there have not been any cutbacks in the provision of services over and above previous years.

The issue that seems to be arising is the co-ordination between capital projects coming on stream from the Department of the Environment, Heritage and Local Government and the concomitant availability of resources from the HSE to deal with care-related costs that arise therefrom. It would appear that the situation highlighted in last night's programme points to the need to co-ordinate the availability of revenue resources as the capital projects become available.

The Deputy also mentioned specific cases, such as the 30 bed facility aimed at providing long-term supported accommodation in James's Street. I understand that the facility has only recently been completed. It is expected to help ease pressure on emergency accommodation, allowing improved response levels to those seeking such accommodation on a nightly basis. Haven House has 15 single units, 17 family units and two rough sleeper beds. The single units and the rough sleeper beds are currently operational and there are seven of the 17 family units open. These will be additional services to what has been available last year, so I do not accept that there have been cutbacks. What is required is the need to co-ordinate the availability of revenue resources once the capital projects are completed. I have asked the relevant Ministers and Ministers of State in the Department of Health and Children and the Department of Environment, Heritage and Local Government to meet on this issue and see if it can be improved in the short term.

Deputy Eamon Gilmore: The Tánaiste's reply is a description of a failure of the Government. There is a national homeless strategy in existence. The different agencies got together and agreed how all of this would be tied up. The Tánaiste has described a failure of the Government to co-ordinate it and make it happen. The fact is that beds for homeless people have been provided and they are available, but they are not available to homeless people. A person can call up at 10 p.m. and will find it difficult to get somebody on the phone, but when someone gets to the phone two hours later the person is told that there is no bed available. There is no bed available because somebody somewhere between the Minister of State with responsibility for homelessness, the HSE, the homeless agencies, the local authorities and the Minister for Environment, Heritage and Local Government does not have their act together to ensure the beds are provided.

Meanwhile, anybody who cares to walk around these streets after 9 p.m. will find where the homeless people are. I invite Ministers to get out of their cars and take a walk around these streets to look for examples. They include the doorways of St. Anne's church on Dawson

[Deputy Eamon Gilmore.]

Street, the European Parliament building which is just down the road and the old Habitat shop on St. Stephen's Green. They will be in those doorways from about 8.30 p.m. until about 9.00 a.m. because somebody on that side of the House has not got the finger out to make sure that the money and the resources are provided, so that these beds provided from taxpayers' money are made available to the homeless people. There is a need for some urgency to be put into this. These beds are available, but the doors are locked on them. When will they be made available to the homeless people who are lying in doorways around the streets within a half mile of this building?

The Tánaiste: It is somewhat unfair to suggest that the Government is indifferent to this issue, or that it has not been making significant progress in this area. Anybody who is dealing with the issue would recognise that additional resources have been provided and that improvements have been made. The emergency accommodation in major urban centres has been addressed and sleeping rough around the country has been significantly reduced, especially in Dublin, where the new homeless agency has improved co-ordination. Discharge protocols are in place for those at risk of homelessness who are leaving acute or psychiatric hospital. The new strategy proposes to build on those successes through longer-term options such as social housing, the rental accommodation scheme and long-term supported accommodation with on-site specialist care.

Improvements have been made, but what was highlighted relates to an issue that requires further discussion between the Departments and the agencies to see how we can improve the current situation. As I understand it, the capital projects may have come on sooner than expected for the revenue that was due to be made available. That has happened on many occasions. It is a question of figuring out how that can be improved upon.

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.

Deputy James Bannon: I seek the adjournment of the Dáil under Standing Order 32 to raise the following urgent matter, namely, the threat to the rights of citizens posed by the charges for requests under the Freedom of Information Act 1997, which constitute a barrier to the access of public information, according to the latest OECD review. That review recommends making all requests under the Act free of charge.

Deputy Jan O'Sullivan: I seek the adjournment of the Dáil under Standing Order 32 to raise the following urgent matter, namely, the need for the Minister for Health and Children to make herself available today to engage with the HSE and the Irish Pharmaceutical Union to find a mechanism to prevent the withdrawal of large numbers of pharmacists from the medical card scheme and the drugs repayment scheme, if the ongoing talks are not concluded by tomorrow.

Deputy Ciarán Lynch: I seek the adjournment of the Dáil under Standing Order 32 to raise the following specific and important matter of public interest, namely, the fact that there is no current NRA programme for the entire county of Cork currently up and running, with specific consideration to the N28, that work has not yet begun on either the Bishopstown or Wilton flyovers, that there is a clear lack of progress in the development of a strategic and sustainable light rail system for Cork city and its greater area, that there is a lack of a sufficient bus service for the city and county region, all of which clearly points to the urgent need for the introduction

of a Cork transportation authority to tackle these issues in order to ensure sustainable and co-ordinated transportation infrastructure for the Cork region.

Deputy Caoimhghín Ó Caoláin: I seek the adjournment of the Dáil under Standing Order 32 to discuss the following matter of national importance requiring urgent consideration: the implications for Government and Health Service Executive policy and planning of acute hospital provision in this State of the OECD report showing that in the north-east region the HSE has based its plan for downgrading of hospitals and the centralisation of services in two and ultimately one hospital on a population-to-hospital ratio presented by the College of Surgeons in England and without properly considering other international models of hospital provision; and the need for the Government and the HSE to radically revise its approach accordingly.

An Ceann Comhairle: Tar éis breathnú a dhéanamh ar an nithe ardaithe, níl siad in ord faoi Bhuan Ordú 32. Having considered the matters raised, they are not in order under Standing Order 32.

Order of Business.

The Tánaiste: It is proposed to take No. 1, the Criminal Law (Human Trafficking) Bill 2007 — Amendments from the Seanad; No. 18, the Legal Practitioners (Irish Language) Bill 2007 — Order for Report and Report and Final Stages; No. 17, the Student Support Bill 2008 — Second Stage (resumed); and No. 19, the Electricity Regulation (Amendment) (EirGrid) Bill 2008 — Second Stage (resumed). Private Members' business shall be No. 35, motion re e-Government services (resumed) to conclude at 8.30 p.m. if not previously concluded.

Deputy Enda Kenny: Will the Minister for Agriculture, Fisheries and Food make time available in the House for a report on her meeting with Commissioner Mandelson in the context of the full proposals he is making in respect of the WTO talks? Obviously, we are aware of the implications of the agricultural end of that and the impact on the agri-economy here and services generally. I would like us to have an opportunity to discuss the range of proposals in the context of a fair and balanced deal which is so important for the country and has direct implications for the decision on the Lisbon treaty.

I saw the Minister for Communications, Marine and Natural Resources coming in and, as we are never graced with the presence of Green Party Ministers anymore, he is welcome.

Deputy Richard Bruton: One waits all day for a bus and then three come along together.

Deputy Billy Timmins: Two grey suits. They were not long changing from the white flannel to the grey suits.

An Ceann Comhairle: The question of who is or is not here this morning is neither here nor there.

Deputy Enda Kenny: Will the Tánaiste say when the Explosives Bill will be introduced? When I came here this morning, I saw an Offaly-registered car clamped across the road and I wondered whether they were taking up the position in good time before next week.

On a more serious matter, I saw an advertisement in *The Irish Times* last Tuesday for recruitment to the Garda Síochána.

An Ceann Comhairle: That is not relevant.

Deputy Enda Kenny: It is relevant in this context.

An Ceann Comhairle: In what context?

Deputy Enda Kenny: The advertisement was printed in English, Chinese and Polish. Will somebody tell me why an advertisement seeking to recruit men and women to the Garda Síochána did not include our native language?

An Ceann Comhairle: That is not in order. Will there be a debate on the Explosives Bill?

The Tánaiste: I understand that explosions are not expected until later this year.

Deputy Eamon Gilmore: I ask about the promised legislation on windfall taxes on property developers and land speculators. I again remind the Tánaiste that the Minister for the Environment, Heritage and Local Government promised this legislation when he addressed a meeting of the Irish Planning Institute in Westport. He said that he had the support of his Cabinet colleagues for the measure and that it had been cleared by the Attorney General.

As I said yesterday, when I raised the matter with the Taoiseach on 8 April 2008, he said that it would be included in the Property Services Regulatory Authority Bill. However, in reply to a Dáil question from Deputy Shortall, the Tánaiste said last week: “the Deputy will be aware that the programme for Government does not include provision for the introduction of such a tax and there are no plans at this stage to introduce a tax of this type”.

As the Minister for the Environment, Heritage and Local Government is sitting beside the Tánaiste this morning, can we have clarification of that matter? Will a windfall tax on land sales and speculation be introduced, as promised by the Minister for the Environment, Heritage and Local Government in Westport or will it not be introduced, as stated by the Tánaiste last week in reply to a question?

An Ceann Comhairle: Is legislation promised in this area?

The Tánaiste: For the purposes of clarification for Deputy Gilmore, I understand that the Minister for the Environment, Heritage and Local Government indicated that he would have this matter examined in the context of the designated land Bill.

Deputy Joan Burton: That is not what he said.

The Tánaiste: To clarify what the situation is rather than what Deputy Gilmore may understand it to be——

(Interruptions).

The Tánaiste: If the Deputies’ position is that it is as they believe, there is not much point in asking me for clarification. I am in the process of clarifying the matter for them so there is no further confusion about it and Deputy Gilmore does not have to get up every morning about it, which is why I am standing up in the first place. The matter will be examined in the context of the designated land Bill. Obviously, when that examination is complete, it will come to Government. If there are any proposals, they will be considered and as soon as the Government makes a decision, I will be able to reply to the Deputies about whether there are plans at that stage. In the meantime, there are no plans.

Deputy Eamon Gilmore: There was no question of examination when the Minister for the Environment, Heritage and Local Government spoke in Westport. He said that he intended to bring in new legislation to tap into windfall gains made by landowners and property developers.

He said that the Attorney General had found a way around the constitutional difficulties with windfall taxes and that such a measure now had the backing of his Cabinet colleagues.

Deputy Joan Burton: Did the Minister say that?

Deputy Eamon Gilmore: Nothing could be clearer today than that the Minister has been put in his place by the Tánaiste. I regret that because I support the Minister's position on this and would like to see the legislation progressed. This is a very bad start for the Tánaiste and if he treats the Minister for the Environment, Heritage and Local Government like that this week, how will he treat him next week?

An Ceann Comhairle: Does the Tánaiste have anything to add?

The Tánaiste: I treat him with far more respect than does Deputy Gilmore. This is a matter the Minister is considering in the context of the designated land Bill. Obviously, these provisions must come before the Cabinet for formal approval in due course. The matter has been discussed and the Minister has indicated the direction in which he wishes to examine these matters, on which he has views. They will be brought to Government and we will proceed on the basis of the collective view. That is what would happen if Deputy Gilmore or those acting on his behalf were in government.

11 o'clock

Deputy Caoimhghín Ó Caoláin: In the context of promised legislation, can the Tánaiste give us an indication if progress is being made in respect of addressing the serious issues affecting the continuation of State-sponsored medicine provision, the difficulties between the HSE and the Irish Pharmaceutical Union?

An Ceann Comhairle: That is not in order.

Deputy Caoimhghín Ó Caoláin: I know it is not in order.

An Ceann Comhairle: Then the Deputy should not have asked the question.

Deputy Caoimhghín Ó Caoláin: I am asking the question in the context of promised legislation.

An Ceann Comhairle: Then the Deputy should ask a question about the legislation.

Deputy Caoimhghín Ó Caoláin: On the eve of the expected further deterioration on 1 May of the situation I referred to, will the Tánaiste be inventive in giving us some indication on that legislation. Both the pharmacy No. 2 Bill and the eligibility for health and personal social services Bill will have implications for the rights of citizens, not least our senior citizens in terms of their right to access medicines and health services on the basis of need.

The Tánaiste: The eligibility for health and personal social services Bill is expected to be ready next year and it is not possible to indicate at this stage when the pharmacy No. 2 Bill will be ready. A process is in place which I believe can, should and will be utilised for the purposes of dealing with all these matters.

Deputy Richard Bruton: The OECD reported recently and made some valuable recommendations about the way in which the budgetary process is developed, starting with a statement of the medium-term prospects of the resources that would be available over the coming years, requiring the commitment to real targets by Ministers in their Estimates and forcing administrative efficiencies. With the Estimates process due to start, probably in the next six or eight weeks, will the Tánaiste be announcing a change in the whole approach to the Estimates

[Deputy Richard Bruton.]

formation and their scrutiny in this House that would be closely aligned to the thinking of the OECD?

An Ceann Comhairle: Unfortunately, that matter is not in order.

Deputy Richard Bruton: It is, surely given that it concerns the ordering of business in this House. If what happened in the past is allowed recur, we will have the Estimates presented to us on budget day. That would be flying in the face of——

An Ceann Comhairle: That matter is not in order.

Deputy Richard Bruton: We are entitled to know whether the Government intends to change its approach. It has said that it will examine this report, adopt changes that are realistic, and the change I mentioned is a core one. Why should the House not be privy to this information? We help shape the way the budget is taken here and we have a right to know the Government's intention in this respect and to try to shape the way it should be taken.

An Ceann Comhairle: The Deputy will have to find another way to raise that matter. I call Deputy Durkan.

Deputy Richard Bruton: The Tánaiste is quite happy to answer this matter.

Deputy Enda Kenny: He wants to answer it.

An Ceann Comhairle: I cannot allow Deputies to wander all over the place in terms of the matters they raise.

Deputy Richard Bruton: The Tánaiste will never get a chance now to answer in the Department of Finance.

Deputy Bernard J. Durkan: Next week is an important week for the Tánaiste. We all wish him well and we would not want to rain on his parade on that particular day. *Apropos* the issue raised by Deputy Ó Caoláin and the ongoing impasse between the HSE——

An Ceann Comhairle: That matter is not in order as the Deputy well knows.

Deputy Bernard J. Durkan: The Ceann Comhairle should wait to hear the end of my question — this is a special one for the Tánaiste.

An Ceann Comhairle: It does not sound promising.

Deputy Bernard J. Durkan: Because of the likely diminution at best and a total breakdown in the delivery of services to the community at worst, will the Tánaiste withdraw the pharmacy No. 2 Bill and introduce some means whereby meaningful dialogue can be established with the pharmacists to protect the quality and quantity of supply of pharmaceuticals to the community?

An Ceann Comhairle: The Tánaiste has already answered on the question of the pharmacists. I call Deputy Bannon.

Deputy James Bannon: Considering the crisis in the nursing sector and the disturbing lack of employment of opportunities for newly qualified nurses, when can we expect the nurses and midwives Bill to come before the House in the interests of nurses, the general public and the health sector?

The Tánaiste: I understand the earliest date for that Bill is next year.

Deputy Brendan Howlin: I wish to raise two related matters. I understand the sixth report of the Morris tribunal is now with the Minister for Justice, Equality and Law Reform and the Government. When will it be published and a debate tabled on it?

On a related matter regarding the announcement this morning by the Minister for Justice, Equality and Law Reform that it is proposed to amend to Garda Ombudsman legislation, is that decided by Government and when will we have sight of the amending legislation?

An Ceann Comhairle: I call the Tánaiste to reply on the question of a debate on the Morris tribunal and the legislative programme.

The Tánaiste: On the question of the status of the Morris tribunal report, I understand it has been completed. I will have to ask the Minister for Justice, Equality and Law Reform to indicate to the Deputy directly the logistics for the printing and publication of that report. I understand it could well be published in the next month or six months, although I am not too sure of that. I have some recollection of having had an informal discussion with the Minister in that respect.

Regarding the question of the amendment of the Garda Ombudsman legislation, the Minister indicated he has received representations from various parties, including the Ombudsman office, arising from their experience on how the operation of the legislation might be further improved by bringing in some legislative amendments, to which the Minister has indicated he is open. No formal proposals have been brought to Government as yet. A consultation and discussion process is currently taking place.

Deputy Enda Kenny: On the same issue, as Deputy Howlin and former Deputy Jim Higgins were central to the business of the Morris tribunal being set up in the first instance and as the report on it will probably be debated here, at which time Deputy Howlin will have an opportunity to speak on it, and in view of the fact that our MEPs have been allowed to address the Seanad on other issues, when a motion on the Morris tribunal is debated in the Seanad, would it be possible for Mr. Jim Higgins, MEP, to speak on it, given that he was directly involved with Deputy Howlin in the receipt of information which led to the tribunal being set up?

An Ceann Comhairle: I am sure that is a matter for that House.

Deputy Enda Kenny: The Tánaiste might give that consideration.

Deputy Emmet Stagg: On the matter of promised legislation, management companies continue to be set up like mushrooms growing in a field on a May morning and they are simply a new rip off cash cow for developers. They provide relatively no services to the people concerned. They are not needed. They are in housing estates where there is not an apartment within 2 km of them. They continue to be set up with the connivance or certainly the agreement of county managers in respect of which planning permission is readily granted.

We were promised three pieces of legislation to control the setting up of these companies but only one of them, from the Department of Justice, Equality and Law Reform, is in sight. Is there any chance of having sight of the legislation promised from the Department of the Environment, Heritage and Local Government, the Minister for which is sitting beside the Tánaiste, and by the Department of Enterprise, Trade and Employment? We were told these three pieces of legislation are needed before these companies can be controlled and country managers put in their place.

Deputy Brian Cowen: I will have to check on the details for the Deputy, as I do not know the answer to that question. The issue of how we can pull these three pieces of legislation together has come up on a number of occasions. Upon taking up my new position I will talk to the Attorney General to about the matter and how we can move the process along.

Deputy Emmet Stagg: A committee has been set up of the three Ministers concerned. We were promised they would report back with proposals for legislation at an early date. I appreciate that the Tánaiste might come back to me on this matter.

Deputy Brian Cowen: That committee is reporting to a Cabinet committee, whose membership comprises, as the Deputy said, the Ministers for Justice, Equality and Law Reform; Environment, Heritage and Local Government; Enterprise, Trade and Employment and the Attorney General. I will check progress on it.

Deputy Thomas P. Broughan: When can we expect to receive the regulations on the new drink driving limit providing for a blood-alcohol level of 0.5 mg? I understand the Cabinet has been considering it. Are those regulations in hand?

The Minister, who is sitting beside the Tánaiste, has sat on top of one of the biggest scandals in Irish commercial and political life, namely the sale of hundreds, if not thousands, of badly damaged homes by unscrupulous developers to our citizens. He has refused to answer letters from those citizens during the past six months.

An Ceann Comhairle: That matter is not in order.

Deputy Thomas P. Broughan: Will the Tánaiste intervene either this week or next week to ensure the Minister takes action on this matter?

An Ceann Comhairle: It is not in order.

Deputy Thomas P. Broughan: I refer to the pyrites crisis.

Deputy Bernard J. Durkan: The Minister should be sacked.

Deputy Thomas P. Broughan: In some respects, he should be moved from the Department.

Deputy Bernard J. Durkan: Hear, hear.

An Ceann Comhairle: This matter is not in order.

Deputy Thomas P. Broughan: He has totally failed to address one of the biggest scandals——

An Ceann Comhairle: The Deputy will have to raise this matter in another way.

Deputy Thomas P. Broughan: ——in Irish commercial life, the sale of badly damaged new homes to——

An Ceann Comhairle: The Deputy can raise that matter either by way of parliamentary question or on the Adjournment, but it cannot be dealt with in this way.

Deputy Thomas P. Broughan: I have raised this matter until I am blue in the face; I am sick of raising it. The Minister, Deputy Gormley, has washed his hands of the matter. He is dodging it. He will not answer letters on it or address it. I ask the Tánaiste to deal with it either this week or next week.

An Ceann Comhairle: The matter cannot be dealt with in this way. I must move on. I ask the Tánaiste to reply on the matter of the regulations.

The Tánaiste: On the first matter the Deputy raised, this is an issue on which reports were sought from the Road Safety Authority and others about how they view a reduction in the limit. We have noted what they have had to say but there has been no decision or consideration by Government of that matter. It is important to point out that one would have to consider a full comprehensive assessment of what proportionate penalties should apply were one to go down that road. Much more discussion and consideration of that matter must take place before the Government would be ready to consider any change at the moment.

Deputy Thomas P. Broughan: Would legislation be required in that event?

The Tánaiste: I understand legislation may be required if we were to go down that road, but as I said we are at a preliminary stage in our considerations.

Deputy Paul Kehoe: I know the Tánaiste would like to wish the Taoiseach the very best of luck in addressing the Houses of Congress in America.

I was a little worried this morning to hear that the Taoiseach and his entourage were evacuated from the Renaissance Mayflower Hotel in Washington last night. Has the Tánaiste contacted the Washington police department to inquire about the Taoiseach's safety?

An Ceann Comhairle: That is not in order.

Deputy Martin Cullen: The Taoiseach is well able to look after himself.

Deputy Enda Kenny: He is on the streets.

Deputy Ruairí Quinn: There are two promised Bills, the heads of which have yet to be approved by the Government. One is the education patronage Bill, which has been promised for some time in 2008. In view of the concern that has been expressed and the dialogue that has commenced on this matter, is it the intention of the Minister and the Government to publish the heads of the Bill in advance of legislation to facilitate dialogue on an issue that affects everybody?

The Tánaiste: The heads of the Bill are not ready yet but a conference on the matter will take place in June, which will facilitate further public dialogue.

Deputy Emmet Stagg: Which means more money.

The Tánaiste: I welcome the developments in that area.

Deputy Billy Timmins: The Taoiseach recently indicated that over the next four or five years Irish Aid will spend somewhere in the region of €130 million in Tanzania. Four Ministers in that country are currently under investigation for corruption. In view of the dramatic increase in world food prices, I ask the Tánaiste to ask the Minister for Foreign Affairs to consider reallocating our commitments to some of our programme countries to the world food programme.

An Ceann Comhairle: I am sorry, but we cannot go into that now.

Deputy Billy Timmins: We are spending €900 million this year——

An Ceann Comhairle: We cannot go into it now.

Deputy Billy Timmins: —and there has been a dramatic increase in food prices. The world food programme is run very well by the UN.

An Ceann Comhairle: No. If every Member raised—

Deputy Billy Timmins: A lot of the countries to which we are giving money are dodgy, to say the very least.

An Ceann Comhairle: If every Member did what Deputy Timmins is doing, we would be here until tomorrow night.

Deputy Billy Timmins: We have sought information on the audited reports of the aid and we cannot get them.

An Ceann Comhairle: The Deputy will have to find another way of raising the matter.

Deputy Billy Timmins: If we could not get the audited reports of the HSE or some other body, there would be outrage but we cannot obtain copies of the audited reports on the aid programme. I have addressed questions to the Minister and am hopeful that tomorrow we will be able to obtain the independently audited reports on where the money is going. A sum of €900 million—

An Ceann Comhairle: Deputy, please. You cannot go into it now.

Deputy Billy Timmins: It is a lot of money. I ask the Tánaiste to intervene in the matter.

An Ceann Comhairle: We cannot go into it now. I call Deputy Reilly.

Deputy James Reilly: The so-called fair deal legislation was promised before Christmas. When will the Bill come before the House? I understand the Attorney General identified some problems with the Bill but does the Tánaiste have any idea when we can expect the Bill? When it comes before us, I ask the Tánaiste to ensure we have adequate time to discuss it. I further ask about the provisions that have been put in place for the hundreds of thousands of people who are in nursing homes to ensure they have continuity of medical supply, given that the IPU is threatening to withdraw services tomorrow morning.

An Ceann Comhairle: That will not do. I ask the Tánaiste to respond on the legislation.

Deputy James Reilly: This is an issue which concerns hundreds of thousands of very vulnerable people.

An Ceann Comhairle: Everybody says that.

Deputy James Reilly: They would like to be assured that there is some contingency plan in place and not just that the negotiations are going well. In fact, according to this morning's newspapers, the negotiations are not going well.

An Ceann Comhairle: On the legislation, Tánaiste.

The Tánaiste: I have answered questions on this matter a number of times in the House. As the Deputy is aware, the Attorney General is working through some issues with the Department of Health and Children with the aim of finalising matters so the Bill can be brought forward for discussion here. I cannot be any more specific than that.

Deputy Joan Burton: It is the eve of May Day and tomorrow workers around the world will be celebrating the fact that many of them are free to join a trade union and enjoy conditions of employment which are fair. However, in this country we have a growing band of workers who are being paid well below the minimum wage, whether on land or on ships going to and from Ireland.

An Ceann Comhairle: What is the Deputy's question?

Deputy Joan Burton: We have no legislation protecting those workers. The Labour Party has put forward an agency workers bill, which seeks to regulate employment agencies.

An Ceann Comhairle: We cannot deal with that now.

Deputy Joan Burton: Does the Tánaiste intend to do anything, as Taoiseach, about the scandalous exploitation of workers——

An Ceann Comhairle: Is legislation promised in this area?

Deputy Joan Burton: ——and the undermining of Irish workers in their jobs at home?

An Ceann Comhairle: Is legislation promised, Tánaiste?

The Tánaiste: I understand legislation is being contemplated by the Minister for Enterprise, Trade and Employment. In fact, the heads of a Bill are agreed. Obviously, in the context of the social partnership talks, this issue is on the agenda.

Registration of Lobbyists Bill 2008: First Stage.

Deputy Brendan Howlin: I move

That leave be granted to introduce a Bill entitled an Act to provide in the public interest for the registration of paid lobbyists and, to the greatest extent possible consistent with the public interest in free and open access to central and local government, for the disclosure of their activities, and to provide for related matters.

An Ceann Comhairle: Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Deputy Tom Kitt): No.

Question put and agreed to.

An Ceann Comhairle: Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

Deputy Brendan Howlin: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Criminal Law (Human Trafficking) Bill 2007: From the Seanad.

The Dáil went into Committee to consider amendments from the Seanad.

Seanad amendment No.1:

Section 2: In page 4, between lines 21 and 22, the following inserted:

“trafficked person” has the meaning assigned to it by *section 5(1)*.

Minister of State at the Department of Justice, Equality and Law Reform (Deputy Brendan Smith): I move:

That the Committee do not agree with the Seanad in amendment No.1 to the Criminal Law (Human Trafficking) Bill 2007.

Question put and agreed to.

Disagreement to Seanad amendment reported.

Seanad amendment No. 2:

Section 6: In page 8, before section 6, the following new section inserted:

6.—(1) Where, for the purposes of the prostitution of a trafficked person, a person (other than that trafficked person) solicits or importunes another person, including that trafficked person, in any place, he or she shall be guilty of an offence.

(2) A person (other than the trafficked person in respect of whom the offence under *subsection (1)* is committed) who accepts, or agrees to accept a payment, right, interest or other benefit from a person for a purpose mentioned in *subsection (1)* shall be guilty of an offence.

(3) A person guilty of an offence under this section shall be liable—

(a) on summary conviction to a fine not exceeding €5,000 or a term of imprisonment not exceeding 12 months, or both, or

(b) on conviction on indictment to a fine or a term of imprisonment not exceeding 5 years, or both.

(4) In proceedings for an offence under this section it shall be a defence for the defendant to prove that he or she did not know and had no reasonable grounds for believing, that the person in respect of whom the offence was committed was a trafficked person.

(5) This section is in addition to, and not in substitution for, section 7 of the Act of 1993 in so far as an offence under that section is committed by, or in respect of, a trafficked person.

(6) In this section—

“Act of 1993” means the Criminal Law (Sexual Offences) Act 1993;

“solicits or importunes” has the same meaning as it has in the Act of 1993;

“trafficked person” means —

(a) a person in respect of whom an offence under *subsection (1)* or (3) of *section 5* has been committed or

(b) a child who has been trafficked for the purpose of his or her exploitation.”.

Deputy Brendan Smith: I am seeking the agreement of the Dáil to two amendments made in the Seanad to the Criminal Law (Human Trafficking) Bill 2007. Deputies will note that a third amendment appears on the list of amendments and I will explain the reason later to the House.

I need only say a few words on the deletion of section 1 and the transfer of the Short Title commencement section to the end of the Bill. The Parliamentary Counsel informs me that it is customary in a Bill that is not divided into separate parts to put the Short Title and com-

mencement section at the end of the Bill. Apparently, when a Bill is divided into parts, the usual practice is to put the Short Title at the beginning of the Bill, as Part 1. As this Bill is not separated into parts, the Parliamentary Counsel, who drafted the Bill, has recommended that we place the Short Title at the end of the Bill and that is what is proposed in amendment No. 3, which was made by the Seanad and for which it now seeks the agreement of the House.

Deputy Denis Naughten: Sorry, but I do not have the list of amendments in front of me. Can the Minister of State indicate which of the amendments is the substantive one?

Deputy Brendan Smith: I will explain the reasoning behind these amendments. I am aware that there is some confusion in the House.

Deputies will recall that during the Report Stage debate in this House the Minister for Justice, Equality and Law Reform, Deputy Brian Lenihan, undertook to consider whether it would be feasible to introduce an amendment creating an offence of having sex with a person trafficked for the purpose of sexual exploitation. His caution in committing himself at that stage to such an amendment was the belief that any criminal offence to that effect would have to be credible and enforceable. Placing such a criminal offence in the Bill would have to be more than a sign of society's intolerance and condemnation of persons using the services of those unfortunate persons who were trafficked into Ireland for the purpose of sexual exploitation.

Following consideration of the issues involved in the Seanad, I came to the conclusion that the most appropriate way to proceed was by using a statutory form of words that is well understood by the courts, that is, "soliciting or importuning, for the purpose of prostitution". Lest there be any confusion on the current law on soliciting, I will outline it briefly.

Under section 7 of the Criminal Law (Sexual Offences) Act 1993, it is an offence for any person to solicit or importune another person for the purpose of prostitution. This is essentially a public order provision aimed at protecting our neighbourhoods from the inevitable and unacceptable consequences of soliciting, such as harassment, noise, intimidation and violence, as well as the detritus associated with prostitution. Accordingly, under section 7 of the 1993 Act, the soliciting must take place in a street or public place, as defined very widely in that Act. Any of the persons involved in the public prostitution transaction can commit the offence of soliciting or importuning. This is made clear in section 1(2) of the 1993 Act, which states:

a person solicits or importunes for the purposes of prostitution where the person—

(a) offers his or her services as a prostitute to another person,

(b) solicits or importunes another person for the purpose of obtaining that other person's services as a prostitute, or

(c) solicits or importunes another person on behalf of a person for the purposes of prostitution.

In other words, paragraph (a) refers to the prostitute, (b) to the customer and (c) to a third party, such as a pimp.

The amendment made in the Seanad, for which I am now seeking the agreement of the Dáil, makes it an offence to solicit or importune a trafficked person for the purpose of prostitution. This offence differs from the existing soliciting provision I have just outlined in three important respects. First, the soliciting can be in any place, public or private; second, the trafficked person who is forced to work as a prostitute does not commit an offence; and, third, the penalties are more severe than for the soliciting offence under section 7 of the 1993 Act.

[Deputy Brendan Smith.]

I do not intend to make extravagant claims for this new offence. It will not be easy to enforce. However, it could be useful in certain circumstances, such as where a trafficked person is forced to operate from a hotel room, a room in an apartment block, where other residents may become aware of what is going on. It may also prove useful in planned Garda raids on brothels from where trafficked persons are compelled to operate. It would be an easier offence to prove than if the offence was worded, for example, “availing of the sexual services of a trafficked person”. I thank Deputies Naughten and Rabbitte, who first raised the issue of availing of the services of trafficked persons and I am happy we were able to come up with a workable solution. The Minister gave a commitment on Report Stage that he would take on board the views of both Deputies on this issue.

Deputy Denis Naughten: I thank the Minister of State for the amendments and his explanation. He is correct that the Minister undertook on both Committee and Report Stages to draft an amendment to criminalise those who avail of the services of a trafficked person on the basis that it would send a clear message. I accept this will not be an easy provision to enforce but the offence of trafficking will not be easy to enforce either. That it will be difficult to enforce does not mean it should not be proceeded with.

I read the Minister of State’s comment in the Seanad with interest. It is important that he acknowledged, “the provision is not merely a decoration to the Bill that is intended as some form of moral judgment or a sigh of disapproval in respect of those who have sex with a trafficked person. It would be bad law and bad practice to create such offence which would be impossible to enforce but it is the case that this largely applies and extends current laws on soliciting to an area that can be employed specifically to target the users of sexual services of trafficked persons”. That is the objective of the amendment we tabled on Committee and Report Stages.

I acknowledge the role of Ruhama in amendment No. 2. The organisation first suggest the tabling of such an amendment and I compliment those involved. There is a clear correlation between supply and demand in all markets. If the demand dries up, the supply is redundant. For example, like most societies, we have sent a clear message that drugs are harmful to individuals. They have been banned and criminal provisions are in place. Prostitution can be as harmful to elements of our society as trafficking. Inserting this provision in legislation will send a clear message from the House.

It is concerning for organisations such as Ruhama and the Rape Crisis Centre which deal with this issue on a daily basis that the people involved in the industry are getting younger and there is a greater demand for young foreign women who travel to Ireland, many of whom, it is strongly suspected, are being trafficked to be exploited.

The amendment proposes that soliciting or importuning a trafficked person for the purposes of prostitution will be outlawed and the person could receive a jail term of up to five years. The objective of the provision is to make it illegal for the beneficial recipient of these services. From a legislative point of view, this will mean for the first time in Ireland someone who avails of such services will be criminalised. A number of Senators felt we were not going far enough with the amendment and the purchase of sexual services in general should be criminalised. On Committee Stage, the Minister stated it is a more complex area, which perhaps should be examined. The Minister of State should consult his senior colleague about an all-party group to examine this issue to establish whether legislation could be introduced in this area. It is not as black and white an issue as some of us perceive it but we are moving down that road with the amendment. Our colleagues in the Upper House would like further provisions in this area. Perhaps now is the opportune time to deal with it.

Historically, the perception was women were punished for this crime. Many engage in prostitution for financial reasons and they may be forced into it through a drug habit or so on. The women who are the subject of this legislation are forced into position as a result of being trafficked by serious criminals who are not only involved in the trafficking of women and children but also the trafficking of drugs and arms. Many of the women become slaves. It has been suggested the legislation is addressing modern day slavery. I hope the amendment will help to significantly reduce the number of people illegally trafficked throughout Europe and that it sends a clear message from this jurisdiction.

The amendment is a significant breakthrough in combatting prostitution in general. It is not currently a crime to pay for a prostitute and the amendment, hopefully, will result in prosecutions in this area, which will curb the illicit trafficking of humans. I commend the amendment to the House.

Seanad amendment agreed to.

Seanad amendment No. 3:

Section 14: In page 12, after line 13, the following new section be inserted:

“15.—(1) This Act may be cited as the Criminal Law (Human Trafficking) Act 2008.

(2) This Act shall come into operation one month after its passing.”.

Seanad amendment agreed to.

Seanad amendments reported.

An Ceann Comhairle: A consequence of the acceptance of Seanad amendment No. 3 is that section 1 of the Bill is deleted. Is that agreed? Agreed. Agreement to Seanad amendments other than amendment No. 1 is reported to the House. A message will be sent to Seanad Éireann informing it that Dáil Éireann has agreed to amendments Nos. 2 and 3 made by Seanad Éireann to the Criminal Law (Human Trafficking) Bill 2007. Dáil Éireann has not agreed to amendment No. 1 and desires that Seanad Éireann should not insist thereon.

Deputy Denis Naughten: I thank the officials and the Ministers who dealt with this legislation. They have been very open minded in dealing with amendments and I compliment them on that.

Deputy Pat Rabbitte: I concur with the Deputy. It is an important Bill, which will hopefully bring us into compliance with our obligations under international conventions. Notwithstanding that not everything we wanted is enshrined in the Bill, it is important, landmark legislation. I thank the Minister of State for his co-operation and his officials for their assistance.

Deputy Brendan Smith: I thank the Deputies for their positive contribution to the legislation. As Deputy Naughten said, there was a lively discussion in the Seanad on the issue we have just debated. The Department is preparing the criminal law (sexual offence) Bill and it will be in discussion with Ruhama and other organisations about potential provisions. This legislation was extracted from that Bill.

Legal Practitioners (Irish Language) Bill 2007: Order for Report Stage.

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy Pat Carey): I move: “That Report Stage be taken now.”

Question put and agreed to.

Legal Practitioners (Irish Language) Bill 2007: Report and Final Stages.

An Ceann Comhairle: Amendment No. 1 in the names of Deputies Brian O'Shea and Pat Rabbitte arises out of Committee proceedings. Amendments Nos. 1 and 7 are cognate and may be discussed together.

Deputy Brian O'Shea: I move amendment No. 1:

In page 6, line 23, to delete “ensure that” and substitute “encourage an outcome whereby”.

The reason the Labour Party has tabled this amendment is that the use of the word “ensure” in section 1(2) of the Bill causes us concern. It states, “The Council shall have regard to Government policy on bilingualism”. This refers to the council of the Honourable Society of King's Inns. The provision of having regard to the status of the Irish language as the first official language was brought in by way of amendment by the Minister on Committee Stage. The phrase that had been there earlier was the Government policy on bilingualism. I pointed out to the Minister on Second Stage that Government policy should in that instance be public policy so there were a couple of issues. However, the major issue here is that the council should in so far as is reasonable for it to do so, seek to ensure that an adequate number of barristers are competent in the Irish language so as to be able to practise law through the Irish language as well as through the English language.

Amendment No. 7 is identical but it relates to the Law Society of Ireland and to solicitors and is the same principle.

I wish to make the point that “ensure” is mandatory language which is very much at odds with the voluntarist thrust of the Bill. The Competition Authority which looked at this issue recommended that this course should be voluntary. We are concerned that this could lead to a wrong interpretation and certainly with regard to people with a fundamentalist view about compulsory Irish there could be problems arising in the future. The formula of words which the Labour Party proposes encourages an outcome whereby we say this is very much in line with the whole spirit of this Bill and the spirit of what is happening here. I await the Minister of State's response to this specific issue, that the words, “ensure that” be deleted and be replaced by “encourage an outcome whereby”, in the context of an adequate number of solicitors and barristers available to conduct court cases through Irish.

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy Pat Carey): Bhí plé fada ag an Aire ar leasuithe Uimhreacha 1 agus 7 ar Chéim an Choiste. An pointe lárnach a dhein sé ansin ná gurbh éifeacht na leasuithe go bhféadfaí gur Bille neamh-bhríoch a bheadh ann. Dá mba rud é nár dheineamar ach iachall a chur ar Ostaí an Rí agus ar an Dlí-Chumann “toradh a spreagadh” a d'fhágfadh go mbeadh líon dóthanach abhcóidí agus aturnaetha ann a bheadh inniúil ar an dlí a chleachtadh trí Ghaeilge, mar atáá mholadh ag an dTeachta ina leasuithe, gheobhaimis réidh ar fad le haon tuiscint go raibh dualgas dlíthiúil ann.

The Bill provides that the two bodies I mention should seek to ensure that an adequate number of legal practitioners are competent in Irish and this is a reasonable requirement for them. Given that it is a policy of the State to promote bilingualism and that citizens are entitled to transact their business before the courts in Irish, it is reasonable to require the legal professions to ensure that an adequate number of practitioners are available to assist them in that regard. The amendments remove the primary objective of the Bill to place on the King's Inns and the Law Society an obligation so far as is reasonable, to seek to ensure there is an adequate number of barristers and solicitors competent to practise through the Irish language. This is

not an absolute duty but it is stronger than obliging the King's Inns and the Law Society to seek to encourage this outcome as the amendments propose.

The statutory duty placed on the King's Inns and the Law Society promotes as far as possible the Irish language. It will do this by requiring King's Inns and the Law Society to hold courses in Irish legal terminology and the understanding of legal text in Irish for all persons undertaking their professional training courses, establish an advanced course on the practice of law through the Irish language as optional subjects in their professional training courses, hold examinations in the practice of law through Irish at least once a year for those persons who have undertaken the advanced course and publish registers containing the names and contact details of barristers and solicitors who have passed the examinations. In light of those reasons, the amendments are not accepted.

An Ceann Comhairle: An bhfuil an Teachta ag brú an leasú? Is the Deputy pressing the amendment?

Deputy Brian O'Shea: Tá sé soiléir nach bhfuil an tAire Stáit nó an tAire sásta glacadh leis na leasuithe seo. Cuireann sin díomá orm. Go dtí an lá atá inniu ann tá córas againn faoi reachtaíocht ó 1929 nach bhfuil ag éirí leis. I Daonáireamh 2006, cuireadh an cheist ar 10,000 abhcóidí agus aturnaetha an raibh siad in ann Gaeilge a labhairt. Dúirt 68% díobh go raibh siad in ann í a labhairt, ach ní ciallaíonn sin aon rud mar sin tuairim an duine faoin a chumas féin. Theip ar an riachtanas éigeantach a bhí againn go dtí seo. An rud atá ag goilliúnt orainne i bPáirtí an Lucht Oibre ná go leanfar leis an éigeantacht faoin reachtaíocht seo mar atá sé. Tá sé soiléir, áfach, nach bhfuil an tAire sásta glacadh leis an leasú. Mar sin féin, tá mé chun é a bhrú.

Question, "That the words proposed to be deleted stand", put and declared carried.

Amendment declared lost.

An Ceann Comhairle: Leasú Uimh. 2 arises out of Committee proceedings. Amendments Nos. 2 to 5, inclusive, and 8 to 11, inclusive, are related and may be discussed together.

Deputy Brian O'Shea: I move amendment No. 2:

In page 6, line 27, after "a" to insert "bilingual".

Mar an gcéanna leis an leasú deireanach a bhí againn, baineann leasú Uimh. 2 le Ostaí an Rí agus leasú Uimh. 7 leis an Dlí-Chumann. An prionsabal céanna atá i gceist sa dá leasú.

Amendment No. 2 proposes to insert the word "bilingual" or "dátheangach" before the word "course". As I pointed out on Committee Stage, the course provided by the King's Inns is delivered solely through Irish. This may cause difficulties for students with a poor grasp of the Irish language. In this context, I refer to an extract from *Rialtas na hÉireann: Ráiteas i Leith na Gaeilge 2006*. In setting forth the "modern-day context of the Irish language", it states: "Ireland is a bilingual state in which Irish is the first official language according to Article 8 of the Constitution of Ireland." It is not acceptable that this course should be delivered solely through Irish and that a student seeking an explanation in English should find that no such explanation is forthcoming. That is my concern in putting forward this amendment.

For the course to be useful to students, it should be provided in Irish and English. Both the Minister of State and I are former national school teachers and, as such, former teachers of the Irish language. It was my experience that a bilingual approach was often the most helpful, particularly in the case of children who were experiencing difficulties with the Irish language.

[Deputy Brian O'Shea.]

While I strongly support the rationale for this particular course, it does not represent the best way forward for it to be delivered only in the Irish language. Students with a poor standard of Irish would do better if a bilingual approach were taken. Instead of delivering an exclusive Irish-only course, a bilingual delivery would serve to improve the proficiency in Irish of all students, particularly those with a weak grasp of the language.

Deputy Pat Carey: Labhróidh mé ar dtús mar gheall ar leasuithe Uimh. 2 agus 8. Fágann ailt 1 agus 2 den Bhille faoi Óstaí an Rí agus an Dlí-Chumann a chinneadh conas a gcúrsaí i dtéarmaíocht dhlíthiúil na Gaeilge agus i dtuiscint téacsanna dlíthiúla Gaeilge a sholáthar. Deputy O'Shea argued strongly on Committee Stage that the course should be delivered bilingually. He may well be right that this is the best approach to take, but the King's Inns and the Law Society are the professional training and education providers for barristers and solicitors and, as such, they are best placed to decide the manner of delivery of their Irish courses. The Minister, Deputy Ó Cuív, does not agree that we should prescribe in legislation how this should be done. Therefore, I do not propose to accept amendments Nos. 2 and 8.

Deputy Charles Flanagan: I listened carefully to the points made by Deputy O'Shea and we discussed this issue at length on Committee Stage. The Minister of State's argument that the legislation should not be as prescriptive as would be the case if Deputy O'Shea's amendment were accepted makes sense. The objective of the course in question is to train students to be proficient in Irish legal terminology and to foster the use of the Irish language in court cases. I am not sure how many people engaging in the course would be likely to have absolutely no knowledge of the Irish language. I expect most participants would have some degree of knowledge which, if improved upon, would allow them to participate in future in legal proceedings conducted through Irish.

On balance, the Minister of State has opted for a commonsensical approach in arguing that we should not set down detailed legislative requirements as to the delivery of this course. If there are practical difficulties of the type adverted to by Deputy O'Shea, I am sure they can be accommodated within the current training procedures. If there are students who require certain aspects of the course to be explained in the English language, I am sure that can be arranged. Incorporating prescriptions in the legislation in this regard seems unnecessary and may give rise to undue difficulties in respect of the organisation of the course. I accept the Minister of State's point and urge that consensus be reached between him and Deputy O'Shea to avoid a division of the House.

Deputy Brian O'Shea: Under the provisions of the 1921 Act, this course is delivered exclusively through Irish. This has certainly discommoded students. The conduct of the course will undoubtedly remain in the hands of the examiner, as has been the practice heretofore. My argument is that the fundamentalist mentality of an individual should not be reflected in how the course is delivered and administered. I do not seek to undermine in any way the freedom of operation of the King's Inns or the Law Society. However, even students with a reasonable grasp of Irish could have certain difficulties with Irish legal terminology and may need English language definitions and explanations. Any student who wants to ask a question in English to clarify a particular point should be able to do so. It would be a failure on our part if we neglected to ensure this is the case.

Can I assume that the Minister of State does not want to see any students of this course being discommoded as a consequence of its delivery solely through Irish with the result that they may not have the opportunity to seek clarification and information through the English language?

Deputy Pat Carey: Deputy Flanagan's suggestion seems to represent the best way forward. The Minister, Deputy Ó Cuív, has reflected carefully on this matter and has concluded that the approach we have taken will provide the best outcome for trainee barristers and solicitors.

The same issues arise in regard to amendments Nos. 5 and 11. The duration of the course and the attendance requirements are entirely a matter for the King's Inns and the Law Society to regulate. It would be inappropriate to make detailed provisions for such matters in legislation. Therefore, the Minister does not accept amendments Nos. 5 and 11. However, our amendments Nos. 3 and 9 deal with part of Deputy O'Shea's proposals. Deputy O'Shea will recall that the Minister undertook to consider his Committee Stage amendments which were intended to make clear that the legal terminology courses would not be subject to examination. The Minister is in agreement with the Deputy that the Bill needs to be clear on this point and amendments Nos. 3 and 9 provide the necessary clarity.

With regard to amendments Nos. 4 and 10, the Minister is opposed to making voluntary the legal terminology courses for the King's Inns and Law Society students, as proposed by the Deputy. The Government considers it to be of some importance that all persons seeking to become legal practitioners should be able to understand legal terminology in the Irish language. All practitioners should be enabled by their training to examine legal documentation in Irish to identify the nature of the service being sought and where appropriate to facilitate a referral to a practitioner competent to provide a service through Irish. For this reason, the courses should be compulsory and the Minister rejects amendments Nos. 4 and 10.

Deputy Brian O'Shea: I welcome amendment No. 3, which effectively addresses a major part of the issue I raised on Committee Stage. The only outstanding matter remaining is with regard to amendment No. 5 as we are moving from a compulsory examination to compulsory attendance at a course. The Labour Party is concerned about how this will be interpreted. Must one attend every lecture or 75% of the lectures? Will a roll-call take place or is another method to monitor attendance envisaged?

Attendance is a vague concept. What exactly constitutes attendance at this course? It is no longer voluntary. We have gone from a compulsory examination to compulsory attendance. Unfortunately, the legislation does not provide any indication as to what attendance means. The terminology in the Bill is "undertaking" a course.

The fact that an examination cannot be introduced under any guise is to be welcomed. However, we are concerned as to how the interpretation of attendance might be used as a means of putting a substantial obstacle in the way of students either at the King's Inns or the Law Society. As the Minister pointed out, the Law Society is somewhat different because the examination must be completed before one may enter for training as a solicitor. However, with regard to training as a barrister it comes at the end of the course.

Deputy Pat Carey: As the Minister stated, the duration of the courses and attendance requirements are entirely for the King's Inns and the Law Society to regulate.

Amendment, by leave, withdrawn.

Deputy Pat Carey: I move amendment No. 3:

In page 6, line 30, after "course" where it secondly occurs to insert "shall not be subject to examination and".

Amendment agreed to.

Deputy Brian O'Shea: I move amendment No. 4:

In page 6, line 30, to delete “shall” and substitute “may voluntarily”.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Amendment declared lost.

Amendment No. 5 not moved.

An Ceann Comhairle: Amendment No. 6 arises out of committee proceedings. Amendments No. 6 and 12 are cognate and amendment No. 15 is related. Amendments Nos. 6, 12 and 15 will be discussed together.

Deputy Brian O'Shea: I move amendment No. 6:

In page 8, line 3, after “with” to insert the following:

“, or attended a course of instruction or sat an examination for the purposes of seeking to comply with,”.

This deals with an issue I raised on Committee Stage. In the context of the powers he will have when the Bill is commenced, the Minister indicated he will have flexibility to deal with this issue of students in the pipeline, which is of concern to us.

We are not sure when the Bill will be enacted as it must go through the Seanad after we finish with it here. Let us say it will be signed into law in May. If a person passed an Irish examination in January this year but is not notified of this until June, technically that person has not complied with section 3 of the 1929 Act prior to the passing of this Bill. Alternatively, under section 1(3)(b) of the Bill a person who attends the Irish course in 2008 to 2009 but fails the exam is required to attend Irish lectures for a second time because he or she did not pass an exam even though an exam will not exist. The students in 2008 to 2009 could be prevented from passing because they did not pass an Irish exam which will not exist after this legislation is enacted.

Later in the Committee Stage debate, the Minister stated that because he has flexibility with regard to the enactment dates he can deal with these issues. If the Minister of State can give this assurance, I am happy not to proceed with these amendments.

Deputy Pat Carey: I thank Deputy O'Shea and as he stated, the Minister indicated on Committee Stage that he accepted the Bill must resolve the position of a small number of persons who have completed their training without meeting the current statutory Irish language requirements and who have not been admitted to practise. The solution he is considering will also deal with whatever transitional arrangements are necessary to facilitate the changeover to the new arrangements. This may include amending the commencement provisions to provide that the new scheme will commence upon enactment.

12 o'clock

The Minister is in the process of consulting with the various interests on the best way to resolve these issues and I and the Minister urge Deputies not to press these amendments. The necessary amendments will be moved by the Minister in the Seanad and brought back to this House.

Deputy Brian O'Shea: On the basis of what the Minister of State said, and I take it that he referred to students in the pipeline at present and those who have come through the system but either did not take or failed the Irish examination, in good faith I accept what he proposes.

Deputy Pat Carey: This is the position.

Amendment, by leave, withdrawn.

An Ceann Comhairle: Amendments Nos. 6*a*, 12*a* and 12*b* are related and will be discussed together.

Deputy Pat Carey: I move amendment No. 6*a*:

In page 10, between lines 10 and 11, to insert the following:

“(c) As soon as practicable after the Council furnishes a report under *paragraph (a)*, the Minister shall lay a copy of it before each House of the Oireachtas.”.

In response to Deputy O’Shea on Committee Stage, the Minister undertook to consider the possibility of publishing the annual reports which the King’s Inns and the Law Society will be required to furnish to him following the enactment of this Bill as provided for in sections 1(13) and 2(*m*). The Minister is in agreement with Deputy O’Shea that it is important that the Oireachtas be kept informed as to the operation of the new arrangements and thus amendments Nos. 6*a*, 12*a* and 12*b* provide for the laying of the reports before the House.

Deputy Brian O’Shea: I welcome these amendments and I thank the Minister of State for dealing with the concerns raised on Committee Stage. This will also help in the context of the concern I expressed earlier with regard to it being an all-Irish delivered course. If the reports come to the Oireachtas, Members of the Oireachtas can pursue any concerns from a point of knowledge and having regular reports and understanding exactly what is happening.

Amendment agreed to.

Amendments Nos. 7 and 8 not moved.

Deputy Pat Carey: I move amendment No. 9:

In page 10, line 36, after “course” to insert “shall not be subject to examination and”.

Amendment agreed to.

Amendment Nos. 10 to 12, inclusive, not moved.

Deputy Pat Carey: I move amendment No. 12*a* :

In page 14, line 24, to delete “request.”, and substitute “request.”.

Amendment agreed to.

Deputy Pat Carey: I move amendment No. 12*b* :

In page 14, between lines 24 and 25, to insert the following:

“(n) As soon as practicable after the Society furnishes a report under *paragraph (m)(i)*, the Minister shall lay a copy of it before each House of the Oireachtas.”.

Amendment agreed to.

An Ceann Comhairle: Amendment No. 13 arises out of Committee proceedings while amendment No. 14 is related so both amendments may be discussed together, by agreement.

Deputy Brian O'Shea: I move amendment No. 13:

In page 14, after line 42, to insert the following:

4.—The Solicitors Act 1954 is further amended as follows:

(a) by deleting section 40(6);

(b) by the insertion of the following after section 40—

“40A.—Regulations under the Solicitors Acts 1954 to 2008 may not prescribe any examination in connection with the Irish language other than the voluntary examination referred to in the *Legal Practitioners (Irish Language) Act 2008*.”;

(c) by the deletion in section 43(2)(a) (as substituted by section 51 of the Solicitors (Amendment) Act 1994) of “and (if obligatory on him) the second examination in the Irish language which is referred to in the said section 40”;

(d) by the deletion in section 43(2)(c) (as substituted by section 51 of the Solicitors (Amendment) Act 1994) of “and (if obligatory on him) the second examination in the Irish language”;

(e) by the deletion of section 43(4) (as substituted by section 51 of the Solicitors (Amendment) Act 1994).

This amendment seeks to tidy up references to the Solicitors Acts and to ensure an Irish examination cannot be introduced through the back door by way of regulation. The Minister's previous amendment addresses the second issue.

The Minister indicated on Committee Stage that the tidying up aspects were covered by his amendment No. 19. Given the Minister's assurance that the necessary tidying up of references to previous legislation is being addressed, I do not propose to press this amendment.

Amendment, by leave, withdrawn.

Amendment No. 14 not moved.

An Ceann Comhairle: Tagann leasú Uimh. 15, in ainm an Teachta O'Shea, as an díospóireacht ar Chéim an Choiste. Bhí díospóireacht againn ar an leasú nuair a bhíomar ag caint mar gheall ar leasú Uimh. 6.

Deputy Brian O'Shea: I move amendment No. 15:

In page 16, between lines 6 and 7, to insert the following:

5.—(1) The Chief Justice shall not refuse to admit any person to practice as a barrister-at-law in the courts of Ireland on the ground of the person's lack of a competent knowledge of the Irish language.

(2) Where prior to the passing of this Act any person was refused admission to, or did not apply for admission to, practice as a barrister-at-law on the ground of failing to satisfy the Chief Justice as to the person's competent knowledge of the Irish language, pursuant to the Legal Practitioners (Qualification) Act 1929, the person may apply to the Chief

Justice for admission to practice as a barrister-at-law and the Chief Justice shall admit such person to practice as a barrister-at-law if the person is otherwise qualified for such admission.

(3) The Law Society of Ireland shall not refuse to admit any person to practice as a solicitor in the courts of Ireland on the ground of the person's lack of a competent knowledge of the Irish language.

(4) Where prior to the passing of this Act any person was refused admission to practice as a solicitor on the ground of failing to satisfy the Law Society of Ireland as to the person's competent knowledge of the Irish language, the person may apply to the Law Society of Ireland for admission to practice as a solicitor and the Law Society of Ireland shall admit such person to practice as a solicitor if the person is otherwise qualified for such admission.

The Minister gave an undertaking on Committee Stage to address the issue of people denied their livelihood because of the compulsory regime that existed. The Minister of State has indicated that the Minister will introduce amendments in this regard on Committee Stage in the Seanad and that these amendments will be outlined in this House. On that basis, I will withdraw the amendment.

Deputy Charles Flanagan: I acknowledge Deputy O'Shea has indicated he is withdrawing his amendment. However, as this is the final amendment, perhaps I might clarify a matter with the Minister of State. A difficulty may arise in regard to people currently in the system. The Minister of State referred to this issue in the context of an earlier amendment.

With particular reference to the King's Inns, there are people who may have failed the examination and are required to resit it whose position can be contrasted with persons who may have practised in Northern Ireland for three years, may be Irish citizens from the Republic and may have a competency in Irish, but are not required to sit the examination. There may be only a small number of people, perhaps a handful, who have not reached the degree of competency to pass the examination but are still required under the manner in which they entered the school to complete the examination. I hope these people are not caught.

Deputy O'Shea raised this issue on Committee Stage and the Minister said he would take a look at it. The Minister of State has also indicated that he will take a look at it. It is an important issue. The Department may wish to contact the educational authorities to ensure fair play obtains and that people, because of the wording of this legislation, are not discommoded or caught out.

Deputy Pat Carey: I reiterate what I said earlier, namely, that the Minister is in consultation with the various interests to address the matters which have arisen. The Minister for Education and Science — I do not know if this addresses the matter raised by Deputy Flanagan — is in the process of making new regulations to transpose certain directives on qualifications into Irish law.

Deputy Brian O'Shea: I understand that this legislation will bring about a situation whereby the Department of Education and Science will no longer have a role in respect of these courses.

Deputy Pat Carey: The Deputy is correct.

Deputy Charles Flanagan: The Minister for Education and Science, Deputy Hanafin, entered the Chamber just as her name was mentioned.

Deputy Mary Hanafin: I sensed it.

Amendment, by leave, withdrawn.

Bill, as amended, received for final consideration and passed.

Student Support Bill 2008: Second Stage (Resumed).

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

Deputy John O’Mahony: I am glad to have an opportunity to contribute to the debate on this Bill and in general terms to welcome its introduction. This legislation has been talked about for many years. I am delighted it has at last reached this stage.

The Bill will go some way to improve the current inefficient system which forces many students to take up part-time employment owing to them having to wait some weeks and months to receive their grants. This has, in many cases, added to the difficulties of students in fully concentrating on their studies and has prolonged the time needed to attain their qualifications.

By and large, the Bill streamlines the eligibility of students for grants in giving the VECs sole responsibility for administration of maintenance grants. This will make the system more student friendly and enable it to be applied on a more consistent and fair basis. If this happens, students should receive their grants speedily. While in an ideal situation the new system could be introduced this year it is, perhaps, prudent that time is provided to allow the structures to adjust to ensure the smooth introduction of the new system in the 2009 education year.

Those are the positives of the Bill. However, there are some areas that need to be looked at again. While the provision in respect of an independent appeals board is good, the timeframe for a decision on an appeal is too long. A delay of 45 days for a decision on an appeal is too long and leaves a student in total limbo. It is worth noting that students will have to wait a similar length of time in respect of initial decisions. In this regard, students may have to wait four and a half months for a decision in respect of a grant. There is no reason this timeframe could not be at least halved.

There is a need to address independent, under 23 year old students in the Bill. The age of students entering third level education is changing. Many under 23 year olds can be estranged from or living independently from their parents. For those in this category it is unfair to take their parents’ income into account when assessment is made for a grant. Some of these students who have their own family and children must have their special circumstances taken into account. If full-time course was replaced with “approved” course it would create the opportunity for those students who are studying on a part-time basis to apply for a maintenance grant also.

Another anomaly exists for students who are doing courses in private colleges who are not entitled to qualify for a maintenance grant. At the Joint Committee on Education and Science last week we heard a presentation from a student who won a place on a journalism course at Griffith College under the CAO system. He got a scholarship towards his fees. He won a place also in Dundalk IT for a marketing course. He wished to follow the journalism route so he took up the course in Griffith College. Because of his family’s income he would have got a maintenance grant if he took his place on the marketing course in Dundalk IT, but he was denied the maintenance grant because he went to a private college. This is unfair. Grants should be given on the basis of the students, not the college they attend. This student appealed the decision and lost. He went to the Ombudsman and eventually won his case in the High Court.

This Bill proposes to continue this inequity in the system by attempting to continue the ban on maintenance grants to students attending private colleges, even though their personal circumstances would mean they were eligible for it. Section 8(3)(e), which states “whether the institution is established for the principal purposes of higher education, training and research, and operated and managed on a basis other than for financial gain”, should be deleted to remove this anomaly. If this part of the Bill was amended it would not mean the floodgates would open with regard to students applying for maintenance grants from private colleges. I am informed and I understand the numbers would be very low.

There is a need to take into account independent adult students from disadvantaged backgrounds who wish to enter third level education. At present it is extremely difficult for them to gain access as they are not entitled to the grants and support systems. The reality is as presented by the Combat Poverty Agency in its pre-budget submission. For example, a social welfare recipient returning to full-time education gets €185.52 per week, amounting to more than €9,000 per annum. Other allowances, including a maintenance grant, would bring the amount to more than €16,000. However, a person in low income employment wishing to return to education, who may earn roughly the same amount, is entitled only to the higher education grant of €3,000. This, in effect, means the low income worker is discouraged from going back into full-time education. The person in receipt of social welfare gets €12,000 extra. Therefore, the low income worker is penalised for being less of a burden on the State. Surely this is a blatant injustice.

Many provisions in the Bill are welcome. However, a number of issues in regard to the timeframe for appeals, the independent, under 23 year old students, maintenance grants for those in private colleges and low income workers lead to inequities for these students. It is crucial that the Bill passes all Stages as soon as possible because other major issues pertaining to third level education need to be tackled immediately.

I wish to refer briefly to the underfunding of third level institutions, universities and institutes of technology. Understaffing in many colleges is affecting the delivery of courses. I met a student today who told me there were 500 in his class in UCD. Surely that is not acceptable in a modern third level institution. This is as a result of Ireland being at the bottom of the league in OECD funding in tertiary education.

A student accommodation task force has been promised but still has not been delivered. We are experiencing severe shortages of affordable accommodation for students in Ireland today. There should be more purpose-built student accommodation on campus or adjacent to campuses throughout the country. There is student accommodation for only 1,800 in UCD even though 11,000 students seek accommodation.

Deputy Jimmy Deenihan: I welcome the legislation which I called for previously on a number of occasions. There is much confusion among the student population, who are doing the leaving certificate, and their parents as to where they should go for information and apply for grants, which is critical for many. I welcome the fact that the Minister has identified the vocational education service as the body to run the scheme. It is uniquely equipped to run the scheme because of its historic involvement in education, its understanding of education, running so many second level schools and the local and community involvement in education committees. County councils, in particular Kerry County Council, operated the scheme well and it was accessible at all times. Its approach was very professional. When unifying the grant payments system this was the best approach because the role of the vocational education committees is education and because they have a connection with the schools in their area. They will be able to go as a single body to the schools and advise leaving certificate students well in advance of the application date, the requirements and how the grants system works. There could be a very

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good synergy between VECs and all the schools as regards providing information. At present it is difficult given that the VECs and the county councils are doing this. That probably means that neither will do it.

Through career guidance teachers I can see a good synergy emerging between schools and the VECs as regards the administration and understanding of the grants system. I compliment the Minister on bringing forward the Bill. It will result in a marked improvement and will eliminate the confusion that arises especially in September when people focus on the necessity of getting a grant to attend college. In many cases people are not prepared to apply for a grant and at times do not know what precisely they want to do. Young people change their minds on a number of occasions in regard to the courses they wish to pursue.

I refer briefly to a few particular cases. As Deputy O'Mahony said, there is a need to look at the issue of student accommodation. The Government promised the Union of Students in Ireland that it would set up a student accommodation task force. Most TDs today would have been briefed today by the USI. Certainly this is one of the points that came across very strongly. When replying to Second Stage, I ask the Minister to respond to the issue of the student accommodation task force. There is a need for a major review of the maintenance grant. The maximum maintenance grant of €3,420 is insufficient when one considers the annual cost of paying one's way through college in Dublin is approximately €8,000. Students must make up the balance by working and new figures show that 50% of students in third level education are working, even during term time, to pay their way through college. This places a major burden on students and their families.

Given that students only attend college for three to four years, it is important they spend as much time as possible studying and carrying out research, rather than working and confining their efforts to preparing for examinations or studying a few aspects of their curriculum. They need to immerse themselves in college life and get the most out of their courses. If most of one's spare time is spent working, one cannot do sufficient research.

Figures from the Union of Students of Ireland show that the maximum of €3,420 equates to €342 per month for a ten-month academic year. The typical rent paid by students in Dublin can be as much as €600 in some areas and the total cost of living for students is calculated at €667 per month. Clearly, many students will be unable to afford the costs of studying. In many cases, the costs of accommodation compel students to stay at home and commute to a nearby college, rather than move to Dublin to study the subject of their choice. As a result, they may not enter the profession of their choice. I appeal to the Minister to take a hard look at this issue. I hope for a number of reasons that she will still be Minister for Education and Science next week.

On expenditure on education in Ireland compared to other countries, the Minister will be familiar with the OECD education survey of various countries. Figures on annual expenditure per head of the student population show that the United States, which spends \$17,738 on each student, ranks highest, while our nearest neighbour spends \$8,792 per head per annum. Ireland is ranked far down the league table, spending just \$7,445 per head. If we are to remain competitive, we must invest more in education, whether on buildings, student accommodation or research.

One of the reasons for the remarkable economic growth of the past 14 years was that, even during the dark 1980s, when the economy was not faring well, all Governments invested in education. For example, substantial investment in institutes of technology meant that technicians were available for IT companies such as Intel and Hewlett Packard when they decided to invest here in the 1990s. The success of former Minister for Education, Ms Gemma Hussey,

in negotiating ESF funding for the institutes of technology was a major, albeit under-appreciated development. Perhaps people do not want to recognise her achievement.

I also acknowledge the efforts of another former Minister for Education, Deputy Mary O'Rourke, who is present.

Deputy Mary O'Rourke: I was making faces at the Deputy.

Deputy Jimmy Deenihan: The Government must seriously consider increasing investment in education. As we enter turbulent economic waters, we must not take our eyes off education. On a recent visit to Silicon Valley to promote investment in the technology park in Tralee, I noted the importance in competitive terms of maintaining funding in the education system. Total unit labour costs are €26 in Silicon Valley, whereas they are €28 here and €6 in Poland. It is cheaper to employ people in Silicon Valley, supposedly the most expensive place in the world, than it is here. We must persuade companies located there to invest in Ireland, one of the most expensive countries in the world to employ people. To do so, we must offer something else, which will require having a workforce that is educated, knowledgeable and ahead of its peers in other countries.

The children of those who are awaiting the outcome of citizenship applications do not qualify for grant aid. I was contacted last week by a young woman who has been attending college for one year. Her mother, through various sources, accumulated enough money to allow her daughter to start college but she now has debts which may force her to leave college in October. The mother is eligible to be granted citizenship and her application will be approved in two or three years. The student, however, cannot acquire citizenship until her mother's application is approved. Surely provision should be made to accommodate this category of people. The children of eligible applicants for citizenship who are waiting for their file to be dealt with should qualify for grant support.

In the case in question the local authority in County Kerry has been very supportive. I received a letter yesterday indicating that it would fund students from this category of people if it were able to do so. I ask the Minister to examine this matter. I will provide details of this and another case of a person awaiting naturalisation who encountered a similar problem. While some provision is made for asylum seekers and others, I will bring to the attention of departmental officials a number of categories of people which should be examined in the context of the Bill.

The Student Support Bill 2008 is important legislation. We should do all in our power to facilitate young people to attend college and encourage parents to send their children to college. We cannot ignore education because it is our main advantage. We must invest sufficient resources in it and facilitate and encourage people to attend third level education because the more people we have with certificates, diplomas, degrees and postgraduate qualifications, the greater will be our advantage over our competitors. The world has become a much smaller place. When one considers the quality of education in India, China and other emerging nations, as well as among our competitors in eastern Europe, Ireland retains a competitive edge. I thank the Minister for introducing the Bill, which I am certain will receive universal support.

Deputy Mary O'Rourke: I commend the thrust of this eminently appropriate Bill. I expect the Minister conceived the legislation and issued an instruction that it should be formulated and introduced. There was considerable confusion among the student population and, specifically, their parents about securing grants to enable students to attend college, whether in the IT or university sector. The decision to consolidate and rationalise the processing of grants by having one application address and a single method of dealing with applications is to be commended. It is a common sense approach to third level funding. I like to think it had its genesis

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in the frustration of people who came to the Minister and asked whether they should apply to Dún Laoghaire VEC, South Dublin County Council or otherwise for a particular grant. Although my time as Minister for Education was long ago I remember it and draw on it. Dublin, Galway, Cork, Maynooth, Trinity, DCU and Limerick universities all operated different schemes of marking for how one could apply for a place. One day I came into the Department on Marlborough Street and said this was ridiculous. I was greatly helped and strengthened by a wonderful education correspondent on *The Irish Times*, the late Christina Murphy. It was a hotchpotch. Different universities awarded different numbers of points.

I can see the Minister is about to be relieved of the tedium of being here. I am sure she does not see it as tedious, but as an enjoyable process. Her admirable deputy is about to arrive to relieve her. I will burden him with praise and with the two points, one of which I want to take up from Deputy O'Mahony who spoke so eloquently on parents awaiting their naturalisation process. There is not a Deputy in this House who has not been approached about the children of parents who are legally here but, because their naturalisation time of six or seven years has not been fulfilled, are not eligible for a third level grant. It is a case waiting to be taken to courts here and in Europe. These people are here legally. They are not asylum seekers, worthy as they may be, but children of people who are legally resident here and who cannot get a third level grant.

I must praise the primary and secondary schools which do marvellous work with children of all nationalities. The teachers put themselves out. Every morning eight or ten school buses come to the site in Athlone where the mobile homes for the asylum seekers are located. They bring them to different primary schools because they rightly believe they should not all be put into one school but scattered about where they will make different friends. The same occurs at second level; wonderful efforts are made for students.

I ask the Minister of State, Deputy Haughey, to ensure this matter is highlighted, which I am sure it has been. I cannot understand it. A wonderfully talented young woman got over 500 points in her leaving certificate; many an Irish girl or boy would give their eye teeth for them. She came here only in fifth or sixth class of primary school and worked right through second level. Apparently without any great effort she got a wonderful leaving certificate. She is enrolled in the Athlone Institute of Technology, AIT, and is doing remarkably well. She and her mother have had meetings with the college registrar, director and chaplain and, hallelujah, they have reduced her fees to €8,000. That price is like Never Never Land to a woman of that age. She has not got 8,000p, if there were such a thing. The current economic cost of a year's fees in AIT would be €12,000. Many Chinese students flock there because the director is very active and goes to Asia to seek students to fill vacancies since many of the IT courses, as we all know, are experiencing a downturn. AIT has made its great concession from €12,000 to €8,000.

Strangely enough, I have sympathy with AIT. It argues that it cannot make an exception for this very bright young woman while students from other countries, including the Chinese and Asian students, pay the fees. How do we single out one particularly bright family? There are three more daughters and one little boy in the family who are equally if not more clever than the girl to whom I refer. They all hope to make their way in third level. There is a gap of approximately three years between this young woman and the next sibling. Hopefully by the time she comes to third level the citizenship issue will be settled. The Department of Justice, Equality and Law Reform tells me it is working on a backlog. It does not help at all to have a nephew in that Department. I take my turn like everybody else, and that is as it should be.

This is a grave injustice. We help students through primary and secondary level with wonderful teachers and support systems, SNAs, books, bonding sessions and whatever is needed. When

they get a wonderful leaving certificate, wham, the Department can do no more. This young woman has almost finished a year in the college. She will be told she will not be registered next September or October. She may sit her exam but will not get the results. It is difficult not to share her disillusionment. She asks what it was all about, why she was nurtured to do her very best at her leaving certificate and get on to third level in the land of the free. She reached third level and all her dreams are collapsing around her. She cannot find €8,000, and that is for the first year of a four year course.

I ask the Minister of State, Deputy Haughey, to ask the Secretary General of the Department to come and talk to him about this matter. If anybody would fund legal cases for such families they would win hands down.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Mary O'Rourke: It is an abuse of human rights. These people have been given legal status of a type until they get their citizenship, yet they cannot go any further. If a big benefactor comes down from heaven — although we do not see many of them — and pays that young woman's fees, she would go on to get a very good job in this country and contribute to the economic well-being of the country of which she wants to become a citizen. It is amazing that the essential beam of light and truth which permeates cases such as this cannot be seen.

Deputy Bernard J. Durkan: That is correct.

Deputy Mary O'Rourke: I do not fault the college. As the director very earnestly told me, one cannot single out a particular applicant. I had a long conversation with the chaplain of the college, who would be very keen to help this family. The Department of Education and Science owes it to those young people, whom they have nurtured through the latter stage of primary and secondary levels, to help them progress .

I wish also to speak on the very strange case of Hibernia College, which trains more than half of the primary teachers in this land. If one visits any primary school from Donegal to Cork, Galway to Dublin and Athlone in between, one will find Hibernia College students teaching diligently and well in the classrooms and their pupils listening diligently and learning well. However, because Hibernia College is a private college its students are not eligible for student support grants. Private colleges are exempt. However, these students teach in our public primary schools at no expense to the taxpayer. The present primary teaching colleges receive large grants every year from the Exchequer through the Department of Education and Science, and so they should as they are doing wonderful work. However, so are the Hibernia College students, which does not cost the Exchequer, taxpayer or Departments of Finance or Education and Science one cent. It is turning out the most marvellously attuned, clever and well endowed young teachers who, as I said, can be found teaching throughout Ireland. I was constantly amazed, when canvassing in rural Westmeath during the last general election campaign, to find so many students studying at Hibernia College. One would go to a house with the register and tick off Mum and Dad and maybe a young man working, and then, upon asking where Mary was, one would be told she was upstairs studying as she was a Hibernia student. Mary would then come down and ask me if I had ever heard of Hibernia and say she was a student there and that it was a marvellous teacher training course. One can do a post-graduate course for one year after one's BA or BSc degree, or one can do a course *ab initio*.

What is really odd about this situation is that Hibernia College is now delivering teacher training for primary school teachers throughout the UK, through the various decentralised student support bodies and teacher training colleges. Hibernia is now recognised as the pre-eminent college in the UK. I will declare an interest at this point, although it is not monetary

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but friendly, in that I am a friend of the director of the college. It is nothing more and nothing less. I knew him many years ago in Boston and kept up the friendship over the years. I am in admiration of him and the tight-knit team who are working wonders for the primary school teachers of Ireland.

Last Saturday week in my clinic I met a lovely young woman, a separated mother of three young children who was waiting for her formal separation. She has a primary degree and she wishes to do a Hibernia primary teaching course. However, she cannot get grant support. Another Deputy in this House who has taken up her case received a firm "No" from the Minister. This is in accordance with the current rules and I am not faulting the Minister because the rules state that one cannot receive a grant when studying at a private college. I can understand this to a certain extent. If we were talking about a private college of beauty or astrology, I would not be surprised, but this is a private college that provides primary teaching qualifications, whose graduates are going straight into primary schools and contributing to the educational well-being of young people.

I ask the Minister of State to consider these two issues, about which I am glad to have the opportunity of speaking in the House. While I support the Bill, because it makes sense out of mayhem and puts a shape on many things that needed it, I expect the Minister to come back to me on both of these issues.

Deputy Deenihan spoke very accurately of a previous Minister, Gemma Hussey, until he caught sight of me and linked me with it. Fair dues to him; he did that anyway.

Deputy Bernard J. Durkan: A good Kerryman.

Deputy Mary O'Rourke: I thank Deputy Deenihan. I think it was Deputy Durkan who gave him a warning look to let him know he had better amend his sentence. I remember the blossoming of finance for third level institutions in 1990, the year of our European Presidency, when the Minister of State's dear father, Charles Haughey, was the Taoiseach, and I was Minister for Education. At that time the ERASMUS student exchange programme was also established. I always get a great kick out of meeting young people who say they have been on the ERASMUS programme, whether in Florence or anywhere else. What a wonderful idea. Students are meant to travel.

Deputy Bernard J. Durkan: That is right.

Deputy Mary O'Rourke: In the old days of the 16th and 17th centuries, when the great universities of Bologna and Florence, among others, were established, students came from all over the world to study there and then to go forth and bring their learning back to their own countries. Clonmacnoise, in the sixth century, had 4,000 students from all over Europe. Deputy Durkan is the Chairman of the Joint Committee on European Affairs and when we talk about Ireland and Europe, we should think of this. Four thousand students from all over Europe came to Ireland, sailed down the Shannon, landed at Clonmacnoise, acquired skills and learning and returned to the countries of Europe bringing with them what they had absorbed in this country. When I hear now of the ERASMUS programme, under which students go to other countries, I reflect that it is not just about what they learn, it is also important that they mingle with other students, broaden their minds and come to know fresh cities, streets, galleries, theatres and so on. There is new fun, new fellas and new girls.

Deputy Bernard J. Durkan: That is very important too.

Deputy Mary O'Rourke: All this contributes to a student's life and results in a wonderful broadening of their minds, and they come back different people. I have never subscribed to the notion that one should stay in one's own town throughout one's education. I was dying to come to Dublin when I was 17, and so I did. What is it all about? One does not want to stay tied to Mammy forever, one wants to spread one's wings and learn what things are like over the hill. That was the case in our day and so it will remain. Indeed, student travel broadens the mind.

The ITs have been a massive success story. That is why the Minister, the Minister of State and the Department are correct in saying that we cannot make every third level institution into a university. It is a bizarre notion. In the UK, every polytechnic became a university overnight, but they were still polytechnics. We need different branches of learning and we need various skills at diploma, degree and postgraduate level. Most colleges offer education to doctoral level and beyond — indeed, one can stay a student forever if one wishes.

The ITs have been the saviour of Ireland in an industrial sense because they offered the chance to acquire skills and further learning to a population which did not previously have a chance but which had a good record at first and second level. Building on the contribution of the late Donogh O'Malley to the education system, it was a real step forward. I praise each one of the ITs, which are wonderful institutions. They have brought help, hope and aspirations to the minds of young people.

It has been good to have an opportunity to put the two matters of which I spoke to the Minister of State. I know that Deputy Haughey has listened carefully.

Deputy Bernard J. Durkan: I acknowledge the words of the last three speakers, particularly Deputy O'Rourke. It is a privilege to listen to somebody who is a former Minister for Education and a former educationalist. It brings a depth and breath of experience that is beneficial to the House and to all legislators. It is useful to listen to a person who has such experience, who has worked at the coalface and who can quote from personal experience. I particularly support the case being made for non-stamp 4 students, of whom there are many. All of us have met such children, some of whom have Irish accents. That is the thing that really stretches my imagination. They have Cork, Dublin, Kildare and Wicklow accents. One can identify their accents to the area in which they are living. The sad thing is that because they arrived in the country as minors they cannot obtain the appropriate residency status, even though their parents may have done so, and they must apply separately. Sadly, they could be waiting three, four or five years as there is no urgency about it. What is going on is totally counterproductive. I ask that the Minister for Education and Science make contact with the Minister for Justice, Equality and Law Reform to work out a simple system for such individuals, who are anxious to go to third level college and almost all of whom have done their primary and second level education here and have good leaving certificates. Any investment in them is a good economic investment on the part of the country. It is appalling to disillusion them at that stage in their lives. Otherwise, all that happens is if he or she does nothing, eventually he or she will get status anyway and be rewarded and the State will keep him or her. Why would they do otherwise?

When these young people are anxious, they all come to our clinics, and to the clinics of the Minister of State, Deputy Haughey, to set out their case. They know the same case has been made to the Minister of State on several occasions previously and they know what is the problem, and we put down the usual questions. Incidentally, I would not give any marks out of 100 for the way the Department of Education and Science replies to those questions. A little personal attention to the question would be much more beneficial than a long historical preamble about which we all know. I could write those from the 1980s.

[Deputy Bernard J. Durkan.]

I remember getting replies like that from the then Department of Education. We do not need a long historical dissertation. It is not relevant in any event. Departments will always state that over the past number of years they have increased expenditure in this area by whatever. What they were doing ten years ago is of no relevance anymore. Neither is what they were doing in 1948 or 1938 of any relevance anymore and that is put into the replies to the parliamentary questions. I plead with the Minister of State to convey this to his colleagues. Some Departments are good at addressing the issues and just go straight to the point. I have no problem with them giving the odd political remark in the middle of it about how great the Minister was, but I do not want to see a page and a quarter of historical drivel when it all could be put down in one half-sentence.

I plead with the Minister of State, and support Deputies O'Rourke, Deenihan and all the previous speakers, including my colleague, Deputy O'Mahony, that in the area of third level grants for such students — immigrants' sons and daughters who themselves have not yet been classified and are not eligible — he make some arrangements, even on an interim basis, to enable them, provided their parents qualify and they qualify at this stage. Otherwise, we will never move the matter forward and we will have the added burden of educating them in ten years' time. Why not do it now and get them into an economically viable position? That can be done.

The other area is the back to education allowance scheme. This relates to the co-operation between the Department and the Department of Social and Family Affairs. It is a good scheme, although a little restrictive. There is no way it should remain cast in iron as it is at present. There are countless potential third level students being excluded from it. It might be no harm to take another look at the age limits of the scheme. It could be of some help and would relieve the situation for some students. A review of the refusals over the past 12 months or two years — this would apply to my previous point as well — will always give sufficient inspiration to identify what the problem is and where were the barbs on which the scheme was being caught up, and to try to relieve the situation. I ask the Minister of State to undertake such a review of the back to education allowance and the grants for non-national students who have not yet qualified for any kind of status.

Another matter that has come to my attention in recent times is one for the Higher Education Authority, and also for the Minister for Education and Science, which, as far as I understand it, is being dealt with at a European level. I have come across a number of qualified persons — these are persons with medical qualifications, engineering qualifications or others — whose qualifications are not recognised here, for instance, qualifications from South Africa in one case. I do not mind if it can be ascertained that the particular qualification no longer has any status or is a lower level qualification as long as that can be proved, but I get worried about cases which turn up from time to time where it appears as if an artificial mechanism is being used to deprive the person of access to his or her entitlement.

There are a number of such persons in this country who hold qualifications from other universities throughout Africa and Asia who will not qualify unless they return to university, medical school, nursing college or wherever the case may be here. A refresher course should be sufficient for those who hold qualifications unless there is some other impediment to their qualification but it is a little arbitrary to state that we do not recognise the standard of education in some of these countries anymore. If USI can tell us that the level of investment in education is somewhat comparable to Brazil at present — I am sure it was in a position to do a fair amount of research, even though the Minister for Education and Science will respond by telling us that this is not true because it is looking at it from an incorrect perspective — we go through such matters every day of the week and in the case of the recognition of qualifications the

Minister has an influence and should use it. Would it be possible to examine the cases to ascertain whether something can be done in the interim rather than wait for the European courts or the European Commission to decide it? We should always show our own initiative and deal with such matters in our own time and without being forced to do so by others.

I draw the Minister of State's attention to the fact that until recently one could always submit a late application for a third level grant and it was always acceptable. In recent times a "dead late" date has also been set and if the application arrives after that date, it does not get considered and one must wait until next year. That is daft. There is no reason for it. It is done for the convenience of the people who process the applications. I accept there should be a deadline and a second deadline, but one should not disqualify the student altogether if the application was not submitted on time. The Department of Social and Family Affairs learned that years ago. If a person qualifies, there is no right to deprive him or her of the entitlement to a third level grant just because the application was late. I ask the Minister of State, as one of the long list of queries continuing on from Deputies O'Rourke and Deenihan, to look at that matter as well and to find out where local authorities or VECs are disqualifying people on the basis that their applications are late or dead late. To my mind, those people still qualify. If that is the only reason they are being deprived, it is wrong and it has been proven in the past to be wrong in law from the point of view of the Department of Social and Family Affairs. Those issues have been tried in court long ago.

Introducing artificial blockades does not amuse me at all and I am sure does not amuse the Minister of State, Deputy Haughey, either. It saves a few quid here and there, but not a great deal. It creates inconvenience most of all and when we are talking about making a grant available to a student, or making any entitlement available to anybody, inconvenience should not come into it. There must be order, rules and patterns, but if one deprives the person on the basis that it was inconvenient because he or she came at the wrong time, one should look at what happens in the case of access to psychiatric and other services outside of education at present where if the person does not apply at the appropriate time during working hours, the possibility is that the person will not get service. That is no excuse. I ask the Minister of State to ensure that this closing date is abolished and that people who qualify under the other headings, excluding the closing date, are awarded their grants.

Over the years there has been much debate about student holidays and school holidays and every year at about this time scribes write stating that the holidays should be shortened and students should work longer. This is a criticism that ties in with criticism of TDs and we have heard it all before. I do not believe in that notion. I believe that children have to be children and students have to be students, and they need a break from the tedium of study because that is good for them. If all of a child's life is going to be tedious, it is important that he or she has a good holiday. The child at national school needs to have a good holiday to ensure that he or she has the chance to be a child, to be carefree and to be without concerns, worries and obligations.

The USI also brought the issue of investment in education to our attention recently. We all get letters from the Department of Education and Science telling us how much money has been invested in education and how much better we are now than in 1997. I do not know what 1997 has to do with the present day. We are now in 2008 and what matters is that we must compete with other countries with whom our graduates will be competing in the future. We have to compete for investment and especially for the product that we produce. This country has an obligation to its students to ensure that the level of investment in education is adequate to make our students well able to compete with their contemporaries on a worldwide basis, not just on a European basis.

[Deputy Bernard J. Durkan.]

The USI also raised the issue of student accommodation, which is currently being considered by the student accommodation task force. As I live in a university town, I am acutely aware of accommodation problems for students, particularly in October when they come back to college. There is often competition between the local needs of young couples or single parents who are in rent-assisted accommodation and the student population. One group has to lose out, but both are vulnerable and in need of assistance. When this task force reports, I hope it will contain specific references and recommendations whereby it will be possible to identify accommodation exclusively available for students in a university campus or within the campus region. I know there are all sorts of problems, which I do not propose to examine now, but we would do well to recognise the main problem.

The USI also raised the question of financial supports for part-time students. Such students may be working for low wages and trying to better themselves by going to college in the meantime. What needs to be done is to look at the extent to which qualifications for the back to education allowance can be matched with people who might be on a low income from employment or with those who might have an income from social welfare that means they do not qualify for such an allowance.

The Minister should try to relay all the points made by the last few speakers, including Deputies O'Rourke, Deenihan, O'Mahony and others. These issues have been brought to our attention and we must bring them to the attention of the Minister. They are urgent issues that need to be addressed fairly quickly and I hope it will be possible to do that.

Deputy Jan O'Sullivan: I welcome this Bill. It has been a long time coming as it has been on the list of proposed legislation for the past couple of years. Deputy Quinn spoke in detail about the Bill on behalf of the Labour Party and I concur with what he said in his contribution. We would prefer to see a centralised Department deal with the issue of student support grants, but what is on the table before us today is an improvement on the current situation. We will now have 33 grant awarding bodies, which halves the current number of such bodies. VECs will now deal with the grant, as opposed to VECs, local authorities and possibly another awarding body.

We would prefer to see the Department of Social and Family Affairs assess the applications on the basis that this Department has the experience of carrying out means tests, and this is a means-tested scheme. We are all aware of stories from the past of people who managed to get a higher education grant and people who have not been able to do so, despite the disparity in their circumstances. A predecessor of mine in the Labour Party seat in Limerick East, Mr. Frank Prendergast, used to tell a story about a garage owner who got a grant while a mechanic who worked for him could not get a grant. There is a complete inequity in that situation. There are aspects to the system which allow people, particularly those who are self-employed, to organise themselves in such a way that their income is low the year before their sons or daughters are entering third level education. The PAYE worker clearly does not have any facility to move income around from one year to another. We would all like to see a fairer system. Other people have similar stories where somebody with considerable wealth is able to get a higher education grant for his or her child, which is inequitable.

I welcome any measure that improves that situation and there are aspects to this Bill which will tighten things up. There are offences that are punishable under the Bill, which is welcome. There will always be a certain amount of honesty required from people in their applications. If that sanction is there, there is more of an incentive to be honest with information given.

I also welcome the fact that there is an appeals process. Possibly every Member in the House deals with individuals who feel that they have been unfairly treated when applying for grants. It is difficult to get a second examination of applications. Some people are on the borderline

of the income threshold. There are also certain specifications on social welfare qualifications for some applicants. There is a concern for some borderline cases that the person involved has not been fairly treated. I welcome the fact that there is an appeals mechanism for these cases.

I dealt with a person whose father is working in a poorly paid part-time job and the person was on social welfare for a period before he went back to university as a mature student. However, the combination of the reckonable income and the length of time he was on social welfare meant that he did not get a grant. This young man is really struggling. The family does not have much of an income, but he did not get the grant because he was not long enough on social welfare to qualify. There are other cases of people who find it extremely difficult to make ends meet. In many cases, these people come from families who do not have a tradition of higher or third-level education. They are not the kind of people who should have to struggle. Indeed, as Deputy Durkan noted, many of us met representatives of the Union of Students in Ireland, USI, this morning in Buswells Hotel. One of the issues it raised with us is the fact so many third-level students must now work. USI told us that some students must work 40-hour weeks to keep themselves in college. While it is probably good for students to do some level of work, preferably during the summer vacation period, because a bit of work experience does nobody any harm, it must be impossible for them to maintain their studies if they are working those kind of hours. Again, they tend to be the students who do not have a huge amount of money at home and must work in order to make ends meet. In many cases, it is the cost of accommodation that is the problem for them if they are living away from home, particularly in the cities where accommodation is expensive. I suppose Dublin would be the prime example of that.

A very large amount of the student body lives in Dublin and away from home. In many cases, they must work to survive. There is a need to ensure that the grant is at a level where students like this can afford to stay in third-level education. There is a high dropout rate, at least some of which is due to the fact that students work long hours and do not put the necessary time into their studies. I know there are many other factors relating to why students drop out of third-level education but that is one of them.

I pay tribute, as did my colleague, Deputy Quinn, to the former Minister for Education and Science, Niamh Breathnach, who introduced free third-level fees, and Donogh O'Malley before her, who introduced free second-level fees. I strongly believe that the message that one has free access, or at least free fees, at all education levels is a positive one in terms of not closing the gates to people's aspirations to education.

I am glad that suggestions made by the Minister's predecessor that this might change have not happened. Many statistics have been produced saying that the free fees benefited people in the upper income brackets more than those in the lower brackets. There is no doubt that the statistics, particularly those produced by Patrick Clancy over a series of years, showed that the numbers of people who would have been just outside the income threshold for a grant significantly increased in terms of participation. We are talking about middle income workers — the gardaí and teachers of this world and people working in factories with a higher level of income. We can deduce that this is due to the fact that we have free fees at third level. I would strongly support that concept. We talk a lot about a knowledge economy. The fact that there has been such a vast increase in participation in third-level education, both in universities, institutes of technology and post-leaving certificate colleges — we should not leave them out — has meant that we have a well educated workforce.

Obviously, there are very specific challenges ahead relating to issues arising from people losing their jobs and the economic problems we are beginning to see. As recently as yesterday, we heard about the loss of 250 jobs at Dell in Dublin and Limerick. Not only is it very important

[Deputy Jan O'Sullivan.]

for us to train young people and give them educational opportunities as they go through the educational system, it is also important for us to offer opportunities to those who drop out before they ever get a chance to go to third-level education, those who perhaps left school a long time ago but who want to return to the educational system and those who are in the workplace and may have a certain level of income but whose jobs may be threatened or who cannot progress because of their level of educational attainment. We must offer second chance and upskilling opportunities to people in those categories. The proposal in one of the partnership agreements and possibly a programme for Government that part-time students should have the same opportunities as full-time students needs to be addressed.

I welcome the fact that standardised information will be the norm in terms of what is requested and required of applicants. Over the years, I have dealt with many applicants. They go to the person who deals with the grants in the local authority or VEC and are told that they must produce ESB bills to show where they lived during the relevant year, information from a landlord that they really did live there and certain information about income. They give a list of things and the poor unfortunate person goes off, gets all those things, comes back and is told "we also need this, this and this". I have met people in tears because of what they have been asked for and because they have been asked again for something else when they have returned. It does not happen in all cases but it certainly happens in some. I very much welcome the fact that there will, hopefully, be clarity in terms of what information is required of students when they apply.

Another related issue is that of whether a student is a dependant of his or her parents or is independent. I know that this is addressed in the Bill. Students are very confused about whether they are considered to be dependent on their parents or whether they are independent applicants when they are adults. There is a particular category of people who have children and are still considered to be dependent on their parents because of the rules of the applications. Again, we need to be clear on that but we also need some compassion.

Deputy O'Rourke, to whom I pay tribute for many things she did as Minister for Education, referred to the opportunities that young people now have to travel. However, in some cases, if a student has been abroad before they apply to third-level colleges as a mature student, this can sometimes mean that they do not get the grant because they have been living outside the country for a period of time and their continuous habitation status is affected by the fact that they have been abroad. They may only have been abroad for a relatively short period of time, as many young people are when they travel, but it sometimes means that they do not get a third-level grant. I hope that we can have some compassion in that area. That there is an appeals system is welcome in that regard.

I refer to non-Irish nationals living in this country, including families. In particular, I am thinking of one family I know very well. The mother came to Ireland to work as a nurse in the hospital system. She works full time, pays her taxes and subsequently brought the rest of her family over as part of the family reunification scheme. Her husband and six children now live with her. The children go to school in my constituency. Some of the children have already gone on to third-level education but had to pay the fees because they are not here for the requisite amount of time to get naturalisation. It is a real struggle for that family. In respect of situations like that where the parents are both working but are struggling because they are not in very well paid jobs and are trying to educate their children, I would like to see some acceptance of the fact that this family has settled and is paying taxes in the country. I know this may not be within the ambit of this legislation but there are genuine cases where people are really struggling and should have opportunities. They are going to pay the fees if they have to because they want their children to have this educational opportunity but it is a real struggle.

I also wish to speak briefly on the issue of access to education. I am aware the Acting Chairman is concerned about access to education for students with disabilities and students from minority groups. Access officers are in place in most third level institutions. I am not sure if such officers are in place in all the DITs, but they probably are. Good access programmes operate in most third level institutions, but if there are any gaps in that respect, I hope they will be filled. Some people, especially those with disabilities, find it a major struggle to stay in third level education. It is particularly important for them that they should have those opportunities.

I referred to institutes of technology and PLCs. The institutes of technology have given the opportunity of third level education to a cohort of students who probably otherwise would not have had that opportunity. We should salute the work they have done and support them in every way possible. However, the PLCs, in some respects, have not been brought up to the level of, to use a commonly used phrase, parity of esteem in terms of facilities. We spoke here previously about the implementation of the McIver report, which makes recommendations on PLCs. There are large PLCs located in various parts of the country doing excellent work in giving opportunities to students and they need the kinds of supports available in other colleges. Many of them are struggling even to provide proper basic facilities for students, namely, library and canteen facilities and so on. This requires the Minister's attention and I hope she will address this need.

It is important that the necessary resources are provided to implement this legislation. The delay experienced by some students in various parts of the country has caused major difficulties. In this respect, some authorities have been good, some have not been good and others have been terrible in the service they provided. Some students have had to complete their first term before receiving their grants. If the VECs are to handle the extra applications that will be submitted, they will need to have the necessary resources to process the applications in as short a timeframe as possible. I presume the Minister is making provision for that. However, I raise this issue because, while we can all have the best of intentions regarding legislation, if the people are not put in place to implement it, we will not be able to improve the system.

I welcome the fact that this legislation is before us. I hope it will improve the position for those applying for grants and that it will make matters easier for families who are struggling to put their young people through third level education and for adults who are struggling to do so themselves. We should not underestimate the difficulties experienced by people due to delays in the processing of grants. Some people are not able to come up with the money to meet their expenses while waiting for their grants to come through. Families on limited incomes who are waiting for their grants to come through have to try to pay deposits on accommodation, purchase course materials and cover the other expenses they incur. If they do not get their grants in the appropriate time, they find it difficult to cope. This legislation is welcome in so far as I sincerely hope it will speed up the processing time of third level grants for students.

Deputy Pat Breen: I wish to share time with Deputy Terence Flanagan, who obviously will not contribute before the sos but later in the afternoon.

Acting Chairman (Deputy Kathleen Lynch): That is agreed.

Deputy Pat Breen: I welcome this Bill. There is a general consensus throughout the House that the bringing forward of this legislation will streamline third level education, and that is welcome. The Minister's press release on 5 February 2008 stated that the Bill would streamline the administrative procedures for the management of the student grant awarding process, which is welcome. The decision in this respect will give the VECs sole responsibility for the admini-

[Deputy Pat Breen.]

stration of students' maintenance grants. It will end the current position where four bodies are involved.

Having served on a VEC from 1999 to 2004, I recognise the valuable work they do throughout the country, particularly the VEC on which I served in County Clare. It operates in a state-of-the-art building and has an excellent administrative staff. VECs deal not only with administration, school transport and processing students' grants but with a complete range of educational services in 30 locations throughout the country. The staff in the VEC have a difficult job and the girls in the VEC in Clare do an excellent job.

The current student grant system is cumbersome, of that there is no doubt. The experience of students in obtaining grants vary widely in different colleges and locations. County councils and VECs state that the majority of delays in finalising grant funding are due to requests for further information. The experience of students from different counties attending the same college vary in regard to obtaining grants. A student from Donegal may have to wait a month for his or her grant while another student may have received the grant. Students find it frustrating to have to wait a while for their grants. Serious financial burdens are caused for students whose grant payments are delayed.

It is imperative that such delays will be a thing of the past when the provisions of this Bill come into play in the 2009 and 2010 academic years. There is a mad rush by students to submit their applications for grants towards the end of July and some VECs deal with them on a numbered basis in that they might deal with applications from one to 100 on one day and so on. Some students suffer hardship while waiting for their grants to come through. This Bill is important in that it hopefully will relieve the clogging up of applications in the system.

Other delays in the processing of grants may be related to delays in the submission of parents' incomes in the case of those who are self-employed or delays in the issuing of tax clearance certificates. Many such delays in the submission of information prevent grants from being paid to students when they need them.

Some students have found that the current grant scheme is unfair in the qualifying conditions that apply. A constituent of mine was refused a third level grant because she was a single parent living at home. Her parents had to transport her to college each day. She needed the support of her family if she was to continue her third level education because her parents were babysitting her child. She was penalised for that because her parents' income was taken into account in the means test. Each year students and parents worry about how they will fund third level education for the academic year.

I acknowledge the contribution of the various speakers who contributed to this Bill since it first came before the House last March. I was following the debate on the monitor in my office when my constituency colleague, Deputy Dooley, spoke. He acknowledged the work that was done by the rainbow Government on the abolition of third level fees. He said it was enlightened thinking on the part of the then Government. If Fine Gael ever get into government again, Deputy Hayes will have enlightened thinking, although I do not know if the Minister, Deputy Hanafin, would agree with me on that.

The abolition of fees was a milestone. Initially it helped some parents to divert their funds to their children attending second level education. However, the increases in the cost of student accommodation, about which many Deputies spoke this morning, has meant that parents are finding it difficult to fund their children's third level education. If parents had to pay fees in addition to the other costs, it would not be possible for many of our children, particularly those in disadvantaged areas, to avail of third level education. The current maintenance grant covers students' day to day costs, but they have many additional expenses at third level, particularly

in terms of materials and equipment. I am aware of this, having gone through the system from primary to secondary and on to third level with my two sons. Thankfully, they have now completed third level.

Debate adjourned.

Sitting suspended at 1.30 p.m. and resumed at 2.30 p.m.

Ceisteanna — Questions.

Priority Questions.

Consumer Protection.

1. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment when he will make a decision on the commencement of section 48 of the Consumer Protection Bill 2007 which states any trader should not impose additional charges upon consumers who wish to pay by credit card; and if he will make a statement on the matter. [16947/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Deputy will be aware that sections 48 and 49 of the Consumer Protection Act 2007 seek to restrict the manner in which traders impose additional charges on consumers solely by reason of the method of payment chosen by the consumer. This issue first arose in the course of the passage of the Consumer Protection Bill through the Oireachtas. An amendment was proposed in the Seanad which sought to prohibit traders from imposing charges solely related to the payment method chosen by the customer by way of an extra amount of money, commonly referred to as a credit or debit card surcharge, a different price depending on the payment being made in cash or by credit card or debit card, or a handling fee for purchases made on the Internet depending on the method of payment.

The Deputy will also be aware that on the commencement of the Consumer Protection Act 2007 in May last year I did not commence sections 48 and 49 as I advised that it was my intention to conduct a public consultation on these provisions. In the course of that consultation my Department received almost 50 submissions on the impact of sections 48 and 49. The submissions gave rise to a number of complex matters which required legal advice, particularly regarding the compatibility of sections 48 and 49 with provisions of EU law.

These responses raised a number of specific issues upon which the Department sought the advice of the Attorney General. These issues related to the compatibility of sections 48 and 49 with EU law, specifically with the EU directive on unfair commercial practices and the EU payment services directive. The Attorney General's advice is that sections 48 and 49 are not compatible with the maximum harmonisation nature of the unfair commercial practices directive in that the sections seek to legislate within the field of consumer protection approximated by the directive. He argues that by going beyond what is permitted by the directive, the sections are not compatible with the maximum harmonisation nature of the directive.

As the Attorney General has advised that sections 48 and 49 are not compatible with EU law, I have decided not to commence these provisions. I am, however, committed to the importance of consumers being made aware of the fact that a trader imposes an additional charge based on the method of payment before transacting with that trader. My Department is currently examining the possibility of making regulations under the Consumer Protection Act

[Deputy Micheál Martin.]

obliging traders who impose payment method charges to include information on those charges in any advertisements for their goods and services.

In the course of the public consultation process retailers, in opposing the introduction of section 48, maintained that they were merely passing on to the cardholder the cost imposed on the retailer by the card companies for facilitating card transactions. The Deputy may be aware of the recent decision of the competition directorate of the EU banning Mastercard from requiring retailers to pay its multilateral interchange fee for facilitating Mastercard transactions. It is understood that the competition directorate has recently commenced similar proceedings against the other major payment card scheme Visa. In that context, I have sought the advice of the Competition Authority as to the implications of this decision and its effects in Ireland, particularly in terms of the likely impact on the costs to retailers of accepting payment by particular payment methods.

Deputy Leo Varadkar: I am a little taken aback by the Minister's reply. It was not what I expected and I imagine it was not what the Minister expected when the legislation was going through the House.

I have a very strong objection to credit card surcharges. Lots of retailers do not impose them. One can go to Brown Thomas and buy a suit for €1,000 and one will not be charged extra for using one's credit card. In fact, one will be given a discount if one uses Mastercard. Some retailers, particularly in the travel and airline industries, are imposing this unacceptable surcharge of 3% or more. Ticketmaster charges for credit card payments. NTL is doing something similar with debit. If their customers do not agree to pay by direct debit, they are charged more.

It was my understanding that when the Consumer Protection Act became law last year, such practices could become illegal. It appears from the Minister's reply that this is not the case because the relevant sections are in contravention of European law. If that is the case, then the Minister obviously cannot commence sections 48 and 49. When the legislation was originally drafted, was this not anticipated? When the Consumer Protection Bill was going through the House, why did the Minister not ensure that it was consistent with European law? That would have been a pretty obvious and basic step for the Minister and his Department to take.

Is there potential for a way around this problem? Can we amend the Act or introduce new legislation that would allow the Minister to ban the aforementioned practice. If the current legislation is inadequate, could alternative legislation be brought before the House? The Minister would have my party's co-operation in passing any such legislation very quickly, if possible.

Deputy Micheál Martin: I share the views of the Deputy regarding the unacceptability of these surcharges. During the course of the discussion and debate on the Bill in the Houses, a specific Senator raised the surcharge issue and pleaded with us to include a provision on it in the Bill. As the Deputy will understand, the timeframe was not as long or as wide as one would have liked in terms of going into the detailed legal implications of that move. However, the Bill went through the normal parliamentary processes.

There was a desire on all sides of the House to include such a measure, which is important to note. One must try to respect the cut and thrust of parliamentary debate and endeavour to facilitate the capacity of Deputies and Senators to propose amendments in the course of debate. Further, one must be open to accepting such amendments. If one was to take an overly-cautious view on everything, we could end up in a scenario where Parliament becomes virtually redundant.

In essence, we included sections 48 and 49 and——

Deputy Leo Varadkar: Did the Minister not seek advice on them?

Deputy Micheál Martin: We did, of course. We then sought a public consultation on the sections because many people, external to Parliament, felt that they should have a say on the matter and be consulted on the provisions of these sections. My own view is that Parliament is supreme in these matters, ultimately, but we facilitated the consultation. In the course of that consultation, detailed questions arose about compatibility with the EU directive on unfair commercial practices.

Job Losses.

2. **Deputy Willie Penrose** asked the Minister for Enterprise, Trade and Employment his views on the continuing level of job losses in the manufacturing sector; the steps being taken to reverse this trend; and if he will make a statement on the matter. [16575/08]

Deputy Micheál Martin: The manufacturing sector in Ireland has evolved noticeably since 2000 in terms of the composition of industry and the nature of activities and is likely to continue to do so. Manufacturing continues to be a significant employer accounting directly for 11% of total employment and a significant amount of associated services employment. In order to sustain and grow the sector, the Irish-based manufacturing enterprises will have to continue the progression to high value-added sectors and activities and continue to increase productivity through investments in human capital, technology and innovation. Irish manufacturers who engage in specialised, sophisticated, high technology and value-added activities can continue to compete successfully on international markets. These sectors require specialised skilled staff, specialised technologies and flexible operations and other factors which are not readily available in many low cost economies, such as modern intellectual property protection laws, a business-friendly regulatory environment and so forth.

The latest available data on manufacturing employment is that compiled by the Central Statistics Office in its earnings and labour costs release, published in March 2008. This release indicates that at quarter three 2007 there were 227,300 persons employed in the manufacturing sector, which represents a small decrease of 700 on the numbers employed in the corresponding period in 2006. It is important to keep this in perspective both in terms of global economic conditions and the continued strength of the euro. Our manufacturing sector continues to perform strongly and 2007 represented a very good year, with production growing by 7.5%, the highest annual change since 2002.

Over the last number of years there has been a significant churn in employment as is typical of a developed, open and dynamic economy such as Ireland's. Ireland is no longer a low cost economy and manufacturers in particular are facing increased competition from producers in lower cost areas. Nevertheless, Ireland continues to attract high-value manufacturing activity as evidenced by recent announcements by companies such as Zimmer, Green Isle Foods, Thermo King and others to establish or expand their facilities in Ireland. Other sectors, especially the services sector, are providing significant new employment opportunities. Since 1997, over 500,000 new jobs were created in Ireland and the number in employment now exceeds 2.1 million.

Additional information not given on the floor of the House.

As part of the commitments included under the partnership agreement Towards 2016, I established the high-level manufacturing group to review the challenges facing the manufacturing sector and to identify further measures to meet those challenges. The group's report, which was published earlier this month, contains 27 recommendations directed at key areas of inno-

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vation and productivity leading to transformational change, reskilling and management development for the innovative firm, increasing awareness and the take-up of existing supports. In addition, the group recommends the establishment of a manufacturing forum to take responsibility to progress the implementation of the recommendations outlined in the report and to act as a strong advocate and champion for the manufacturing sector to ensure that manufacturing remains central to current and future industrial policy. Follow-up to the report will be discussed with the social partners as part of the review of Towards 2016.

The programme for Government contains a range of commitments focussed on maintaining and enhancing our framework competitive conditions and promoting new areas of competitive advantage, including developing our research and development base, investing in critical physical and communications infrastructures and promoting tertiary education and lifelong learning. Over the period of the national development plan, the Government will provide total investment of over €25 billion which will be of direct benefit to the enterprise sector, including manufacturing. A total of €8.2 billion is earmarked for the strategy for science, technology and innovation to assist in achieving our goal of becoming a leader in research, development and innovation. An investment of €3.3 billion will specifically support the development of the indigenous and foreign direct investment enterprise base, while €13.7 billion will be devoted to skills development.

An Leas-Cheann Comhairle: I call on Deputy Penrose to respond.

Deputy Willie Penrose: The Leas Ceann Comhairle should be more lenient because in fairness to the Minister, his entire *alma mater* is in the Public Gallery and they would like to hear him speak.

An Leas-Cheann Comhairle: I am sure there will be more scope for him to answer questions.

Deputy Willie Penrose: As a former teacher, the Leas-Cheann Comhairle should understand.

In any event, I thank the Minister for his detailed reply. It is time that we shocked ourselves out of our absolute complacency. We have been on auto pilot. We have been so used to the good times that we have virtually no idea how to deal with the difficult times. I do not intend to talk down the economy because the fundamentals are sound. However, there are problems that may well create difficulties for us.

Recently the Central Statistics Office published live register figures indicating that we currently have 5% unemployment. However, the situation in individual towns is much worse. Survey data on 28 towns with a population of more than 10,000 shows that 18 of them had more than 10% of their populations on the live register. For example, 21.52% of the population of Newbridge is on the live register. Is that not a cause for concern? Does the Minister agree something must be done to tackle that issue? Will he confirm that the live register figures on Friday will indicate more than 200,000 unemployed?

Does he agree that action is required if the rapid climb in the numbers on the live register is to be halted and reversed? The first action required is a change of attitude on the part of the Government to recognise the seriousness of the position. Every time job losses are announced, the Government appears to be caught unawares. Are we chasing the horse after it has got out of the shed with no one to bolt door? Where stands the early warning unit in the Department, which is responsible for identifying plants at risk and intervening to ensure retention of the maximum number of jobs? If it is not in operation, will he take steps to reactive the unit?

The Minister referred to the upskilling of 500,000 people over the next number of years. Will he bring forward an accelerated programme of training opportunities to ensure people who lose their jobs can take up alternative employment? Apart from the construction slowdown, is it not the creeping closure of long-term local employers engaged in the manufacturing sector that is the nub of this issue? It is important, therefore, people in this sector are afforded the opportunity to retrain without much ado or fuss.

Deputy Micheál Martin: The question dealt with the manufacturing sector and I was anxious to outline the correct position, which is important.

Deputy Willie Penrose: I accept that.

Deputy Micheál Martin: Sometimes people use general and simplistic catchphrases such as “manufacturing in decline”. Due to the high capitalisation and more specialised nature of manufacturing, it is a changing story but, between 2000 and 2006, manufacturing output increased by 35%. We are performing well in this sector but the same numbers will not be employed as ten years ago due to the nature of the change. Manufacturing employment has reduced from 16% to 11% over the past ten years but the key issue is how the sector is performing in terms of output, longevity and so on.

I accept in the broader employment context, the number on the live register has increased but we were anything but on autopilot. Inner anxiety has defined us over the past number of years because our economic success is recent and unprecedented. We are, therefore, not sitting on our laurels complacently. We are endeavouring to put in place the policy platforms that will enable us to compete for and retain jobs into the future. That means implementing the science, technology and innovation strategy, which my Department co-ordinated with eight other Departments and which was generously funded by the Department of Finance in the Estimates to the tune of €8 billion over the next six years, because we want investment in science and research to underpin jobs and to show the world Ireland will discover new products and services and ways to doing things. That is our future. We cannot compete for low cost, low skilled jobs in the manufacturing sector.

We are active in the services sector, which has contributed significantly to jobs growth over the past decade. We are close to finalising a strategic approach to maximising the number of jobs and the value we can achieve through services over the next number of years. The Deputy correctly mentioned the skills issue. FÁS has a very good approach to intervening in circumstances where redundancies occur and matching people with new job opportunities, training and programmes that facilitate the reorientation of workers in new jobs and that will continue. The IDA and Enterprise Ireland monitor their client companies, particularly those that may be in difficulty. However, ultimately, a company’s corporate headquarters far removed from Ireland determines its decision-making, the timing of its decision and the degree to which it will inform us about its plans based on global issues

Proposed Legislation.

3. **Deputy Damien English** asked the Minister for Enterprise, Trade and Employment the way he will implement the 25% reduction in the regulatory burden upon business; the way he will assess the level of regulatory burden; the legislation in the 30th Dáil that has been assessed for regulatory impact on business; and if he will make a statement on the matter. [16948/08]

Deputy Micheál Martin: In March 2008, the Government decided to reduce the administrative burden of domestic regulation on business by 25% by 2012. This target was set in response to the invitation to member states by the European Council to set national targets in line

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with the European Commission's 25% target reduction in the burden of EU regulations. My Department is responsible for devising the methodology to be used across Government, for co-ordinating the work across Departments and agencies and for reporting to Government on progress. Initially, all Departments will be required to list the information obligations which their regulations impose on business. From that listing, Departments will assess which requirements are the most burdensome and will then measure the cost to business of the most burdensome requirements. At that point the most appropriate approach to achieving the 25% target will be re-examined.

The Government also agreed that, in regard to future regulations, all Departments should measure the administrative cost on business and specifically examine the impact on small business. The approach to identifying and measuring administrative burdens will be kept simple and not overly bureaucratic, while at the same time being robust and applied consistently across Departments. The regulatory impact analysis, RIA, of new legislation is a matter for individual Departments. In the case of my Department, the following RIAs have been undertaken on current legislative proposals: Employment Law Compliance Bill 2007, Safety, Health and Welfare at Work (General Applications) Regulations 2007, European Communities (Ecodesign Requirements for Certain Energy-using Products) Regulations 2007, Control of Exports Bill 2007, the Chemicals Regulation and Enforcement Bill, the general scheme of the companies consolidation and reform Bill; and the EU shareholders' rights directive.

Deputy Damien English: I thank the Minister for his reply. We are glad the Minister has finally set a target because we have repeatedly asked for this over the past six months. As late as February, no target had been set but we welcome the setting of the target in March. The Minister stated previously the employment Bills due before the House would not be assessed but I am glad there has been a change of heart and it is important he has set down the way forward. He has asked for a number of reports and he will then outline a plan. When will he announce a date for the plan? What baseline cost will he use? Will he announce the cost to business, according to his assessment, in order that we will have a figure to work with and we will know in two years what has been achieved? Will the Department direct this plan? Will he outline progress to the House in two or three years?

Deputy Deirdre Clune: If he is still in the job.

Deputy Damien English: I ask the question because he may not be in the post. We would like the Minister to outline the mechanism for this quickly. He said he has asked various Departments and agencies to assess and report back to him. Yesterday the Financial Regulator was asked at a joint committee meeting the cost to business of the regulations he oversees and he did not know. He has not even assessed them. However, the Minister appointed a departmental working group to investigate this issue but the Financial Regulator has not even assessed the cost of his regulations. I am concerned that, although the Minister is discussing the issue and has replied to parliamentary questions saying the plan will be announced, nothing is happening. Will he elaborate on this?

Deputy Micheál Martin: The Deputy was anxious that I would set the target and that has been done.

Deputy Damien English: We wanted the plan with the target.

Deputy Micheál Martin: I recall telling the Deputy that when we set the target, we must have an idea of the future path in progressing the issue. We are endeavouring to avoid a scenario where we over-bureaucratise the reduction of bureaucracy, which is a danger.

Deputy Damien English: The Minister has appointed three groups.

Deputy Micheál Martin: In Germany 110 civil servants are working to allegedly reduce the burden of bureaucracy. In the UK, the process cost is almost £27 million. I am conscious of how other countries have approached burden reduction and not yielded the concrete results we all desire. Ireland is lightly regulated compared with other EU member states. The World Bank ranks Ireland eighth out of 178 countries in ease of doing business while the Heritage Foundation and *The Wall Street Journal* ranked it third out of 153 countries in terms of economic freedom.

We need to keep this in perspective. However, the 25% target is ambitious in that context. We have circulated Government with a memorandum and we have asked that a structure managed at principal officer level be established in each Department to liaise with my Department which will be the lead Department in co-ordinating this Government wide endeavour to reach this target. To establish an initial list of the information obligations arising from legislative administrative requirements means going back over all the existing legislation. This is a significant task in itself to establish in particular those administrative requirements relating to business. We are using the month of January 2004 as a base line.

The best course of action would be to share with the Deputies the timeline that has been indicated to me to show how the Department intends to proceed. It will be a three to four-year process in terms of the 25%.

Deputy Damien English: We would appreciate the timeframe information. I suggest a common-sense approach to this issue. The leaders of the various different business groups met us this morning and they admit they are under significant pressure. We discussed employment legislation, but in general they are under pressure and they need us to cut as much of the red tape as we can.

Rather than just proposing a cut of 25% in five years' time, I suggest we set an interim target such as a proposal of a cut of 15%. We could immediately cut out the obvious red tape without having to undertake major assessments and talk to the small and medium business sectors. We could then make some progress within the next 12 months on this issue.

Deputy Micheál Martin: The acronym SARS was coined during our deliberations by an official and I think it is excellent. It stands for sudden acute regulatory phenomenon or whatever. This means that there can be very acute and urgent calls from within this House for legislation and we are the worst offenders at times.

Deputy Damien English: It is a reactionary response.

Deputy Micheál Martin: When something happens and it is publicised on radio and television we are all here in the House some morning shouting and demanding to know when the Government plans to introduce regulation A, B and C. This House needs to adopt a mindset as does the Civil Service and the public service, that people in the real world have to get on with life and we cannot overburden them. We must decide how we can reduce the unavoidable burdens on such business. I am in agreement with the Deputy in that regard.

We moved quickly on the audit of the exemption threshold. We did not wait for reports but decided to raise it to the European level which took the majority of small and medium businesses out of that burdensome requirement. We cut to the chase. A group within the forum dealing with this issue came up with the idea of taking quick action. While this was happening I invited business groups to suggest good ideas for simplifying the situation quickly in certain areas. I told them I was open to such suggestions and invited them to bring forward proposals.

Deputy Damien English: The Joint Committee on European Scrutiny could also scrutinise legislation and apply the same logic. I suggest the Minister correspond with the committee.

Deputy Micheál Martin: I am trying to keep it simple.

Deputy Leo Varadkar: Before we——

An Leas-Cheann Comhairle: Please, Deputy, this is Deputy English's question.

Deputy Leo Varadkar: ——make the employment law, could we——

An Leas-Cheann Comhairle: Please, Deputy, this is Priority Questions.

Deputy Damien English: This is also an EU target but if Minister is co-ordinating——

Deputy Micheál Martin: Deputy English asks parliamentary questions like he plays football.

Deputy Damien English: I could not hear the Minister's answer.

An Leas-Cheann Comhairle: We are two and a half minutes over time. Has the Minister the answer to the question?

Deputy Micheál Martin: Which one?

Deputy Damien English: The question is if the Minister were in charge of co-ordinating this, would he not also work with the committee to ensure that a committee which scrutinises EU legislation would also have a role.

Deputy Micheál Martin: The Deputy is correct; the EU directives are very important.

An Leas-Cheann Comhairle: We are running out of time for Priority Questions.

Deputy Willie Penrose: If a question is good we never run out of time.

An Leas-Cheann Comhairle: I know that Deputy Penrose is most anxious to speak, whoever is in the Visitors Gallery.

Consumer Protection.

4. **Deputy Willie Penrose** asked the Minister for Enterprise, Trade and Employment his views on the increase in prices of a broad range of goods, which has resulted in a further jump in the level of inflation to 5% in March 2008; if he is satisfied that appropriate procedures are in place to prevent exploitation of consumers; and if he will make a statement on the matter. [16576/08]

Deputy Micheál Martin: The recent increase in consumer prices is clearly a matter of concern. While the increase in the annual rate of inflation to 5% as recorded in the Central Statistics Office's most recent bulletin is particularly disappointing, the factors giving rise to this increase are mainly being driven by international developments such as the global increases in the price of oil, food etc.

While our ability to influence the various global factors underlying recent increases in the price of various consumer goods is somewhat limited, it is most important that we exercise vigilance over those areas which we can influence so as to ensure that we do not undermine our competitiveness. Government policy in the area of consumer prices is concentrated on

promoting competition and empowering and raising the awareness of consumers to the importance of achieving the best value for money.

In the area of competition, the Competition Authority is responsible for enforcing competition law and advocating and informing the Government and the wider public about competition matters. As regards the grocery sector, the Competition Authority has been requested, following the abolition of the groceries order, to review and monitor developments in the grocery sector in light of the new regulatory environment. The authority recently published two reports on the grocery sector which include an analysis of developments in the sector focusing on pricing trends, market structures and barriers to entry. The authority is committed to keep under review the impact of the regulatory environment on the grocery sector particularly in the context of abuse of dominant positions, including excessive and predatory prices.

Aside from the importance of promoting a competitive grocery sector, consumer power can also exert a significant influence on the price of goods and services. To do this, it is important that consumers have all the necessary information to enable them to make informed decisions about the goods and services they buy.

The Deputy may be aware of the various campaigns undertaken by the National Consumer Agency to raise awareness among consumers. In particular, the agency, through its price check surveys, has sought to raise consumer awareness about the price of grocery products being charged by different retailers and the value that can be achieved by consumers making considered choices as to which retailers they give their custom. In this regard, I note the recent statement from the agency's chief executive that a significant number of consumers have changed their shopping behaviour based on the published results of the agency's surveys. It is clear that when given the information, consumers can make the necessary strategic choices to ensure they get the best value for money.

The recent increases in consumer prices are a matter of serious concern, notwithstanding the fact that the reasons for these increases are due mainly to international rather than domestic factors. It is important, however, that we continue to aggressively tackle the issue of inflation both from a consumer and a competitiveness point of view. In this regard, I am firmly of the opinion that promoting competition and empowering consumers are key policy instruments in this area and I fully support the work of the Competition Authority and the National Consumer Agency in their efforts to ensure that the Irish consumer is not exploited and receives a fair deal.

Deputy Willie Penrose: I thank the Minister for his reply. This is a position that has been a cause of concern not just for consumers but also for the economy at large. The manner in which inflation has risen to 5% is the latest in the growing band of adverse statistics. The consumer price index figures are also of great concern in light of the forthcoming talks because the trade unions will argue for significant increases to protect their members from the impact of inflation.

The Minister will be aware of one big bang idea which the Government proposed, the abolition of the groceries order. Why has this failed to deliver the significant promise attendant upon the abolition of that order? I remember the Leas-Cheann Comhairle and others dealing with this issue. Where has the €500 on average gone? What has happened since the groceries order was scrapped? The Competition Authority reckoned that grocery bills would fall by €500 and this has not happened. Where is the black hole of savings that was promised? That is one question.

There have been significant increases in transport costs and the cost of clothing and footwear. Food prices have risen by 10% and this impacts upon lower-income families and makes it difficult for them to survive.

[Deputy Willie Penrose.]

Where are the savings arising from the increase in the value of the euro against sterling and indeed against the dollar? What black hole has this saving gone into? It certainly has not been passed on to consumers who are being ripped off and fleeced. Where has the money gone? Whose function is it to ensure that consumers are protected and that those savings are reflected in their shopping baskets, particularly in the cost of clothing, pharmaceutical items and newspapers, and trade of that nature? There is a need to become and to remain competitive. However, we must also worry about the tourism industry and its competitiveness. Has the National Consumer Agency enough teeth to try to deal with this issue?

Food imports have become cheaper but where is this reflected in the consumer price index basket of goods? Will the Minister arrange for somebody to monitor what is happening with food prices and the price of international tradeable goods? Why are the savings from currency appreciation in this country versus other currencies not reflected in the price of goods? This question is bugging every Irish consumer today.

Deputy Micheál Martin: The Deputy asked what has happened since the abolition of the groceries order. We are all aware that the price of oil went through the roof in that period.

Deputy Willie Penrose: Yes, that is an external factor.

Deputy Micheál Martin: This had a significant impact on global prices. Food prices have increased significantly, particularly in the last six months, and various explanations have been put forward for this. Since the abolition of the groceries order, the monthly consumer price index information from the Central Statistics Office has included a comparison of price movement in respect of goods previously included under the remit of the order versus non-groceries order products. The clear indication is that the international increase in food prices has fed into the situation here. Notwithstanding that, I did not make any specific promises in respect of the abolition of the groceries order. I took a sensible approach in the knowledge that one can never predict unforeseen events and circumstances. I considered foolish the excessive claims that were made on both sides of that debate. The world did not come tumbling down in the ways predicted by some on either side. It may be a salutary lesson to all concerned that debates can be conducted in a more constructive fashion.

3 o'clock

Deputy Willie Penrose: The Minister is telling us all to keep our nerve.

Deputy Micheál Martin: I refer to society in general. We all recall the various representations and so on.

The Deputy has raised the important issue of the impact of exchange rate movements, particularly in the case of sterling and the United States dollar, on the price of goods in this jurisdiction. The National Consumer Agency has raised this point with retailers. Some retailers make the case that they have entered into long-term agreements with suppliers and so on but that we can expect the situation to adjust in the coming weeks or months to reflect exchange rate movements. However, the National Consumer Agency shares the Deputy's concern that, in some instances, the prices charged by retailers reflect the price level that the latter anticipates the Irish market can bear as opposed to taking into account the movement in exchange rates. The agency will continue to exert pressure on retailers to ensure they pass on to consumers the benefits of the euro's appreciation in value. We will continue to undertake price surveys to ensure consumers are aware of the types of savings that can be made.

Deputy Willie Penrose: Will the Minister ensure that all goods are priced in euro rather than having a situation where goods in some retail outlets are priced in sterling or other currency

denominations? There must always be a clear indication of the cost in euro. This might seem a strange inquiry but I have a reason for making it. The euro price of every item must be plainly visible to the consumer.

Deputy Micheál Martin: I will get back to the Deputy on that.

Skill Shortages.

5. **Deputy Deirdre Clune** asked the Minister for Enterprise, Trade and Employment his views on the reported shortage of skills in the financial services sector; if, in view of the recent global downturn, this shortage still pertains; and if he will make a statement on the matter.
[16949/08]

Deputy Micheál Martin: In December, the expert group on future skills needs published its report, Future Skills and Research Needs of the International Financial Services Industry. This report identifies the skills requirements of the international financial services industry in Ireland and sets out a blueprint for the future skills development required to ensure the continued growth and success of that industry.

According to the expert group's report, companies are experiencing shortages or difficulties in sourcing qualified staff, with several skills shortages identified, including shortages of fund accountants, accountancy staff, financial analysts and actuaries. In addition, the report also found that there was a shortage of people with adequate skills in maths, economics, risk management and compliance.

The research underpinning the expert group's report was undertaken before the recent economic downturn, which has affected the global financial services industry. It is too early to assess the impact of the international credit crisis on the demand for financial skills in Ireland. The Government is monitoring the situation on an ongoing basis. As the expert group's report focuses on the long-term development of the international financial services industry in Ireland, it is likely that the skills shortages identified by it are ones that require to be addressed irrespective of the short-term economic outlook. The skills identified are highly specialised and in short supply worldwide. It is a global phenomenon.

Deputy Deirdre Clune: I ask this question in light of the report of the expert group on future skills needs to which the Minister referred and the recent announcement by the Tánaiste and Minister for Finance, Deputy Cowen, in Belfast of what was described as a win-win situation. Recent media reports point to an estimated 8,000 to 9,000 vacancies in the financial services sector. This is alarming. If the international financial services sector in Ireland is to remain vibrant, we cannot afford such a shortage of skilled personnel. That will only contribute to the erosion of our competitiveness and productivity.

The Minister acknowledges that action must be taken to address the skill shortages in this sector. We have spoken before about the skill shortage in the science and technology area. What are the Minister's plans in this area? In both cases, part of the solution lies in encouraging students to take up maths, science and business subjects. The expert group also issued recommendations in regard to the research agenda, encouraging communication between academics and the industry. A similar approach is required in the area of science and technology. We do not have time to delay given the level of shortages.

Deputy Micheál Martin: The international financial services sector has grown dramatically in this State in the last two decades. For example, banking assets have trebled from €422 billion in 2001 to €1.2 trillion in 2006. The numbers employed in financial occupations had grown to 148,000 in 2006, approximately 22,000 of whom are engaged in international financial services.

[Deputy Micheál Martin.]

I meet the representative group for financial services companies, Financial Services Ireland, on an annual or biannual basis. Last week, I accompanied IDA officials to the United States where we met representatives of some of the financial services companies with significant operations here. I also attended a meeting in Milan with representatives of Italian financial services companies operating here.

Skill shortages are a global phenomenon. We are working with several third level institutions on the research side. For example, Enterprise Ireland supported the business information systems programme in University College Cork with a view to developing a financial services centre that would work on particular skill levels for the industry. On a nationwide basis, we are working to develop and enhance capacity in financial services programmes in universities so that we can attract those seeking to obtain advanced qualifications.

We have asked the Higher Education Authority, HEA, and the financial services industry to agree on short-term priorities in regard to skills needs. The HEA has already consulted the universities and institutes of technology to provide them with an opportunity to respond to its report. The HEA and Financial Services Ireland are currently organising a joint seminar designed to respond to the expert group's recommendations on education and training. Once that has been held and agreement reached on the types of course provision required to address the skill shortages, a call for proposals to provide such courses will be issued. The work is in progress, therefore, in terms of identifying what is required and who can best provide it.

Deputy Deirdre Clune: The Minister said he met representatives in Milan and the United States of companies with operations here. Did these representatives draw his attention to particular skill shortages? In regard to the Tánaiste's reference to a win-win situation, does the Minister envisage that the more than 8,000 vacancies in the financial services sector will be transferred to Belfast? Is it the case that the main offices will be based in Dublin and the back offices in Belfast?

Deputy Micheál Martin: What has occurred in the last three years is a regional development of financial services. Companies whose representatives I have met include State Street in Kilkenny, Citco in Cork and IFS in Drogheda and Naas. There has been a significant churn in financial services in Dublin. The representatives of every company we meet highlight skill shortages. It is a significant problem in the United States, for example.

Our green card system is important in this regard because it provides reassurance to investors that we have the wherewithal to provide personnel with the necessary skills, whether among the indigenous population or among those who obtain a green card. The accession of ten new member states to the EU has created a critical mass to which we can point when seeking investment from abroad. Our partnership with the North can work to the advantage of both jurisdictions. We are anxious to develop the Border areas in Donegal and maximising the mutual strengths in Northern Ireland and here to create a greater volume of economic activity has obvious advantages for both jurisdictions.

Other Questions.

Departmental Properties.

6. **Deputy Olivia Mitchell** asked the Minister for Enterprise, Trade and Employment the strategy he or the IDA has on recently vacated industrial and business premises in rural

locations; the priority he and the IDA give to finding replacement businesses for these premises; and if he will make a statement on the matter. [16752/08]

Deputy Micheál Martin: Under the Industrial Development Act 1986, as amended by the Acts of 1993 and 1995, IDA Ireland has the power to acquire, hold and dispose of land and any other property or any interest therein for the purpose of facilitating an industrial undertaking. Accordingly, the management of IDA Ireland's industrial property portfolio is a day-to-day operational matter for the agency, as part of the statutory responsibility assigned to it by the Oireachtas and it is not a matter in which I have a function.

When client companies of IDA Ireland or Enterprise Ireland vacate a premises on IDA-owned property the agency's first priority is to market the premises for a suitable replacement activity. The use to which IDA property can be put is prescribed by legislation. If the premises is no longer considered to be strategic in terms of the agency's marketing strategy, or is not suitable for Enterprise Ireland client needs, the approach is usually to the local county council to seek an expression of interest in the property. If no interest is shown the property will usually be placed on the open market.

IDA's portfolio of buildings in rural locations has been reduced dramatically in recent years. The policy decision to divest of buildings was taken in the 1990s and this decision was reaffirmed in the expenditure review of the IDA Ireland property programme, which was concluded in 2004. In disposing of these buildings the agency must balance the need to have properties available in key locations that will help it deliver on its mandate. The agency must also seek to maximize the financial return to the Exchequer in disposing of property.

The IDA's current focus is on delivering appropriate facilities in line with the national spatial strategy. World-class business and technology parks and buildings are being developed in regional locations that complement the spatial strategy with the aim of enhancing the overall development and potential economic gains of these locations. The focus is primarily to provide and develop property solutions in the gateway and hub locations. New buildings provided on IDA parks are under a partnership arrangement between the IDA and private developers.

In line with the commitment which we have made in the programme for Government, arrangements are currently being finalised for an enterprise audit to review the use of existing and redundant agricultural buildings and manufacturing plants in rural areas and IDA Ireland is fully co-operating with this initiative.

Deputy Damien English: I am concerned not only with premises owned by the IDA but also those owned by companies such as NEC in Ballivor, County Meath. If a large company departs from a small village, as almost happened in Westmeath recently, the rural area loses its heart. Apart from the jobs in the company itself, other jobs are also affected such as those in smaller businesses, the service industry, the post office and shops. What is the drive to replace these jobs?

I accept that the marketing strategy of the IDA must focus on large towns and large industrial parks. However, where an existing premises exists with a history of having jobs located there does the Minister envisage changes whereby such gaps are filled first? The Minister stated action is taken in conjunction with county councils and enterprise boards. I can only speak from my experience in County Meath, and I will not claim it happens everywhere else, but I fear we have a lack of focus on the empty buildings and the county councils, enterprise boards or the IDA do not take on trying to fill them. They seem to fall between stools and remain empty for a number of years. I am concerned this happens across the board. I do not want to be local. Nationally, is there a drive to fill them first?

Deputy Micheál Martin: Yes, but obviously it depends on the owner of the building and the objectives he or she may have for the building.

Deputy Damien English: I accept that.

Deputy Micheál Martin: In some instances, the owner is co-operative and constructive. If this is so, the agencies will work with the county council to preserve the employment zoning such a building enjoys, which is critical. The IDA or Enterprise Ireland, county enterprise boards and county councils will work together to ensure economic activity can be retained in a particular building or facility. The IDA markets such buildings and facilities and sometimes do so in partnership with the owner. However, the owner must indicate to the IDA that he or she does not have other plans.

If a similar enterprise can be placed in a ready-made facility it can help in the overall drive to bring investment to an area. In other words, if it can be shown that a facility exists and suggested that it can meet the needs of a company with a small amount of adaptation, that can help sometimes although not all of the time. Sometimes the larger buildings are bought by a developer who transforms them into a business park for small business units. This is also acceptable if it keeps the location as a magnet for employment in the region.

Deputy Willie Penrose: Will the Minister take steps to accelerate the carrying out of an audit of these buildings? A significant number of them exist throughout Ireland. Where a disaster happens from a jobs perspective in an area surely a major selling point, apart from the expertise of the skilled workforce which can be retrained under the new upskilling programme, is the availability of a building. This is of paramount importance in seeking to secure alternative employment and industry for an area.

Will the Minister also ensure that where the IDA has control of an area it works with the local authority to enable it to work with individuals and entrepreneurs by providing land for small incubator units? These could provide five to ten jobs. I come from a rural area and the future of rural areas will be dependent on the provision of large numbers of significant small industries. While we should continue to pursue the objective of attracting 200, 300 or 400 jobs to a rural area it may not be as feasible as it was. We must recognise this. In terms of rural locations small is also beautiful.

Deputy Micheál Martin: I agree with the Deputy and I will work to obtain the audit which is under the remit of the Department of Community, Rural and Gaeltacht Affairs which initiated the idea. We are anxious to co-operate with it and it would be useful. Deputy Penrose is correct to state that property solutions and facilities are important. It is part of the jigsaw which brings investment to a location.

County councils have been involved in many of Enterprise Ireland's community enterprise programme centres through funding or providing the greenfield sites where the centres are built. They have become important centres of incubation. In places such as Mallow and Carlow, I notice county councils are working with local interests on how to turn the Greencore facilities into new economic opportunities.

Deputy Penrose is correct that we should create the facilities to enable the indigenous sector to obtain good quality facilities and business. This is critical and I impress it on county managers. Some are more proactive than others on this agenda. It makes a difference because indigenous companies are growing. People starting off in one location might need to expand and might need a newer facility.

Deputy Leo Varadkar: In general, is the Minister satisfied with the way the IDA manages its property portfolio? Without talking about the large land banks, and I accept it must have some land banks, in January I received figures from the IDA stating that 42% of its properties were vacant, including in the Airways Industrial Estate and on Gardiner Street in Dublin. In recent days, I also obtained figures from the Minister to show that approximately 40 IDA properties and buildings have been vacant for more than five years, 20 of which are leased from a private owner and have been vacant for five to ten years. One property leased from a private owner has been vacant for more than ten years.

If I were in the Minister's job, in my first week I would call the IDA to establish why the hell it spends large amounts of money renting buildings from private landlords to leave them vacant for five, six or even 11 years. The Minister must ask the IDA what is going on. Does the Minister have confidence in how the IDA manages its property portfolio?

Deputy Micheál Martin: It is 40% of a much reduced number. Since 1998, the number of properties has been reduced from 523 to 164, which is a drop of 69%. The IDA has had a progressive and dramatic divesting of properties. That said, that any property would lie vacant for more than five years is not satisfactory. I remember on the previous occasion we discussed this I made the point about a location in Carlow which was idle for three years prior to the arrival there of Merck, Sharp and Dohme. We must have patience in respect of quality parks. However, I acknowledge some of these are not in this vein.

Generally speaking, the policy is to have strategic land sites, such as Athenry and Oranmore. In the south east and north east, the IDA is developing land sites that facilitate the type of strategic industries it is seeking and has sold off a whole range of small plots and units. The money earned from the sale of these small plots and units was used to fund the strategic sites initiative.

Deputy Leo Varadkar: I would be interested to hear who are the landlords; it would make interesting reading.

Deputy Micheál Martin: The Deputy will not be able to get that information.

Company Closures.

7. **Deputy Damien English** asked the Minister for Enterprise, Trade and Employment the nature of the negotiations between his Department and the parties involved in the Iralco factory difficulties; and if he will make a statement on the matter. [16707/08]

58. **Deputy Joe Costello** asked the Minister for Enterprise, Trade and Employment the contacts his Department has had with the receiver (details supplied) in County Westmeath; if he has satisfied himself that all appropriate steps are being taken to ensure the retention of the maximum possible number of jobs at the plant; and if he will make a statement on the matter. [16550/08]

Deputy Micheál Martin: I propose to take Questions Nos. 7 and 58 together.

On Monday, 12 April Iralco issued a press statement to the effect that liquidators had been appointed to the company. The company had indicated previously to the IDA that jobs were at risk if specific industrial relations issues in respect of pay increases could not be resolved. Extra funding was also needed to proceed with the investment the company had planned in the Ukraine, which was crucial to the future of the Irish operation.

Prior to the company announcement, IDA had been engaging with the company and had offered to assist by lending its support to resolve the industrial relations situation through

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discussions with the union and shareholders. IDA had also confirmed to the company that it would look at support for training, consultancy and research and development based on its future business plan in Collinstown. IDA offered to assist if the company decided to seek investment from equity or industrial partners and to work with Enterprise Ireland in the case of an indigenous shareholding investment.

I have been in direct contact with the company and the trade union and have reiterated that the Government agencies remain available and willing to provide any assistance or to take any steps possible to ensure the company remains in production on terms satisfactory to the management, unions and employees. Following talks between Iralco workers, management and the liquidators which concluded on 20 April, staff returned to work on Monday, 21 April on the basis of an order book for the next six months.

The efforts of the agencies have and will continue to be geared towards saving as many jobs as possible including providing any possible assistance in the event of a take-over or management buy-out option. I assure the Deputy that IDA Ireland is in ongoing contact with the company and will continue to work very closely with its representatives during this challenging period.

Deputy Damien English: I thank the Minister for his reply. The Minister of State, Deputy Kelleher, in response to a Private Notice Question on this matter gave us a great deal of information in respect of what was being done by Government through the IDA. I am happy with the efforts made in this regard.

The announcement by the company of its intention to close was very sudden. Despite offers of assistance and ongoing negotiations, the company opted to close. Previous to this the company was predicting a bright future despite staff issues. Were any of the offers made accepted? The IDA was brought in in respect of employment negotiations. Did these negotiations take place? I accept every effort was made on the Government side. Did the company tap into any of the offers made? Does the Minister believe it will engage in negotiations to save the company?

Deputy Micheál Martin: I am always reluctant to go into the detail of discussions between companies, agencies and so on.

Deputy Damien English: I accept that.

Deputy Micheál Martin: There is a key issue involved in respect of industrial relations. The Deputy is correct that the decision to go into liquidation was sudden and not anticipated. The one general observation I would make in situations like this — I have had experience of a few such situations where we have managed to intervene — is that there are challenges involved for all parties concerned. The ultimate consideration of preserving and protecting jobs should reign supreme. All efforts of mediation should be exhausted in finding a resolution.

People on all sides have perhaps learned from this scenario. I hope we can put together the wherewithal to ensure the continued survival of the company and its capacity to provide employment in the midlands, an area which does not enjoy huge employment opportunities. Iralco is a significant employer in this area. The offers which seek to form part of the resolution remain on the table.

Deputy Willie Penrose: I thank the Minister for his reply and thank also the Minister of State, Deputy Billy Kelleher, who was helpful and forthcoming during our discussions on the Private Notice Question.

I compliment the liquidators, Mr. McStay, Mr. Rogers, Mr. Bolger, Mr. Kenny and all involved in this matter. Everybody has put their shoulder to the wheel and we now have a window of opportunity of six months. I accept it was a matter for the company to opt to go into liquidation rather than examinership. I was surprised by this decision as were some of the workforce. Thankfully, the situation has been unscrambled and an opportunity now exists for the company to be sold as a going concern to ensure the maximum number of jobs, if not all, are protected.

Did the IDA, which I know was working closely with this company, receive from the company in the 48 to 72 hours prior to its announcement any signal it was going to close bearing in mind the far-reaching effects this would have on employees? The company had a full order book which would have ensured its operation for some time. There may be industrial relations issues to be resolved but employees have not received a pay increase since 2005. It is hoped all of these matters can be addressed now.

In the experience of the Department, was it unusual that this company announced its intention to close without providing it with 48 hours notice in this regard?

Deputy Micheál Martin: Obviously, I have had discussions with the IDA officials directly involved in the case.

Deputy Willie Penrose: They worked hard.

Deputy Micheál Martin: The Deputy's assessment is fair. We would have preferred a further opportunity to explore avenues to resolve the issues prior to the company going into liquidation. However, now is not the time to be judgmental. We must try to move forward and create a new atmosphere.

In regard to companies in the manufacturing sector, I have come across a number of cases during the past few years wherein the overall industrial relations background — this reflects the position on both sides — was difficult in terms of communication and understanding. This type of situation allows problems to build up to an extent wherein an eleventh hour scenario is reached, trust breaks down and the situation becomes adversarial. We intervened in a number of cases because we received prior notice of the situation. Senior trade union officials often seek to resolve issues with management and owners of companies.

I have asked the manufacturing forum to consider such issues. We face enough global challenges without shooting ourselves in the foot. I hope we can move forward in terms of assisting and supporting the ongoing development of the company concerned. The company is in a competitive space globally and has a bright future which we are anxious to support.

Industrial Development.

8. **Deputy Denis Naughten** asked the Minister for Enterprise, Trade and Employment the steps he is taking to support enterprise development in the midland and western regions; and if he will make a statement on the matter. [11856/08]

Deputy Micheál Martin: The indigenous enterprise development agencies under my remit, Enterprise Ireland and the county enterprise boards, have a clear and unequivocal mandate to develop enterprise in all regions. As in the other regions, their activity in the midlands and western regions has been successful to date.

Enterprise Ireland has a wide range of programmes to address the multidisciplinary demands of entrepreneurship and the diversity of business types. For example, it supports companies to achieve productivity gains, internationalisation, export growth and achievement of scale. It

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assists with research and development, management skills acquisition, market information and seed and venture capital. It also address micro business with support for incubation space in communities. Enterprise Ireland works with almost 490 client companies in the west region which employ 11,693 people. In 2007, €14.8 million was approved by Enterprise Ireland for clients in the west region. In the midlands, Enterprise Ireland works with over 300 client companies which employ more than 9,900 people. In 2007 approvals for midlands clients was over €7.5 million.

The role of the county and city enterprise boards in the midland and western region is to provide a source of support for micro-enterprise in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate economic activity and entrepreneurship at local level. The specific types of formal CEB assistance available to micro-enterprise is broken down between financial assistance such as grants for feasibility studies, employment grants and capital grants and non-financial assistance such as programmes covering business management, mentoring, e-commerce, enterprise education and women in business networks.

During 2007 the midland region CEBs, composed of Longford, Westmeath, Laois and Offaly paid out over €1.48 million in grant assistance to 109 clients. This intervention has assisted in the creation of 236 jobs in the region. The CEBs in the western region, comprising Galway, Mayo and Roscommon have paid out over €1.11 million in grant assistance to 104 clients, which in turn, has enabled the creation of 328 jobs in the area.

During 2008 the CEBs in the midlands and western region will continue to support enterprise development through the provision of both direct financial assistance, in the form of capital, feasibility and employment grants, and through indirect or soft support assistance such as management development capability support and the development and delivery of activities to highlight and promote enterprise.

IDA Ireland is also supporting enterprise development in the region through its ongoing strategy of growing and embedding foreign direct investment activity. The agency is encouraging its client companies to add strategic functions to its Irish operations in areas such as research and development and marketing. There are opportunities here for indigenous companies in the areas of sub-supply and service provision.

Deputy Damien English: Apart from the creation of new jobs and development of new enterprises it is important to maintain existing jobs. There is a fear in the midlands and in the north of County Meath that many factories are beginning to lose two or three jobs. Where there were 15 or 20 employees in a company a small percentage, especially in the area of exports, are beginning to lose jobs. In sustaining jobs I ask that the agencies link in with those factors to prevent the loss of employment.

At a recent meeting with FÁS, I was told of a skilled workforce in a certain factory which has no particular qualification or certification but has been doing the same job for 20 or 30 years. It is trying to find a way to give them a certificate or to acknowledge their skills. I ask the Minister to encourage and fast-track that initiative if at all possible so that if certain jobs are lost the workforce leave with a certifiable skill that can help them get another job in the future and can also be used to help attract new industry when one sees a list of people with certain skills.

Deputy Micheál Martin: I agree with the view on experiential learning. The agenda of translating a person's experience in the workplace into a qualification is with the national qualifications framework, FETAC and HETAC, with a view to developing a template by which one

enable somebody who wanted to start a particular programme to get credit for their experience in industry or in services. That is an issue about which I am enthusiastic since I was Minister for Education and Science many years ago. I was involved in setting up the national qualifications framework and in putting the legislation through. At that time I envisaged that the whole area of experiential learning would be accommodated. I am concerned at the pace at which it is progressing. There are complexities attached to it but it is important. Our emphasis on skills development is on the workers in existing enterprises. The 500,000 people we have identified in the national skills challenge, to which Deputy Penrose alluded earlier, are all workers. We have to incentive people to go on programmes to upskill themselves. The value of their experiences is useful in this context.

The dairy investment fund had a good impact on the midlands. Under the dairy investment fund which is managed by Enterprise Ireland and announced by the Minister for Agriculture, Fisheries and Food, Deputy Mary Coughlan with European funding, Glenisk Limited in the midlands was awarded €3.1 million and €8 million for an organic yoghurt and milk project. If one goes into the self-service restaurant one will see its products proudly displayed. I recommend them to all concerned. Projects such as this did very well out of the dairy investment fund.

I was in the US last week and it was fantastic to hear what a company such as Boston Scientific had to say about the workforce in Galway and the degree to which the technology developed there impacted on its global performance. There is a great deal of strong technology in industry in the west and in the midlands, for example, in Athlone, in pharmaceuticals and life sciences. In respect of SISCO's recent announcement in Galway there are 200 highly qualified research and development people. There are a lot of positives there.

Deputy Willie Penrose: I thank the Minister. I want to advocate Kellys organic production of similar products in Ladestown, Mullingar.

Deputy Micheál Martin: I will have to head back to Mitchelstown.

Deputy Willie Penrose: We should recognise somebody who have started off small as Gerry Kelly and his wife, Mary, have. That is very important because they provide employment in that area and utilise a natural resource. We should encourage jobs in that particular area. I hope the Minister will not be found wanting.

In the Athlone, Tullamore and Mullingar, ATM, region, Mullingar is the principal town, irrespective of future events.

Deputy Micheál Martin: Senator Cassidy is in the US.

Deputy Willie Penrose: I do not know what he is doing there. Those are the important towns. I appreciate we are marketing them as a triangle and I advocate that is the way to proceed. Will the Minister give a solemn commitment that he, Enterprise Ireland and the IDA will leave no stone unturned to ensure that a positive development takes place in Mullingar in a 70 acre industrial park which is well developed and geographically centred? While we have good access what is important for the people the Minister spoke with in the US is that an airport is located near at hand. I know that one has been mentioned for Horseleap which is on the Longford-Offaly border. I hope that happens. One of the disappointments is that the former Taoiseach, Albert Reynolds, did not develop Abbeyshrule, on the Westmeath-Longford border. Does the Minister agree that is critical in the context of developing the ATM region?

Deputy Micheál Martin: I certainly do. We were digging the sod in that business park which is a significant one in Mullingar.

Deputy Willie Penrose: Yes.

Deputy Micheál Martin: There is no reason to develop it unless we fill it. I will use the comparison I used earlier with Carlow and other areas. That the facility is being put in place is a reflection of the IDA's commitment to market it. It is the triangular marketing of the region that says to a multinational that if one locates in Mullingar one has access to the population base in the region of approximately 400,000 people.

Deputy Willie Penrose: For technology graduates and so on.

Deputy Micheál Martin: Exactly. Enterprise Ireland recently announced a €50 million development for the institutes of technology — equipment grants and grants for the incubation centres — to facilitate business development and incubation to provide added capacity to help companies to start up. The institutes are located regionally. The idea behind that is to give a stronger regional focus to enterprise development among Irish-owned companies. I agree wholeheartedly with the Deputy's perspective on this issue.

Departmental Agencies.

9. **Deputy Joe Carey** asked the Minister for Enterprise, Trade and Employment if his Department will complete an efficiency review and audit of all State agencies and bodies under the responsibility of his Department; if he has plans to merge or abolish any State agencies or bodies; and if he will make a statement on the matter. [16703/08]

Deputy Micheál Martin: In accordance with the initiative announced by the Tánaiste and Minister for Finance in his 2008 budget speech, my Department carried out an efficiency review earlier this year which encompassed the Department, its offices, agencies and associated bodies.

The efficiency review for my Department will be considered by the Government, along with similar exercises carried out by all other Departments. The overall objective of the exercise is to achieve efficiencies which will reduce the cost of the delivery of public services and achieve greater value for money. It would be premature to comment on the specifics of my Department's efficiency review in advance of a full consideration of the overall exercise by the Government.

The current efficiency review must also be seen in the context of ongoing efficiencies which have been initiated by my Department and its agencies over a long number of years. My Department and its agencies have a proven record of proactively seeking to achieve efficiencies and finding better ways to deliver services to clients. These actions have included, where appropriate, the

rationalisation of agencies to eliminate duplication and provide a more strategic focus to service delivery. The establishment of Enterprise Ireland as a single dedicated agency to promote indigenous industry is a case in point. This merger brought together Forbairt, An Bord Tráchtála and the services to business function of FÁS.

Deputy Leo Varadkar: I am amused at the Government's newfound interest in efficiency. Everyone knows my view on this issue and the extent to which the Government has been a proliferator of State agencies has been phenomenal. There are nearly 1,000 such agencies. One of the worst offenders is the Department of Enterprise, Trade and Employment which has almost 100. I doubt the sincerity of the Government's new-found interest given that the legislative programme features 19 Bills which will establish 17 new agencies, extend the power of five

agencies and allow one agency to establish a sub-agency. Much of what the Tánaiste says is bluster and of no substance.

A number of departmental agencies — the National Employment Rights Authority, NERA, Rights Commissioners, Equality Tribunal and Equality Authority — have a role in the area of employment law compliance. Is there not a case for establishing a single pathway for employment law compliance? Could we not take action on training given that six organisations are involved in this area? The figure is 41 if one includes the city and county enterprise boards which award training grants. Is there not also a case for consolidation in the awarding of grants for alternative energy, which is done by Sustainable Energy Ireland, the Environmental Protection Agency and Science Foundation Ireland? There is considerable potential for achieving efficiencies in these areas.

Does the Minister agree that the establishment of NERA and the National Consumer Agency was a knee-jerk reaction to the scandal involving Gama Construction Limited and the “Rip-Off Republic” television series by Mr. Eddie Hobbs? What was really needed was the appointment of a substantial number of labour inspectors. The establishment of a quango, with a board, website and headquarters, will not necessarily achieve the desired objective. If sufficient inspectors had been in place, it would not have been necessary to spend a fortune on a new agency.

This argument also applies in the area of consumers. If the Director of Corporate Enforcement was properly resourced and empowered, we would need a massive new agency with a large number of board members who incur substantial expenses. There is little evidence to show the establishment of the National Consumer Agency has reduced prices or improved conditions for consumers.

Deputy Micheál Martin: The Deputy’s predecessor as Fine Gael spokesperson on enterprise, trade and employment attacked my predecessor and me for what he claimed was our delay and prevarication in establishing a national consumer agency.

Deputy Leo Varadkar: We called for the appointment of a consumer enforcer, not the establishment of a quango full of the Minister’s appointees.

Deputy Micheál Martin: When we introduced the relevant legislation the Deputy’s predecessor said it was about time, only to oppose it later. Even in the context of NERA and Gama Construction Limited, we heard cries from the other side that we needed——

Deputy Leo Varadkar: The Minister is in Government.

Deputy Micheál Martin: I will return to the issue of the Government’s role. The cries were not only for a greater number of inspectors but also for sufficient legal capacity to take on unscrupulous employers who exploit workers. This requirement could not be satisfied by appointing additional inspectors without legal context or proper capacity to take on such employers in the courts. The Deputy will recall that our first attempts to address the problem with Gama Construction ended in the Supreme Court, where the matter has not yet been resolved, because we could not publish a report under the existing legal framework. It was for this reason that the legislative template had to change.

The Government adopted a constructive approach based on partnership with the social partners because it emanated from the social partnership agenda. While it remains within the aegis of the Department, it is a separate stand-alone approach which has sufficient focus to ensure compliance with employment law. It was done in a good, informative manner from a policy perspective.

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The Government's approach to the consumer issue emerged from the consumer strategy group. It was not a response to the series of programmes by Mr. Eddie Hobbs but was well advanced prior to its broadcast, as anyone who reviewed the sequence of events would discover.

On labour law, I ask the Deputy to consider the number of strikes we had in the 1970s, review the performance of the Labour Court and Labour Relations Commission and assess the current status in terms of industrial conflict and the reduced number of strikes. The performance has been phenomenal.

While some agencies work well, there is scope for others to amalgamate. Why were the county enterprise boards established more than a decade ago in a policy initiative taken by the then Taoiseach, Mr. Reynolds? The reason was that people on the ground believed the larger agencies had no interest in minor enterprises of the type we discussed a few moments ago.

Deputy Leo Varadkar: The county enterprise boards and development boards could easily be amalgamated.

Deputy Willie Penrose: The main problem with the large number of agencies is that Members cannot obtain a reply from the relevant line Minister when we raise an issue in the House. In other words, no one is accountable to the people or their representatives.

It is not feasible to abolish some State agencies. Bodies such as NERA are essential if we are to pursue those who do not comply with the law. While I accept there is duplication among certain agencies and it will be necessary to focus our attention on this issue, the main problem is the lack of accountability to the Oireachtas.

Deputy Micheál Martin: I accept the need for reform to make State agencies more accountable to the Legislature, through the relevant Minister. The OECD report makes an important point on the need for greater connectiveness in the wider public service, Civil Service, political system and, ultimately, Parliament.

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 Joe Costello — the need to update the Misuse of Drugs Act 1977 to ensure multiple sclerosis patients can avail of the best treatment under medical prescription; (2) Deputy Denis Naughten — the need for the Minister for Health and Children to outline her plans for the provision of acute medical and surgical care of the people of counties Roscommon, Galway, Westmeath, Longford, Leitrim and Offaly, following the HSE decision to close the inpatient surgery and accident departments at Roscommon County Hospital and transfer them to Portiuncula Hospital, Ballinasloe, on an interim basis; (3) Deputy Willie Penrose — the need to ensure progress on the new school building for Athlone community college; (4) Deputy Pat Breen — the exclusion of the air navigation transport pre-clearance Bill from the Government's legislative programme for the summer session 2008 and the urgent need for the Minister for Transport to have the heads of the Bill approved by Government as the delay in proceeding with this project is placing Shannon Airport at a serious disadvantage; (5) Deputy Fergus O'Dowd — to discuss the OECD report in relation to the health reform plan for hospitals in the north east; (6) Deputies Martin Ferris and P. J. Sheehan — the scale of illegal fishing by non-Irish vessels in Irish waters; (7) Deputy Ciarán Lynch — the construction of a new national school at Ballygarvan, County Cork; (8) Deputy Olwyn Enright — the need to provide perma-

ment school accommodation for a Gaelscoil in Portlaoise; and (9) Deputy Jimmy Deenihan — the closure of Tralee refugee support services drop-in centre, 7 Ashe Street, Tralee, County Kerry, because of the failure of the Office of the Minister for Integration to approve the necessary funding to continue the very essential services provided by the centre, mostly on a voluntary basis.

The matters raised by Deputies Martin Ferris and P. J. Sheehan, Willie Penrose, Ciarán Lynch and Olwyn Enright have been selected for discussion.

Student Support Bill 2008: Second Stage (Resumed).

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

Deputy Pat Breen: The House is almost empty. I had expected that many people would follow proceedings on the Internet but, unfortunately, other events in Washington will take precedence.

Before the debate adjourned I was discussing the cost of living for students, particularly accommodation costs. I also referred to my sons who have completed primary, secondary and third level education. Before entering the Chamber, I attended a meeting with representatives of the Union of Students of Ireland who made three key points.

The Minister for the Environment, Heritage and Local Government, Deputy John Gormley, was due to establish a student accommodation task force today but failed to do so. I urge the Minister of State at the Department of Education and Science, Deputy Seán Haughey, to exert pressure on the Minister for the Environment, Heritage and Local Government to proceed with this important step.

Students are living in very poor accommodation for which they pay prices of up to €700 in Dublin. This makes a mockery of the grant which is only €3,420. Even in Limerick, accommodation in some areas is very poor, particularly in the vicinity of University College Limerick. Many students live in run-down, old-style houses, paying rents to faceless agents working on behalf of absentee landlords who will not invest in upgrading the accommodation. The attitude of these landlords is that any accommodation will do for students. Despite this, students also have problems having their deposits returned at the end of the year because landlords claim that damage has been done to their properties. Clearly, students must take the blame when damage is done.

I hope a large number of Deputies and Senators will meet the USI representatives who are lobbying the Oireachtas today. The USI has been demanding action on the accommodation issue for some time. The problem must be resolved before enrolment in September. For this reason, the Minister must establish a student accommodation task force as soon as possible.

The issue of part-time students is not addressed in the Bill. In the United Kingdom, students studying part-time higher education courses may apply for non-repayable grants to cover tuition fees and other course-related costs. Many of those who decided to abandon their education in the middle of the Celtic tiger boom want to return to education. With the construction industry in decline, many workers in the sector have lost their jobs and wish to return to education. It is a pity funding is not available for this purpose because we must ensure this group is able to return to education. These people will have to be educated. That is very important. Fine Gael also proposed that the national training fund, NTF, be used to introduce a scheme for individuals who have not already benefited from higher education to pay for courses in higher education institutions taken on a part-time basis.

I want to address an issue in my constituency related to a third level college for Ennis. Much has been said on that over the past number of years. County Clare is expanding rapidly. We

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will have a railway line all the way from the west, particularly from Galway and Mayo, to Ennis and on to Limerick and Cork. Instead of students going to the various third level institutions, it would be nice if students could stay at home and attend a third level college in Ennis. The town of Ennis is an ideal location. The region has experienced a decline and it would be good to have a shift to the west rather than the east. The Shannon area is a key area for attracting new foreign investment and the supply of graduates. There is inadequate funding in education. Primary and secondary education is seriously underfunded. We have all put down parliamentary questions and made representations to Ministers on our primary and secondary schools. A long list of schools in County Clare need urgent facilities and buildings. There is also a problem in our third level colleges, which are underfunded. This threatens to interfere with quality and there is a significant case for investment. This was brought to my attention by the students today. There are outdated buildings, the libraries are understocked and classrooms are overcrowded. This must be addressed.

The students stated that Ireland's spend on third level education is below the OECD average as a proportion of GDP. While the Government provided €184 million for third level infrastructure in the 2008 budget, it is doubtful that this is sufficient to keep pace with third level college funding requirements after years of underfunding in the sector. This must be examined. With manufacturing industry moving out of Ireland we must always produce graduates who will meet the technology demands for modern industry.

The independent appeals board is part of this Bill and I welcome it. It is a good idea. We have all had cases in our constituencies of students who have been turned down for third level grants and have gone to appeal. In some cases they have been successful. I had a case of a constituent with learning difficulties who wanted to do a repeat course at third level and was deemed ineligible for the grant. Thankfully, he came out well from it but many students do not. Any decisions by the independent appeals board should be fair and equitable. That is very important for an appeals board.

I again welcome the Bill. I hope it goes quickly through the various Stages of the House and that it will come into place for the academic year of 2009-10. It will go some way towards helping students but much more is to be done, particularly on the grant, which is a maximum of €3,420, to deal with the high cost of accommodation. However, overall, I welcome and commend the Bill.

Deputy Terence Flanagan: I, too, welcome the opportunity to contribute to this debate on the Student Support Bill. It is long overdue legislation and a very welcome first step in the right direction. The Student Support Bill is due to come into effect from the next academic year, 2009-10, assuming the legislation is passed before the summer recess, which I sincerely hope happens. Under the existing system students are required to apply for grants through their local authorities and VECs. For years, many students have faced anxious waits to receive their grant payments, despite how small they are and have requested that grants in different counties be received at the same time, but there has been discrimination in the system. Students in some counties received their grants earlier than in others.

The current system consists of 66 bodies which dispense the grants, but this Bill will halve this number to 33. While I welcome this, we need to move towards a more centralised system to deal with the administration of grants, which will help us achieve economies of scale and maximum efficiencies. The Minister for Education and Science has stated that as a result of this Bill grants will be paid at a more timely rate and that long delays will become a thing of the past. This sounds very good and I hope the timeframes proposed on receipts of grants will be implemented. I still believe with the 33 VECs we will not achieve the maximum efficiency

we want to achieve with this type of payment system. We should move ahead as soon as possible towards a fully centralised system.

Can the Minister guarantee that under the proposed new system all students will receive their grants in the same week? We are talking about 57,000 grant payments and there is investment of €5 million in a new computer system to make this happen. Confirmation that this will happen would be greatly appreciated. The current application form for a grant is long and complicated and I am glad a more simplified form will be introduced.

I also welcome the creation of an independent appeals body which will for the first time make it possible for students to appeal if they do not receive their grant. However, the waiting period of 45 days regarding a financial matter for a student is too long so we need to reduce that to 15 days, or 30 days at the very maximum. Many students are totally dependent and reliant on their grants. Despite how small the grant is, they need this money. I would like to see the timeframe for appeals pulled back. I note that 55 more staff will be required in the VECs to administer the grant scheme, yet 90 staff will no longer be needed at local authority level. What will happen with those staff? Where will they be redeployed?

Last July, the grant increased to €3,420 per annum. While most people would welcome an increase in the grant, it is a small amount in the first place. For anybody living in Dublin and having to pay rental income of at least €500 per month before bills and food, the money does not last long. In my constituency, Dublin North-East, I receive complaints about the length of time it takes to process the grants, the amount of red tape involved and the fact that the grant is too low and does not cover living expenses. Students have to take up part-time employment to cover their college expenses and that should not be the case.

The Union of Students in Ireland lobbied Deputies and Senators today and raised points such as the shortage of affordable rented accommodation for students, particularly in Dublin. We need to consider accommodation. There was a proposal that the Minister for the Environment, Heritage and Local Government set up a student accommodation task force. We on this side of the House would like to see that happen. There is a lack of high-quality accommodation for students. Affordable high-quality accommodation is the issue.

With regard to the standard of college education over the last number of years, investment has certainly decreased and if it were not for the likes of philanthropists such as Chuck Feeney our universities would be even further behind. I welcome this Bill and hope it will be passed before the summer recess. There is a lot done but there is certainly a lot more to do.

Deputy M. J. Nolan: I welcome the opportunity to speak on this Bill, which has been a long time coming and is welcome. It may be a little late but it is important that it is now being debated in the House. I hope it will receive a swift passage through the Houses. I note from the contributions of previous speakers that the Bill appears to be receiving cross-party support, which is good because it is important legislation.

The Bill updates the current legislation on student grants. There are currently 66 bodies dealing with student applications for maintenance grants and the system has become unwieldy. Many families and individual students become confused, as they finish secondary school and think about moving on to third level education, by the amount of form-filling involved and the number of different bodies from which they must obtain information. It is to the credit of the Minister for Education and Science that the procedure is now being streamlined. When the legislation is passed and the regulations are published, the 33 city and county VECs will administer the scheme.

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Since its introduction, the grant scheme has been successful in ensuring the vast majority of our young people have the opportunity to attend third level education, be it an institute of technology or a university. The Bill will be generally welcomed because it will ensure we have an efficient and customer-friendly grant scheme and that individual families, particularly families without a history of attendance at third level education, are encouraged and assisted in allowing their children to continue their education.

The success of this economy over the last 20 years has been due in part, although not solely, to the fact that we have a well educated young workforce. This is attested to by the number of foreign direct investment businesses in the country. At a time when the economy is slowing down, not just in this country but worldwide, we will probably have to invest more in further education and in ensuring the percentage of second level students who go on to third level increases significantly. We have seen the flight of jobs — particularly low-paid, unskilled jobs — from our country to third world and other developing countries.

The commitment in the last programme for Government to provide for grant payment through a unified scheme was positive and will be followed through. In the first major modernisation of the grant scheme since the introduction of the Local Authorities (Higher Education Grants) Act 1968, this legislation goes a long way in providing for more efficient arrangements and ensuring that grant applications will be considered within a reasonable time frame and in a more transparent manner. Students who apply for grants will know that they will have their decisions within a certain time and, having received a positive decision, they will receive their payments on a regular basis. I know from experience that students are currently concerned because their grants are not arriving on time. This causes anxiety to students who are waiting for their grant to arrive on a certain day. It is important that the Minister, by regulation as provided for in the Bill, ensures this happens. The publication of the Bill marks a milestone in this process and will make a significant contribution to greater equality of access for students who wish to move on to higher education. The Union of Students in Ireland has made a strong case in promoting this Bill and I know its members are glad to see it is finally being discussed.

The legislation will bring clarity to the process of applying for higher education grants. We should not let the occasion go without acknowledging the role played by local authorities in processing grant applications to date. I can only speak personally, but the sympathetic consideration given by the local authority to families in my area of County Carlow is to be commended. There is a genuine willingness on the part of individual members of local authorities to accommodate families they know on a personal basis would experience hardship, in the absence of a grant, in ensuring their children go to college. I saw recently that the cost of keeping a student in college for a year is between €7,000 and €8,000. That is an average cost, but it can be higher depending on where the student goes to college.

This brings me to the question of student accommodation. I know anecdotally that this year great difficulties were experienced by some students in finding accommodation in Dublin, Cork and Galway. These places seem to be the hotspots when it comes to student accommodation. There are a number of reasons for this. Many landlords are now moving out of the student accommodation market and looking for more sustainable tenants who will be there on a 12-month basis rather than for eight or nine months. This is causing much hardship. In addition, rent for student accommodation has increased significantly over the last two and a half years. Perhaps now that there is a glut of accommodation, as we are told, rents may stabilise somewhat. However, accommodation will continue to be a problem in certain areas. While this may not be an educational matter, it is something the Department of the Environment, Heritage and Local Government may consider. The Minister for the Environment, Heritage and Local

Government is aware of this problem and is attempting to sort something out in this regard. I hope it will happen sooner rather than later.

Financial barriers have long been recognised as a major difficulty for many students who wish to go on to third level education. The increases in maintenance grants over recent years have made the third level option more affordable for a large number of students and their families. In approving the higher increases in the special rate of maintenance grant, the Minister and the Government continue to further target that support at those most in need and those who should be encouraged most to go on to further education.

The main objective of further and third level access programmes and initiatives is to encourage more young people from disadvantaged areas and disadvantaged families to continue with education. It is an ongoing struggle. Teachers in secondary schools as far as possible encourage students with particular abilities and skills to maximise them at third level. While it is difficult because of economic or social reasons to get them all to third level, we have seen a significant improvement in the numbers and the percentage of students going on to third level, and I would like to see that percentage increased even further.

The Government's commitment to supporting high rates of participation in third level education at all levels of society will ensure that Ireland continues to attract and maintain investment in high quality jobs and that the fruits of the success of the economy over the past 20 years will continue. Now more than ever we must ensure our students and workers, and young workers in particular, have the skills and education to avail of the high-end jobs now coming to the country.

We have seen a fall-off in the bottom or mid-skilled jobs and for individuals to tap in and be part of that new breed of worker, they must avail of at least second level education and, more importantly, third level education. In that context, it is important we look at the role of the institutes of technology.

A debate has gone on recently on the application by some institutes of technology for university status. The Minister and the Department are to be commended for looking at the overall broad effect of upgrading or reclassifying any particular IT to university status on the basis of the impact it would have on the other third level institutes.

We must put on record the role the old regional technical colleges, now institutes of technology, have played in the economic success of the country. They were first set up in 1970 and we were fortunate that, following on Donogh O'Malley's famous free second level education announcement in 1968, we provided the resources and the funding for them. When it was difficult in the late 1960s and early 1970s for any Government to provide funding for a new expanded third level arena, we had new regional technical colleges to take up the slack of students who were coming on stream having got a secondary education. These students went on to third level education, went into the workforce and were available to take up the jobs we found in the 1980s and 1990s. The experience that those students received certainly contributed to the economic success of the country, but the question of university status for one IT or two must not be taken in isolation and must be considered in the broad context of the knock-on effect on the other institutes of technology.

While according to international best practice we have sufficient, if not too many, universities in this country, there is an important role for institutes of technology to play. Perhaps we should look at going down that road and putting more resources into them to ensure they produce the graduates needed for the new jobs coming on stream.

In view of the recent closures, and the 250 job losses announced yesterday by Dell which is unfortunately a sign of things to come, the Minister with the Minister for Enterprise, Trade and Employment must look seriously at the area of upskilling and reskilling. While perhaps

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we would have thought that the only role of the Minister was to take up the baton after students have finished their leaving certificate and go on to third level, there is a new area at which the Minister must look, namely, the reskilling of mature individuals who possibly left the education system at the age of 20, 21 or 22 and went into good jobs, but who find the skills and education now required are different. While these workers are still possibly in their mid-40s and have much to contribute to the economy, they will need assistance in upskilling or, in many cases, reskilling.

The Bill is a positive development which will be of major benefit to students in the education system. Currently, there are four grant schemes operated by 66 bodies and an important aspect of the new grant scheme is that it will be operated by one body, the VECs.

One aspect of it which disappoints me a little is the timescale of the legislation. The Minister reported that it will be the 2009-10 academic year before the new arrangements are put in place. While I would have liked to see that happen for the academic 2008-09, it will not be possible administratively because the Department is already in the process of getting ready for the grant schemes for the new academic year. That said, I note that arrangements are being made by the Department and by individual authorities and bodies involved to have in place the operation of this legislation for June, July or August 2009 and I wish them well in making such arrangements.

The provision of student loans, which is a feature on the international scene, is an area I ask the Minister to examine. I am aware of cases where families, even with the assistance of grants, are not in a financial position to allow their children go to third level. Great sacrifices are being made by families and I commend those involved for allowing their children participate in third level education when the individuals themselves have not had that opportunity. Even where sacrifices are being made by families, I have found that some students are unable to do a particular course because of the cost involved in going to the college concerned. Rural students, in particular, who do not have the opportunity of staying local to do a particular course, are obliged to go to colleges in Dublin, Cork, Galway and elsewhere, and due to economic circumstances find themselves going to third level colleges closer to home because that is affordable. I ask the Minister to look at approving loans that the Department could possibly guarantee and which would afford those students another grant option in the form of a top-up, which is successful in some other countries.

There are 56,000 students currently availing of further education in Ireland and a large majority of those are availing of higher education grants. It is an investment in the economy and I welcome anything we can do to encourage, promote and enhance that.

While this Bill is welcome, I ask the Minister, at the earliest opportunity, to produce and outline the regulations she proposes to announce so that families and individual students know exactly where they stand. It is a positive Bill and I commend the Government on bringing it forward.

Deputy Seán Sherlock: I will speak to some very specific points on the Bill. We welcome the Bill and the fact that a mechanism is being put in place to ensure a unified scheme to replace the existing schemes. This is long overdue. I will not repeat the points made here previously because there seems to be general agreement about the main thrust of the Bill. My experience, both as a student and as a public representative, has been one typified by frustration. For a student to go into the third semester without receiving any payment whatsoever was a sad indictment of the system of student supports as they existed in the mid-1990s. It is blatantly obvious that the system has not changed much since then, notwithstanding the best efforts of local authority officials, especially those in Cork County Council, and those in VECs, who probably expedited the applications as best they could.

The important point is that the whole system is to be streamlined. In welcoming the Bill, I still do not think that there should be discrimination under section 8 for those students who are attending private colleges. If a student's parents have the means which would deem the student eligible to be successful in getting a grant for an approved college as defined in the Bill, I do not see why such a student cannot avail of a grant to attend a private college as well. In other words, the grant should be paid on the basis of the student rather than the college. We are talking about a social mechanism that enhances the student's ability or lightens the burden as he or she goes through the education system. There should be no discrimination on the basis of choosing one college over another.

We have all been subject to the USI lobby and I welcome its address of the situation as it pertains to part-time students. As previous speakers outlined, we are now in a society and an economy that needs to retrain and upskill itself constantly. I would like to see a situation whereby if somebody is laid off or is forced into part-time work, that person could be deemed eligible for some student support if it means that the person is enhancing his or her prospects of getting back into the labour force. It is time that the traditional mechanisms that existed are reviewed so that we can take account of a more plural society whereby everything is not designated by a person's parents' income, whether the person is eligible for a back to education allowance or whether a person has been out of education for a number of years and is receiving social welfare payments. The system should also take cognisance of those people who have been working full time for a number of years but will suffer a serious loss of income by going back into full-time education. Such people need a degree of support as well. We must take into account the whole gamut of society, not just a few people.

I welcome the appeals mechanism because the current system has been very prescriptive in how it arrives at a decision. If a student is going to college and if there are mitigating circumstances relating to the financial outgoings of his or her parents, they should be taken into account. To make a decision based on the P60, P21 and P45 and without taking other factors into account is not good enough. There needs to be a certain degree of discretion and I hope that it works in favour of the student when using the appeals mechanism. Where the VEC deems that the student is worthy of the grant, it should err on the side of granting financial assistance. I have met people who, because they are a couple of hundred euro over the limit, have been completely washed out of the system. There are people on fixed incomes in this country who need that financial assistance, but who have found themselves outside the system and cannot afford to return to college. That may be an issue for which we need to look at the income limits, but we still need to examine it on an overall basis.

We generally support the Bill. We believe that it is time to look at part-time students. We need to encourage more people into the education system and the way to do that is not to make it prohibitively expensive for them to do so. We believe that the grant should follow the student and not necessarily the so-called approved institution, as it is labelled in the Bill. There has been a marked increase in the number of private institutions that are providing excellent courses that ultimately add value to society and to the economy. If a student decides that he or she wants to go to a private college, he or she should not suffer discrimination on the basis that it is not an approved institution.

Deputy Michael Ring: We are very lucky we have such a high standard of colleges in this country. It is very important that we keep the funding in place for our third level colleges. I encourage the business sector to get involved. In the past, that sector supported some colleges and there is nothing wrong with major businesses making funding available so that our students get the best opportunity when they go to those colleges. In the past ten years, people came back to work in this country and people did not emigrate. The day is ahead when more and

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more students who qualify in this country will be looking for work abroad. We must ensure they are educated and equipped to take up whatever challenges are there. We saw the job losses yesterday at Dell. This is a worrying development because we are talking about high-tech jobs and well trained people. In the past, one could walk from one job to another but that is not the situation now. It is important for us to keep with it in respect of education.

I am from a rural constituency in County Mayo, which has the highest number of people who have left the county and taken up third level education. I have seen parents in the past whose one wish was that their sons or daughters would get the opportunity to go to a third level college. I have seen parents work very hard on very low incomes to ensure their children got the opportunity they did not get.

I will deal first with the payment of grants. In recent years, parents have been sending their children to college in September. In some cases, these students only receive their grants in November, December or even the following year. There were 66 bodies dealing with this and that this number will be reduced to 33. I hope that the staff and resources will be put in place to ensure that the commitment given in this Bill that these students and their parents will get the grant aid in time is honoured. These people, particularly households with children going to primary, secondary or third level education, have many outgoings in September, October and November. In some cases, this puts great pressure on the household when it is waiting for the grant aid and trying to subsidise their child in respect of their accommodation, a subject I will address later. It is important that we get this right this time and that the staff are put in place. If staff had been put in place in local authorities and VECs, we would not be dealing with this Bill today. There is no point in passing this Bill if we do not provide the resources and staff and give institutions the manpower to ensure these grants are paid on time and dealt with as quickly as possible.

I am glad to see that in this Bill the Minister talks about streamlining application forms. One would nearly need a degree to fill out the application forms for a disabled person's grant in the local authority area in which I live. The same is true for the application forms in the case of special housing aid for the elderly. Why can we not simplify the system? There is only one issue at the end of the day and that boils down to finances. There is a ceiling in respect of these grants and if one exceeds it, one does not get the grant. There is no need to put people through hoops in respect of the kind of information they must obtain for Departments, local authorities and the HSE. It does not make sense. I hope the bodies will be given the resources and money and that students will have their grants paid on time.

Every year, I encounter a problem in respect of mature students applying for third level grants. Another category is now being caught, namely, young women with children who return to the education system. They do their leaving certificate, qualify for college and are tested. A recent case involved a girl who had been independent since she was 17. She had a baby when she was 19 and went back and did her leaving certificate. When she applied for her third level grant, her parents' income was taken into account. It is time to change this. This girl is a lone parent who was getting rent allowance and living on her own means. She had no real contact with her family because of certain problems. She was a person in her own right. That application could not be dealt with simply because the income of her father and mother had to be taken into account. That must be changed quickly.

It is important that we make it easy for this young girl and girls like her all over this country if they have a child and want to continue their education. It is important that we educate these people because it is far better to educate them and get them into the workplace than have them on social welfare for the rest of their lives. It is very important that we give them every opportunity, make life easier for them and give them the chance to get back into the workforce.

In respect of the guidelines and the cut-off point, not enough credence is given to a family that has more than one child in third level education. The guidelines should be massively increased. It is difficult enough for somebody with a good income to have one child in third level education. Over the years, I have seen families on very poor incomes with two or three children in third level education. The guidelines should be increased because there is not enough for parents who have two or three children in third level institutions. It is important the Department deals with that and changes the guidelines.

Up to 2007, if a person in a household earned over €18,000, they did not get the top-up grant. If one had ten or 12 children, the cut-off point was still €18,000. This must be looked at. The top-up grant is vital for people on low incomes, whatever hope they have, because they just do not have the resources and income. The top-up grant is a social welfare-related payment and it is important that it is looked at. It is important for us to give these people a chance to get their children into third level education, make it easier for them and try to help and support them. I hope the Government looks at this in respect of third level fees overall. It is very important because the grant does not really cover anything. It only supports people. Parents must find deposits and must help their children with food and transport costs when they travel to cities because the day when one could leave a student without money has passed. One cannot have students wandering the streets of Dublin or Galway. It is wrong that we are forcing parents and students to work to educate themselves.

There is a time to work and a time for education. If a student has the opportunity to be in third level education, all their time, resources and energy should be put into getting educated rather than being forced to go out to work to raise the necessary resources to keep them in third level institutions. It is time we looked at that.

I, like everybody else, was at the briefing with the Union of Students in Ireland. It is important that we have the necessary accommodation for students. We have seen "Prime Time" programmes on accommodation. It is very important that these children get the best accommodation because at the end of the day, they are paying very well for it. It is very important that the Government and the State provides as much student accommodation as possible. The union is looking for a recommendation in respect of setting up a student accommodation task force. The Government gave a commitment that it would do this and I hope it is done quickly because it is very important to ensure that we get the best accommodation we can. We have seen in the past and recent reports have shown that students in very bad accommodation can suffer from poor mental health. It is wrong that people trying to be educated should have to live in poor conditions. It is important that we get the best accommodation we can for them.

I welcome this Bill and hope it will be passed in the Dáil in the coming days. I hope it goes to Committee Stage, that it will be dealt with before the summer and that all its recommendations will be ready for next September. It is important that we support our third level institutions. It is important that they get the funding because without a well educated workforce and facilities to match universities all over the world, we have no chance. The people of this country have always been well educated. Having listened to the views of people involved in the educational sector in recent years, I understand we have fallen back a little in this respect. It is important the necessary funding is provided by Government and that the best people are in place to educate our young people.

Rather than those involved in big business investing in the racing industry and other such industries, they should support third level colleges with the provision of funding and assistance in whatever way possible, as it is in their interests and that of this country that we have a well educated workforce. I would like more companies to invest in disadvantaged areas, to identify areas where they could provide grant aid to support students to go to third level colleges, pay

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for their accommodation needs and whatever costs they incur in their college education. That is important. In that way, they would be doing a good job for society. They could consider investing in disadvantaged areas in Cork, Mayo, Dublin, Kerry and places where young people may not have the best opportunities.

I know students who attained the necessary points but did not have the necessary resources or support to go to third level college. That is wrong. If students have the brains and attain the necessary points, it should not be a matter of money that prevents them from going to college. They should be assisted. Companies should consider providing funding to colleges and supporting young people who need assistance to go to college. It is important that we have a well educated society for the future.

Deputy Dinny McGinley: Tá lúcháir orm deis a bheith agam cúpla focal a rá ar an Bhille um Thacaíocht do Mhic Léinn 2008. Ar nós na cainteoirí eile ó gach taobh den Teach, cuirim fáilte roimh an Bhille. Thar sé thar am go mbeadh an Bhille seo istigh. Nuair a chríochnóimid an Dara Céim, tá súil agam go rachaimid ar aghaidh go dtí Chéim an Choiste chomh luath agus is féidir.

Mar a dúirt an Teachta Ring, ba cheart go mbeidh an reachtaíocht ag feidhmiú ag tús na scoilbhliana 2008-09, atá amach romhainn. Mar ionadaí phoiblí, bhí sé ina ábhar iontais dúinn le blianta fada go raibh dhá chóras i gceist. Bhí iad siúd a bhí ag dul go dtí oideachais tríú leibhéal in ann iarratais a dhéanamh chuig an chomhairle chontae chomh maith leis an choiste ghairmoideachais. Chruthaigh sé sin deacrachtaí do thuismitheoirí, ionadaí phoiblí agus oifigigh an chomhairle chontae agus an choiste ghairmoideachais. Mar iar-bhall do choiste ghairmoideachais Dhún na nGall ar feadh deich mbliana, cuirim fáilte roimh an cinneadh atá déanta chun an freagracht iomlán a aistriú ón gcomhairle chontae go dtí an choiste ghairmoideachais. Tá a fhios againn anois, i gcás deacrachtaí ó thaobh iarratais de, go bhfuil orainn teagmháil a dhéanamh leis an choiste ghairmoideachais, atá ag plé le oideachais ag an dara leibhéal. Cén fáth nach raibh an freagracht iomlán ar na coistí sin roimhe seo, nuair a bhíodar ag déileáil leis na deontais tríú leibhéal? Tá go leor dualgaisí éagsúla — ó thaobh bóithre, uisce agus séarachais, srl. — ag na comhairlí contae cheana féin. Mar sin, tá sé praiticiúil agus loighciúil go mbeadh an chumhacht agus an fhreagracht seo ag an choiste ghairmoideachais. Níl mé chun dul siar ar an mhéid a bhí le rá ag an Teachta Ring. Aontaím leis an méid a bhí le rá aige agus na cainteoirí roimhe. Mar sin fhéin, sílim gur rud mhaith agus céim ar aghaidh atá anseo.

An dara pointe gur mhaith liom a dhéanamh, the second point I would like to make, having welcomed the main provisions of the Bill, relates to the application forms for student grants. In July and August I and I am sure other Deputies and councillors are inundated with parents seeking assistance in the completion of application forms to apply for a single third level student support grant. The completion of it is worse than that of one's last will and testament. The applicant is directed to tick this and that box on the 40 or 50-page form, to skip the next page and continue on the following page and so on. It is a continuous source of amazement that we do not have the expertise in An Roinn Oideachais agus Eolaíochta and that the authorities have not been able to produce a two-page application form. They know everything about us now. We all have PPS numbers and so on. The authorities know our incomes, whether from social welfare benefits or some other source. Why after so many years has a simple straightforward application form not been introduced whereby applicants are required simply to fill in their income details from whatever income and submit the form? The task of the completion of this detailed form is a nuisance for parents and guardians. We are always willing to do our best to help our constituent but a great deal of sweat, worry and work would be avoided if after many years the authorities came up with a more simplified form.

Many of us met representatives of the USI across the road earlier. They were participating in the making of the union's annual submissions. We had an interesting chat with them. They come from different parts of the country and they outlined the difficulties they experience. The student support grant works out at about €80 for every week of the academic year. If one leaves home to go to college in Dublin, Galway or any other city, bearing in mind that having paid the rent for a flat or an apartment one must feed and cloth oneself, the level of the grant is grossly inadequate.

The student representatives gave us a table on tertiary education detailing the annual expenditure per student on core services; this is an OECD publication. The table lists 15 countries. At the top of the list is the United States with an annual expenditure of €17,700 per pupil per year. Below it are listed Switzerland, Denmark, Norway, Austria and Brazil, which appears midway down the list. New Zealand, Finland and Belgium are also listed and of the 15 countries listed Ireland appears at the bottom of the list.

There is a strong correlation between expenditure in education and economic development. It has almost become a cliché that our Celtic tiger economy was due to the huge investment made in education here, starting with free secondary education in the 1960s up to the investment to present day. I do not dispute that for one minute. In terms of economic competitiveness, we are falling behind the rest of the world, including our competitors in Europe and in the Third World. We will erect economic difficulties for ourselves in the future if we do not continue to invest in education.

A Sunday newspaper, *The Sunday Times* if I am not mistaken, prints a league of world universities every year. It starts off with Harvard and then Berkeley and if it covers Europe, probably Oxford and Cambridge are at the top of the list. There is no reason Irish universities should not be in the premier league of that table. A number of universities figure in the first 200 listed in that league. If proper resources are not allocated to our universities, it is difficult for them to compete with world class universities. These tables are issued annually and if our universities cannot compete with them, it is a cause for concern.

My experience at university differed from the majority of people who had the advantage of going to college. My first third level college was St. Patrick's Training College and having completed two years there in the 1960s I went straight to UCD where I spent four years. I suppose the Minister went to Belfield.

Deputy Mary Hanafin: No, Maynooth.

Deputy Dinny McGinley: Sorry, bhí sí i Má Nuad. Tá cuimhne agam ar sin anois. Bhí mo chara, an príomhoide i bpobalscoil Ghaoth Dobhair, Noel Ó Gallchóir, ina cuideachta. If I may diverge for a moment he is still awaiting his halla spóirt up there. I know the Minister will be going there on 16 May. B'fhéidir go mbeidh deascéal ag an Aire fána choinne an lá sin. Má bhíonn, beidh fáilte roimpi.

I was fortunate back in the 1960s to have been teaching during the day and studying at university at night. The fees at that time were IR£20 per term. I do not know what they are now, but at least they have been abolished for students. There were two views on that issue. Nobody pays fees now. Third level education is free for everyone. Some still maintain that fees should be reintroduced for some students and that a person earning more than €100,000 should have to pay fees for his or her children and that such fees could be used for the benefit of university. It is a controversial area but it is probably one we cannot ignore, if we are going to finance our universities to ensure they can compete with the best in the world.

I do not want to repeat what has already been said, most of which I agree with, but I wish to raise the matter of continuing in education. Some people obtain their primary degree and

[Deputy Dinny McGinley.]

then go on to complete a master's degree, which is funded as well, if the person qualified for a grant initially. Occasionally, those who complete a master's degree want to go on to complete a higher diploma, known as a H.Dip. However, they will not be funded for the H.Dip., as I understand it. In that scenario, a higher diploma is not considered to be a continuation of education. A H.Dip. is placed on a par with a master's degree and students can only receive funding for one or the other course.

I do not know if that discrepancy still exists but students from my area needed funding to continue their education but could not obtain funding for a H.Dip. because they had already received funding for their master's degree and *vice versa*. I hope I am right in referring to this issue. Perhaps the situation has changed. This is an area that the Minister could examine, having gone through the education system herself and qualified as a teacher. There may not be many people involved but to deprive even one person of the opportunity of continuing in education is wrong. It is worth examining the situation and rectifying it, if necessary.

Cuirim fáilte roimh an Bille seo. Tá sé thar am go dtáinig sé isteach. Tá súil agam go mbeidh na soláthairtí ann i réimeas don scoil bhliain amach romhainn, 2008, agus ina dhiaidh sin.

We now have gaelscoileanna and gael choláisti and people who complete primary and post-primary education through Irish should have the opportunity to continue into third level in Irish. That option is available in Wales and I see no reason that it should not be available here too. In the past, Irish was a prerequisite to be a member of the staff in NUI Galway. That is no longer the case but we should not deprive students from Gaeltacht areas and those who have been educated through Irish of the chance of obtaining a third level qualification through Irish. There is a vacuum there. I know the Minister is favourably disposed to the Irish language. Is cainteoir líofa í féin. B'fhéidir gur sin áit ar cóir dúinn ár n-aire a dhíriú to rectify any shortage that may exist in that area.

Deputy Kathleen Lynch: I do not intend to speak for the allotted 20 minutes, although perhaps when I start, I will speak for that long or even longer.

I welcome this Bill. We have been continuously asking for its introduction in the past few years because there was such a clear need for it. All Deputies would like to see more provisions in the Bill but, nevertheless, the fact that it is regularising how grants are dealt with is very welcome.

As with Deputy McGinley, my own experience of student grant applications has been of people coming to me in desperation with a tome of pages to be filled out and finding it very difficult to work their way through the maze of questions. I often wondered if they would be able to fill it out at the end of their third level education, never mind at the start of it. It was incredibly difficult for people, especially on their first time approaching it, although it got easier in subsequent years.

It must be said that local authorities have struggled with the student grants area for many years. The local authority that I would be most familiar with is Cork City Council, which set two people aside every year to deal solely with grant queries. Those people were well versed in the legislation and understood the various categories in operation. They were extremely helpful to people who had difficulties. There were times when there were questions that I could not answer as a public representative and I would send people to the council staff. They were very forthcoming and if there was a way of obtaining the information requested that was not too much of an encumbrance, they would do so. That must be said.

Streamlining the process will be an advantage to the local authorities, the VEC, students and their parents. However, there are other actions that must be taken to support students. I have

listened to all of the contributions in today's debate because this is an issue in which I have a deep interest. The notion of even contemplating the reintroduction of third level fees would be a retrograde step. I have regularly heard arguments in favour of such a move. However, with regard to most of the people that I represent, when something is means tested, it is usually people who are within the tax net that get caught. There are people in this country who can move money around, who have great wealth and still qualify for a grant. I am not one to argue that people should not get something because they are not entitled to it but there must be a tightening up of the system. The people who need a grant most are sometimes the very ones who are just outside the scope. They are the people who will be caught if fees are reintroduced. I do not care what level it is pitched at, they are the people who will be caught eventually.

Deputies also spoke about sponsorship of third level, which worries me terribly. Education should be about producing a person that is whole. It should be about producing someone who has an interest in all of life. I acknowledge that one must specialise at some point and I know areas like the sciences are particularly important. First and foremost, however, education should be about ensuring that people have a view of the world that is both questioning and inquisitive. I am not terribly concerned about sponsorship by public bodies but about businesses sponsoring third level education. They are doing so for a reason and with a particular viewpoint. They are sponsoring third level institutions in order to push them in a particular direction and that is not a good idea. I am in favour of people who have lots of money to spare giving it to universities. However, they should give to the universities and allow them to use it as they see fit.

There are now more people attending third level than ever before, for a variety of reasons. First, the economy has never been better and parents were not dependent on their children to go out and earn. Second, students do not have to pay third level fees anymore. If one examines the numbers of people attending third level now, in addition to what we always had, it is those who up to this point could not afford it who are now attending. Deputy McGinley is correct in pointing out that such people were not less intelligent or incapable of securing the necessary points. They simply could not afford to attend third level. The problem was not just the fees, but the entire support structure for students. Families could not afford to allow children to continue on in education.

There are a number of other issues which must be dealt with if we are serious about supporting people in third level education. The Minister must examine the issue of fees for part-time courses. The assumption that people doing part-time courses are working is false. They might be doing a part-time course because they have young children or because that is all they can manage at present. We should not assume they are all working and can, therefore, afford to pay the fees. Most cannot and this issue must be tackled.

Accommodation is another area of concern. If one were to visit University College Cork or the Cork Institute of Technology, one would find that, because of a lack of purpose-built accommodation, entire neighbourhoods are now rented out to students. The accommodation is unregulated and unsupervised and neighbourhoods have been destroyed because of it. That does not benefit either residents or students. Students like to be with their own peer group and that is as it should be. We were all like that when we were young. Students are entitled to good, reasonably priced accommodation in a safe environment. We do not have enough of that type of accommodation. A student accommodation board must be put in place to re-examine this issue. Major inroads were made into student accommodation a number of years ago through the section 51 tax incentives, which were very welcome. However, they are not sufficient. The policing of the scheme also needs to be examined.

[Deputy Kathleen Lynch.]

The Bill is a long time coming but it is very welcome and no one will say otherwise. I hope it will be in place for the 2009-10 academic year. While I am preaching to the converted, anything relating to third level is time constrained. As long as the Minister delays, cohorts of people will go through the system who will not benefit from this legislation. I met an articulate group of USI students in Buswells Hotel earlier of whom we should be proud. They highlight what our system can produce but it could do better. Certain actions need to and should be taken.

Minister for Education and Science (Deputy Mary Hanafin): I thank all those who contributed to the debate and who welcome the legislation. The co-operation evident will enable us to work closely together to improve the legislation on Committee and Report Stages. All of us recognise the need for the legislation whether that is based on our personal
 5 o'clock experience of people attending our clinics seeking advice to fill in myriad forms or wondering about their entitlements or through our dealings with the vocational education committees and local authorities. Members are conscious that many different agencies have dealt with grant schemes over the years and it has become a complex and difficult system for young people at a time they must decide on their future subject and college choices. They are trying to get through their leaving certificate examinations and a great deal of pressure is on them at this time. For those reasons, we determined it was necessary to introduce legislation to co-ordinate the scheme.

One of the main questions to be addressed is which body would co-ordinate it and the House has generally welcomed the appointment of the VECs. When I made the announcement, it was widely accepted. It was one of the options put forward in the 2003 report, Supporting Equity of Access to Higher Education. We carefully examined this issue, sought submissions and engaged in much consultation on which body should be responsible. As the VECs are involved in delivering education throughout the State and administer one of the grant schemes, it was the logical choice and I am glad the House is appreciative of that.

However, giving this role to one body is not sufficient in itself. The legislation also provides that the body should have streamlined administrative procedures and the management of the grant should be subject to a number of criteria that must be met. If one is handing out taxpayers' money, one must ensure those who are eligible receive it while, at the same time, ensuring it is allocated within a timeframe in order that the students are recognised as the client in the process. It enables them to apply with one form rather than half a dozen, which is the case in some local authorities. Such administrative efficiency will be central to the success of this legislation. We will also demand timeframes. Members have outlined numerous examples of local authorities that are good while the neighbouring local authority is slow. The timeframes for appeals and the sending of cheques must be outlined. We all have examples of students living on porridge until Christmas before the grant came through. That is not right when people qualify for the grant. On the other hand, the local authorities and VECs have outlined examples of well educated young people who forget to sign the form, supply details or partially fill in an application form. There is a responsibility on everybody. When they fill in these forms to seek State support, we should all work with a sense of responsibility and reflect the education people have at the time they make the applications.

This will be first major modernisation of the scheme since 1968. It will support students and their parents. Very often it is left to parents to fill in grant application forms when their son or daughter travels abroad after completing the leaving certificate. The new system will provide more clarity, certainty and accessibility. Hopefully, the completion of Second Stage will be another important milestone in the process.

A total of 56,000 students sit the leaving certificate examination every year while a similar number in higher or further education receive a grant and there are many reasons for that. The value placed on education by families for generations is crucial in this regard. Going back a few generations, it was a case of parents getting their children through primary school. The next generation wanted their children to complete second level while seven out of ten of this year's leaving certificate students will go on to higher education. That is a significant participation rate and a great success. In addition, many more young people are completing second level. The recent figures are encouraging with almost 86% of secondary students completing. Targeted supports for specific students, families and schools, particularly in disadvantaged areas, help to achieve that level of participation. One is much more likely to complete second level education in Ireland than in most other OECD countries where the average completion rate is 77% and to participate in higher or further education. This involves a major commitment but great credit is due to families, teachers and schools who encourage young people and to the young people themselves who have the confidence and optimism about their future to take all these opportunities.

The grant system is large and difficult to administer and, therefore, it is important that we get it right. However, in recent years, we have experienced change. Members raised issues relating to nationality, citizenship, residency rights and the categories assigned to people newly arrived in the State. These issues must be considered in the context of immigration legislation and in conjunction with the Department of Justice, Equality and Law Reform. Both Departments are working closely on this to ensure young people who receive their primary and secondary education in the State are supported as much as possible. Meanwhile, we must warn against education tourism, where people move into a country to avail of free education and then move on. We do not want to become a magnet for that. It is a question of balance but I appreciate where Members are coming from.

We must invest in the potential of young people to enable as many as possible to lead us to an inclusive society. I watched the Taoiseach's address to the US Congress earlier. In his final words, he quoted the 1916 Proclamation and referred to equality of opportunity, speaking from one democracy to another. He referred to what a republic can stand for. Education is one way to ensure a socially inclusive society and, by facilitating as many people as possible to reach higher education, we are supporting not only those individuals but also wider society.

The implementation of this new scheme with the VECs will be important for administrative purposes, for management, for the education system, but particularly for young people themselves. I am encouraged by the manner in which the VEC sector is working with the Department towards a corporate approach on the issue. It is being recognised that the local service provision will remain an important part and Deputies sought assurances that this would be central to the Bill. We must also ensure efficiencies and co-ordination.

Deputies raised the issue of resources for the implementation of the new arrangements. The issue of additional staffing and resources which will be required to operate the unified grant scheme is currently under discussion between my Department and the IVEA through a joint steering committee. Included in the discussions is a development of a central IT system which it has been agreed will be hosted at a central location by the City of Dublin VEC. This will underpin the efficient administration of student grants across the country and ensure much greater consistency in the timely payment of grants to students, irrespective of the VEC area from which they come.

I want to ensure that with regard to the periodic reviews provided for in the Bill, the terms of the scheme are being applied equitably and efficiently throughout the system. The development by the Department of service level agreements with the VECs will be central to ensuring

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a continuum of high quality customer service to students and their parents. VECs are working very closely towards this aim and are anxious to facilitate it.

Besides the major local authority and VEC grant schemes, I refer Deputies to the European Social Fund scheme for funding of student assistance. Besides the importance of our European Union membership to the farming community, to industry and for investment, we should remember to give attention to the impact which our membership of Europe has had on education. Substantial funding has come into this country by way of the European Social Fund. This has helped the disadvantaged, those with disabilities and the lifelong learning and school completion programmes. We have gained substantial amounts of money which have supported very many students all over the country. The student assistance fund is one of those funds.

We still stand to gain over the next few years from the European Union by means of funding for such grants and for lifelong learning. Our students in higher education have participated fully in ERASMUS programmes. A total of 24,000 students have participated in this programme which is European-funded. It has opened up Europe to these students and they have been able to travel and gain experience. They have been able to go to some of the best universities in the world and other students have come to Ireland. We do not talk about this scheme so much in the context of Europe and yet we take it for granted as part of the education system. I hope that when people are considering our membership of Europe and are considering the Lisbon treaty they will also realise just how important it is for education. Another key aspect is working towards the mutual recognition of degrees and diplomas and the mobility of our young people which they take for granted as something that has been central to our education of young people.

Another issue that has become part of the debate and which was raised by a number of Members is the independent appeals process which many Deputies have welcomed. One of the issues raised was the concern that the time limit might be too long. I wish to reassure Deputies that those timeframes are the absolute maximum limits but we envisage that the majority of appeals would be considered in a much shorter timeframe and that the service level agreements with the VECs and the procedures to be set down for the independent appeals board will reflect this. If necessary, we can look at the wording to see if it needs to specify the maximum time. Either by means of the wording or the service level agreements, we will try to ensure it will be kept to the absolute minimum in the interests of students.

I acknowledge there will be cases where complex matters will need to be considered and consultation may be required with other parties including State agencies. It may be necessary to consult with the Departments of Social and Family Affairs, Revenue or Agriculture, Fisheries and Food, or other Departments, in order to reach a conclusion on a case. Deputies will find that much of the latitude provided is designed to allow the student more time to appeal if necessary rather than for the VEC or the independent appeals board to respond. We are trying to approach it from the perspective of the student and to give them as much time as possible.

A number of Deputies have also raised the possibility of the involvement of students on the independent appeals board. This is a matter which is already under consideration, having been raised by students with my officials at a very productive forum on the Bill which was recently convened by my Department and the Union of Students in Ireland. I also met with the USI leaders at different events and also with the students' union in UCD which had some very positive contributions to make on this Bill and I am grateful for their interest.

There are no substantive changes in Government policy about the basis on which reckonable income of applicants would be taken into account. Any such fundamental change in the approach to means testing would warrant further examination, review and consultation. This

arises from the debate and whether we should be taking into consideration land holdings or property. Deputies will also appreciate how difficult this can be once one starts going down that road. I am confident that the introduction of a unified scheme and the consolidation of administration within the VEC sector, together with the development of the common IT system, will ensure the consistent application of the means testing arrangements across the country.

A number of Deputies referred to issues relating to the eligibility requirements for grants. The provision of the main eligibility requirements will be by way of regulation and these issues can be discussed in greater detail on Committee Stage. My Department, in consultation with the key stakeholders, will consider all criteria regarding eligibility for student grants as part of the ongoing work on the introduction of a single unified scheme. Any perceived anomalies identified in the current schemes or in their interaction with the schemes of other Departments will be considered in the context of this process.

I have already clarified that this new scheme will not apply to students currently preparing for the leaving certificate. They will apply in the normal way through the local authority or local VEC in the same way as students did last year.

Recognising the support students need in this regard, the Department established a dedicated office called the national office for equity of access to higher education. This office works with the access and disability officers in third level institutions, local partnerships and community groups and student grant awarding authorities which all play a vital role.

We have also increased the number of scholarships available to students going to higher education. Traditional scholarship schemes included the Gaeltacht scholarship. The 1916 scholarships consist of a scholarship in the name of each of the signatories of the 1916 Proclamation. These scholarships are very valuable, amounting to €6,700 a year, plus fees paid. This scholarship is awarded to a student for as long as he or she continues in higher education to do a master's degree or a doctorate. One of the nicest occasions I have attended this year was to present the Donogh O'Malley scholarships to students who are attending schools in the DEIS scheme. These are students from more disadvantaged backgrounds who have qualified under the scheme. There were 17 recipients from around the country who have received €6,700 a year. I noted the excitement of those young people who are all very bright and are pursuing very difficult courses but it was the pride of their parents which was something to see. One knew that the effect of this scholarship on those students would be much broader than they imagined because it would affect the younger children coming up behind and their whole community. It was really a wonderful event.

Deputies will be aware that from next September, there will be 100 scholarships sponsored by JP McManus. These will be targeted at young people from disadvantaged backgrounds who can be in any school in Ireland. There will be a minimum number per county. This is a very generous offer by JP McManus who does not want his name on the scholarships. He is not one of these people who wants great praise or credit and he has been doing this for many years in Limerick in Sexton Street. He has supported those young men through college. They have also been provided with mentoring and support to help them through. These will be all-Ireland scholarships because they will be available North and South. He is investing €30 million which is a lot of money in anybody's pocket. He recognises, as do we all, the importance of targeting disadvantage in education.

I recently launched a comprehensive and user-friendly website, www.studentfinance.ie, which will be valuable in helping young people access information on the various grants available for further and higher education. I ask Members to point students to this website to access such information. It is funded by my Department and is an initiative of the national access office to

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which I referred. As well as providing information on the grants administered by the local authorities and vocational education committees, it also offers information on the back to education allowance, student assistance fund and the special fund for students with disabilities. This vast store of information will be of great benefit to students.

It is encouraging to consider how much progress we have made. Members referred to the achievements of Donogh O'Malley, which are now commemorated via scholarships. Reference was also made to the contribution of the second level education system to our economy. We are now seeing the value of having well qualified graduates. We would not enjoy the same level of foreign direct investment without access to the European market, the economic and taxation policies we have deployed and the existence of well educated graduates throughout the State. The role played by the institutes of technologies and universities represents a significant contribution to the economy. This is recognised in the national development plan.

Reference was made to the importance of the sciences. We are actively seeking to encourage students to partake of science and technology courses, but this does not in any way diminish the role of the humanities. Nor does it take from the fact that education must focus on the individual and his or her unique skills and talents. A good third level education will provide students with a well rounded approach. I always find it encouraging to discover the hopes, ambitions and dreams of students. I enjoy talking to them and advising them that they can realise their dreams and obtain their hopes and ambitions. They can be what they want to be and do what they want to do. There is great support from many sources for young people who are experiencing difficulties, including moral support and mentoring services.

This Bill represents one aspect of the supports we seek to provide for young people in pursuing their education. I am encouraged by the support of all stakeholder for this legislation. It has been widely welcomed and those who will have the responsibility for administering it are anxious to co-operate and to ensure the provision of good quality service agreements in the interests of students. I hope to continue to work with them to maximise improvements in the level of customer service and to deliver an efficient and cost effective system of grant administration.

I am pleased that we have reached the end of Second Stage. We can now prepare for Committee Stage when we can discuss any further improvements Deputies might suggest. The one point on which everybody in this House is agreed is the value of education. Higher education should be the natural aim for everybody. I look forward to Members' support for this Bill. Ba mhaith liom mo bhuíochas a ghabháil leis na Teachtaí a labhair ar an Bhille seo. Molaim an Bille don Teach.

Deputy Ulick Burke: May I put a brief question to the Minister?

Acting Chairman (Deputy Joe Costello): That is out of order as the debate has concluded.

Deputy Ulick Burke: I have one specific question.

Acting Chairman: I ask Deputy Burke to be brief.

Deputy Ulick Burke: I am not sure whether the Minister referred to the position of part-time students in comparison with that of full-time students. Will she clarify that point?

Deputy Mary Hanafin: The Bill's provisions relate to students partaking of full-time courses, in accordance with the current system. However, there is a commitment in the programme for Government to introduce a funding scheme for students undertaking part-time courses who have not previously accessed third level education. A pilot project which commenced in the

current academic year in the Institute of Technology, Tallaght, will explore how modularisation might be supported. We expect to be able to expand that project further next year.

Question put and agreed to.

Student Support Bill 2008: Referral to Select Committee.

Minister for Education and Science (Deputy Mary Hanafin): I move:

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

Question put and agreed to.

Electricity Regulation (Amendment) (EirGrid) Bill 2008: Second Stage (Resumed).

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

Deputy Rory O'Hanlon: I preface my contribution with a brief comment on today's events in Washington. I have just watched the live television broadcast of the Taoiseach's address to the joint Houses of Congress. This was a great honour for the Taoiseach and for our country. He did this House and the people of the State proud.

I welcome the Electricity Regulation (Amendment) (EirGrid) Bill 2008. It enhances the role of EirGrid, which is responsible for the transmission of electricity. EirGrid has stressed the importance of ensuring a safe, sufficient, secure and reliable supply of electricity. The east-west connector will make a major contribution to the functions and objectives of EirGrid. We are all agreed on the need for another North-South interconnector. A North-South interconnector was built some 40 years ago close to my home place, but the IRA ensured it was not functional for 30 years. After being blown up, it was left unrepaired until ten years ago. It is now making a significant contribution to meeting our ever increasing need for electricity.

The Bill provides for EirGrid to continue to own and operate the interconnectors provided it has a licence and the authorisation of the regulator. There is a global debate on the provision of energy. It is an issue about which we should all be concerned and the debate should include such issues as the impact of traditional energy sources on climate change and the increasing scarcity and growing cost of these commodities. We must look to alternative sources of energy, as the Minister observed in his opening speech. When the Minister comes to examine the possibility of increasing the electricity generated from wind turbines, I ask that he and his colleague, the Tánaiste and Minister for Finance, consider the introduction of tax credits for private individuals who supply electricity to the national grid.

There is some concern about the amount of land being taken up for the cultivation of bio-fuels. We do not want a situation to develop where we have plenty of fuel for motor cars but inadequate food to feed our population or to provide for those in other parts of the world who are more in need of such food supplies. There is also the question of how nuclear energy should be addressed. The use of interconnectors means that some of the electricity supply to the State will be provided by nuclear reactors in other jurisdictions. There must be a comprehensive debate on energy supply into the future.

This Bill has implications for the provision of interconnectors. There are two in the pipeline and we already have the east-west interconnector. We will also have the Meath, Cavan, Monaghan, Armagh and Tyrone North-South interconnector. I recognise the need for and

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support the provision of interconnectors to secure future supply, increase competition and reduce costs.

The North-South interconnector will run through Cavan and Monaghan in my constituency. While serious concerns are raised with regard to it, the provision of interconnectors to ensure supply is supported. With my constituency colleagues from all parties, I attended numerous meetings during the past six months. Up to 500 or 600 people attended these meetings, which is unprecedented. I have been in this House for 31 years and many of the meetings, which were held in practically every parish in the areas affected by the route of the new North-South interconnector, were the largest meetings I have attended.

While the concept of the interconnector is supported, serious concerns were raised, including with regard to the size of the cables and the level of voltage they will carry throughout the countryside, which is 400 kV. I referred to the impact on the environment and climate change, greenhouse gases and the carbon footprint which would remain. In agriculture the question of pylons on land was raised. It is difficult for farmers to work around these.

Another issue raised was the value of property and land and the implications for applying for planning permission, which will be more difficult. In this context, it is important that whatever happens in any part of the country — not only farmers but also the rural community will be at a loss — this is taken account of and a way is found to compensate these people. The question of tourism was raised, particularly the visual impact on tourists coming to our green isle.

Health concerns were discussed in great detail at all the meetings I attended. People are concerned about the risk to their health. At the meetings I attended, I pointed out that there is no evidence to suggest there is a risk to health. On many occasions over the years, I raised the question in this House of the World Health Organisation's view of electromagnetic fields. The most recent question was tabled on 5 December 2007 and the reply contained the following:

The consensus of scientific opinion to date regarding possible adverse health effects from electromagnetic field (EMF) exposure is that there is no evidence of a causal relationship between such exposure and ill health. The World Health Organisation (WHO) has assessed the many reviews carried out in this area and has indicated that exposures below the limits recommended by the International Commission on Non-Ionising Radiation Protection (ICNIRP) in their 1998 Guidelines do not produce any known adverse health effects. These guidelines are based on a careful analysis of all peer-reviewed scientific literature and include thermal and non-thermal effects.

I accept this and I am happy to do so. It is unreasonable to raise the issue, particularly where people know the World Health Organisation experts are satisfied there is no risk to health. The Department of Health and Children will continue to monitor the situation but as of now there is no risk to the health of the people. That does not mean there is not a fear of risk. Of course there is a health concern and it does not really matter, if one is lying awake at night, whether there is a real risk to one's health or it is just a fear because the fact that one is worried is enough to damage one's health. It is important that people's fears are addressed and taken into consideration.

On the basis of these concerns, the unanimous view at every meeting I attended was that cables should go underground. The question of alternative sites was raised, as was the question of whether it is possible to put the North-South interconnector under the Irish Sea along

the coastline. Every meeting I attended was unanimous in that a feasibility study should be carried out.

I attended a meeting in Armagh which was arranged by me, Dominic Bradley, the SDLP Member of the Legislative Assembly, and officials of EirGrid and Northern Ireland Electricity. I am very grateful to the officials who attended. We had a useful and frank discussion and recognised the need to co-ordinate the approaches of North and South to ensure best practice. Representatives of the people on both sides of the Border in our respective constituencies reiterated the view that there should be underground cabling.

I am glad to see the Minister in the House and I thank him for commissioning an independent study. When the Minister notified us of the establishment of a review group, he pointed out the concerns expressed to him by the people and the concerns and desires of the Members of this House to ensure such a study would be commissioned. On opening the debate on the Bill, the Minister stated:

my Department has commissioned a study to provide the best available independent professional advice on the relative merits of constructing and operating overhead transmission lines as compared to underground cables. The study will focus on technical characteristics, reliability, operation and maintenance factors, environmental impact, possible health issues and cost of both types of electricity infrastructure.

I welcome the Bill which is necessary. I welcome this study and I commend the Minister on establishing the independent review group. We look forward to its deliberations and its report which will be of great interest to the people I represent. I look forward to supporting the Bill.

Deputy Caoimhghín Ó Caoláin: I welcome the Bill. I also welcome the new North-South interconnector and the necessary enhancement of supply and expansion of the electricity grid in Ireland. EirGrid and Northern Ireland Electricity, NIE, are planning to put in place a North-South 400 kV interconnector running from County Tyrone to County Cavan. EirGrid has a second stand-alone proposal to erect a new 400 kV pylon-supported power line from Woodland County Meath to Kingscourt in County Cavan.

I have met with representatives of EirGrid and made clear my support and that of Sinn Féin for the development of the power network on an island-wide basis. However, I cannot support EirGrid's and NIE's fixed determination to use overground pylons and wires for the entire length of these routes and to rule out the underground option. I have met with EirGrid representatives, including its chief executive, and discussed with them all of this in some considerable detail. We have exchanged a considerable amount of correspondence on the matter.

On 4 January, Sinn Féin elected representatives from both sides of the Border met in County Monaghan to plan an intensified and co-ordinated cross-Border opposition to the above ground proposals in line with the clearly stated views of the communities they represent. Sinn Féin members of county and town councils in counties Meath, Cavan and Monaghan and councillors and Assembly members from counties Armagh and Tyrone joined me and Newry-Armagh MP, Conor Murphy, the North's Minister for Regional Development at that meeting in Castleblayney.

Monaghan county and Carrickmacross town councillor, Noel Keelan, who represents Sinn Féin on the County Monaghan anti-pylon committee, stated our intention to complement in every way possible the community-led campaign of opposition that has manifested itself across the entire length of these proposed new power lines. We are at one with campaigning communities across all affected counties and will continue to use our considerable political strength

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north and south of the Border to enhance this community-led effort to secure a rethink of the approach to these planned power lines by both Eirgrid and NIE.

In February, Bairbre de Brún, Sinn Féin, MEP, received from the European Commission a response to a question she tabled in the European Parliament on the undergrounding of power cables and, in particular, the need for guidelines on best practice regarding the installation of high voltage wires in residential areas. The Commission stated it will issue no such guidelines. However, Bairbre de Brún has pledged to continue to raise this issue with the Commission. I believe that not only must she do this but that the Commission must address this issue.

I have noted that one of the documents emanating from the European Union and referred for scrutiny earlier this year related to the number of hours in a working week that employees of the overground pylon-supported power lines may work while directly under the particular power lines. It is interesting that the Commission is considering the introduction of a tachograph for employees subjected to emissions from the power lines but will not address the issue of the potential hazards they represent for people who spend not alone the greater part of their working lives but the greater part of their leisure and sleeping time within close proximity to them.

It would appear that despite the clearly expressed opposition of thousands of families living close to the proposed routes of these power lines and their support pylons, EirGrid remains fixed on its overhead approach to these projects. Communities the length of the proposed power lines are vehemently opposed to the installation of unsightly pylons and rightly fear for the health of all exposed to high voltage power conduits. They are fearful for themselves, their families and for the children of these communities.

As I pointed out in an Adjournment debate last December, it is essential we recognise the reality of the outworking of the Planning and Development (Strategic Infrastructure) Act 2006 which the Minister and I opposed and voted against. This legislation facilitates the forcing through of such projects, regardless of the expressed wishes of communities. Real fear and absolute opposition to the overground approach has been voiced along the entire route through counties Tyrone, Armagh, Monaghan and Cavan and over a large swathe of County Meath. Very large public meetings have been held in several centres. The concern knows no political boundaries as has and will be demonstrated here and people of all opinions and none are coming together as concerned communities endeavour to ensure that EirGrid and NIE take an underground approach.

There can be no question that there is significant information on record. Eminent professional and well-researched opinion stating there is every reason for genuine health concerns is indisputable. These communities are also conscious of the visual impact on their environment of the proposed unsightly string of pylon structures stretching some 130-plus km along the length of the two routes suggested.

We need to respond to the concerns of communities, families and citizens directly affected by the EirGrid and NIE proposals. We need to restore access to the proper planning process. I recommend a revisiting of the Planning and Development (Strategic Infrastructure) Act by the Minister and his Green Party colleagues in Government to ensure delivery in this regard. We need to ensure there is compliance by all wishing to see major projects undertaken and to ensure that communities and citizens have the right to engage as objectors in the normal course. As I stated already, the Planning and Development (Strategic Infrastructure) Act should be repealed.

I urge the Minister to listen to the many thousands of voices of concern at the EirGrid and NIE power line proposals. This is not an argument against development as made clear in my

opening statement in the course of this contribution. It is less an argument against North-South development. The contrary is the case; I totally support and welcome all such initiatives. It is an argument for a better way and the Minister should prevail upon EirGrid and NIE to take that better way.

I close by citing directly the submission made to the Department of Communications, Energy and Natural Resources by my colleagues, councillors Jackie Crowe and Noel Keelan of Monaghan County Council, Paddy McDonald of Cavan County Council, Michael Gallagher of Meath County Council, Paul Corrigan of Armagh City and District Council and our party activist in County Tyrone, James Gildernew. They make the argument reflective of what communities are saying. It is a universal position. The EirGrid-NIE consultation process was grossly deficient; route options are unsatisfactory with repeat intrusions to within, in some cases, 50 m of private dwellings and livestock holding areas.

Drumlin landscape would be severely affected by the presence of overgroundpylon-supported power line infrastructure along all of the routes under consideration. Their presence would be no more acceptable across the rolling farmlands and scenic river valleys of the southern reaches of the proposed new power lines.

Genuine concerns are repeatedly raised with us regarding the health risks that arise from 400 kV overhead lines located in close proximity to homes and schools. The basis for these concerns is contained in the many studies carried out that show an increased risk of cancer-related illnesses, such as leukaemia, from the electromagnetic fields that overhead lines create. Underground cabling presents no comparable threat. It has never been proven satisfactorily that EMF exposure is not harmful. We should note that the Petitions Committee of the Scottish Parliament has unanimously recommended that the Scottish Parliament adopt a precautionary approach to any and every overhead power line proposal that presents because of its concerns at the health effects associated with living in close proximity to high-voltage overhead transmission lines.

Tourism will be greatly curtailed if the landscape is blighted with these pylons. Householders and landowners will see the value of their property drop significantly. Planning restrictions will result from the sterilisation of land over a radius out from these pylons. These are all farming counties highly populated with livestock and wildlife habitats. Many farmers in Monaghan, Cavan and Meath are participating in the Rural Environment Protection Scheme, REPS, and are looking after the environment for future generations. The proposed pylons would represent a blot on the landscape and would be in total contradiction to the aims of the scheme.

Underground cables have lower transmission losses than overhead lines because, due to thermal reasons, underground cables have a larger conductor and therefore significantly smaller losses. Studies on several 400 kV transmission grids show that the characteristics of underground cables can in many cases be beneficial to the overall performance of the network. Disturbance of underground cables occurs less frequently than for overhead lines. Overhead cables are affected by severe weather. Only outside influences can disturb and damage underground cables. Underground cables are low-maintenance compared to overhead lines.

Underground cables — at installation — cost more than overhead lines but the fact that they are low-maintenance, have lower transmission losses, have a longer lifespan and no environmental impact, including visual intrusion, leads us to conclude that the initial additional outlay will be offset over time by the many advantages, not least of which must be the peace of mind of our fellow citizens whose understandable and justifiable health concerns will have been met.

I appeal to the Minister, while we await the outcome of the review he has commissioned, to give serious consideration to the views expressed by this Deputy and others over the course of the remainder of this Second Stage debate. I appeal to the Minister not to allow a situation

[Deputy Caoimhghín Ó Caoláin.]

where crass euros and cents would be the sole determinant factor in regard to what means will be employed by EirGrid and by association by NIE. There are many issues that must be taken into account. We should be looking at the whole life cost of the projected life expectancy of these new interconnectors, power lines, or whatever technology the Minister wishes to employ. I contend that the cost, over the life expectancy be it 40 years or whatever the case, by comparison between overhead and underground will show, at the very least, a balancing of the books and for the peace of mind, something one cannot translate on to a balance sheet, of the people who will be directly affected by having to live in close proximity to the current choice of EirGrid and NIE, we have a bounden responsibility. If we were among those families to be affected we would be as vociferous and as determined as they have shown themselves to be. I appeal to the Minister to act responsibly and to respond to the all elected view opinion of the people of the affected areas, the affected counties and constituencies and use his offices to give direction to EirGrid to proceed by underground cabling.

Deputy Margaret Conlon: I wish to share time with Deputy John Cregan.

Acting Chairman: Is that agreed? Agreed.

Deputy Margaret Conlon: I welcome the opportunity to contribute to this very important debate, one which has a huge effect on the people I represent. This Bill is the first step in expanding the functions of EirGrid, in line with the Government's energy policy framework. EirGrid's current statutory functions as transmission system operator include the operation, planning and development of the Irish electricity transmission system; the independent operation of the single electricity market in co-operation with EirGrid's Northern Ireland equivalent, NIE, and the critical task of monitoring and reporting on security of electricity supply and generation adequacy.

This Bill expands the statutory functions of EirGrid in relation to interconnection. It provides that EirGrid may construct, own and operate an interconnector subject to the grant of the appropriate licence and authorisation by the regulator. The issues of climate change and energy security are huge issues for all of us going forward. The Bill provides generally for future interconnection. Greater interconnection between member states is a key priority for the European Union to ensure the effective operation of the internal energy market. The importance of the east-west interconnector project has been formally recognised at European level and it has been designated a "project of European interest", which is the category of projects with the highest priority at EU level.

We in Ireland, as an island nation on the very west of Europe, must support the progressive development of European regional electricity markets underpinned by greater interconnection. This work is a natural progression from the development, in co-operation with the Northern Ireland authorities, of the all-island energy market.

The Department of Communications, Energy and Natural Resources, along with its UK and French counterparts, is working towards the development of a regional electricity market as part of the EU Commission's plan to develop regional energy markets. This will be underpinned by greater interconnection. As the Minister, Deputy Ryan, said, the current focus is on the delivery of the second North-South electricity interconnector and the new east-west electricity interconnector no later than 2012. This Bill is a vital measure in the delivery of the Government's energy policy. I look forward to hearing what other Members have to say about this whole area and what solutions they believe offer the best way forward.

Eirgrid is planning two major projects to facilitate cross-Border sharing of electricity — the Cavan-Tyrone 400 kV power line, the new North-South interconnector, and the Meath-Cavan

400 kV power line. While this Bill is not specifically for these two projects, it cannot be debated without analysing them as they are all part of the wider debate.

I welcome Minister's commissioning of the independent feasibility study. I had spoken to the Minister on numerous occasions about having an independent feasibility study carried out. I recognised the real need for this and considered it important that all stakeholders made submissions so that a full examination of all sides of the debate are taken into consideration. I look forward to its publication and it would be unwise and unhelpful at this stage to pre-empt its findings. Having said that, we must take into consideration the real concerns of people living in the areas which will be affected by the interconnector. The concerns of those who are worried about their future or the health of their children are genuine.

As my constituency colleague, Deputy Rory O'Hanlon, noted, fear of a health risk causes problems. If people lie awake at night worrying about what might happen, it will have an adverse effect on their mental and physical well-being. No one should experience the stress of lying in bed at night thinking about cancers or illnesses being visited upon one's children. Parents have a duty of care to their children and would not deliberately put their children at risk. Their fears must be meaningfully allayed. As Deputy Johnny Brady stated and my constituency colleague, Deputy Caoimhghín Ó Caoláin, reiterated, peace of mind is vital — there is nothing more valuable to a person.

As a Deputy from a rural, agricultural constituency, I am aware that farmers are deeply concerned about the possibility that their property will be devalued. They are also worried they will be unable to provide sites for members of their family for residential or commercial purposes. It is my understanding that planning permission will not be granted within 200 m of an overhead 400 kV line, thereby eliminating the roadside frontage suitable for planning applications. Despite this restriction, EirGrid proposes to place lines 50 m from existing dwellings while its northern counterpart proposes a distance of 60 m. If this is an all-island plan, why are conditions different, North and South? Should we not sing from the same hymn sheet?

The devaluation studies carried out in the United Kingdom in 2007 indicated that the value of detached properties less than 100 m from overhead lines was 38% lower than comparable properties. In addition, members of the farming community will face unwelcome intrusions on to their land. The nature of the drumlin landscape makes it troublesome to work the land, not to speak of constructing power lines on it. People are genuinely considering selling their property and relocating, thereby ending farming and agricultural activity. Surely we must do all in our power to encourage farmers, rather than placing impediments in their way.

People are reasonable and recognise that an interconnector is needed as part of the all-island grid required for future economic development. They want competition and cheaper electricity prices. Businesses and potential new businesses have genuine concerns about spiralling energy costs. If we are to be competitive and continue to attract industry, we need to ensure our energy costs are as competitive as those of other countries. We cannot afford to have companies relocate because we have priced ourselves out of the market causing business to lose interest in Ireland as a location for economic development. It is imperative we get this project right in order that it can set a precedent and act as a blueprint for other projects coming down the line.

On tourism, the area I represent is scenic and has a natural beauty. While we cannot boast of fine weather, we have a clean, green, unspoilt image. Our main tourist visitors are fishermen and people with a genuine interest in visiting natural, scenic landscapes. Construction of high voltage lines would negatively affect our area's tourism. Our heritage is linked to our tourism potential and is a priceless non-renewable asset which plays a vital role in ensuring we all enjoy a high quality of life. It is our duty, as caretakers of this asset, to protect it for the generations

[Deputy Margaret Conlon.]

to come. We will not be thanked if we destroy the special character and nature of a unique landscape in the name of progress.

The meetings I attended in my constituency were the largest gatherings of people I have witnessed in public forums. Those attending were genuinely worried about their communities. They were not professional protestors or rent-a-crowds but people forced into action by a real threat who conducted their business in a professional and business-like manner. They are committed people who have spent endless hours in a voluntary capacity researching this issue and examining solutions, for which I commend them. I regret that EirGrid did not consult them in a meaningful manner. This aspect of the process must be rectified with immediate effect.

In all urban areas where space is at a premium and land is very expensive all cables are placed underground. While the cost of this project in the initial stages may be high, legal challenges and a lack of co-operation could add to the cost and delay the project for years. In the long run, undergrounding these cables will generate cost savings, for example, by reducing our carbon footprint by 3% in accordance with the Kyoto Protocol. This step would assist our efforts to reduce our carbon footprint and enable us to be viewed as a world leader in this area.

I look forward to the publication of the study. We can have economic progress but it must not be at any cost. We need to consider the value we place on our children, land, heritage and environment. I hope we can progress in a spirit of co-operation and with meaningful dialogue. I also hope the fears and concerns of the communities in question are treated with the seriousness they deserve. We need to be a competitive and attractive location for industry to further enhance and develop the economy. The Bill will facilitate further economic progress and I am pleased to support it.

Deputy John Cregan: I welcome this important legislation and compliment EirGrid on its work since its establishment as a State body. As Chairman of the Committee on Communications, Energy and Natural Resources, I recently took the opportunity to visit the company's premises with committee members. I acknowledge the hospitality and welcome we received from EirGrid. The valuable briefing we received will stand members of the committee in good stead in the future.

I commend the Minister on the work he is doing and thank him for his excellent co-operation with the joint committee, which he frequently consults and informs. It is important that the Minister and his office have a good working relationship with committee members. While I did not come to the House to throw buíochas at the Minister, it is important to recognise this excellent relationship when I have an opportunity to speak in the House on legislation, which comes within his remit and that of the Committee on Communications, Energy and Natural Resources.

Thanks to sound Government policies in recent years, the economy is booming. We must be in a position to guarantee electricity supply to industry and domestic users throughout the country.

I will discuss briefly the main provisions. The Bill will expand the functions of EirGrid, the licensed electricity transmission systems operator, to include the construction, ownership and operation of an interconnector, subject to the granting of relevant licences and authorisations by the Commission for Energy Regulation, the energy regulator for gas and electricity. It will provide in primary legislation, for subsidiaries of EirGrid, for an increase in the amount of money EirGrid may borrow and for its total capital expenditure. Consequently, it will also amend the Electricity Regulation Act 1999 in respect of interconnectors.

I will refer briefly to the most important sections of the Bill. Section 2 sets out the functions of EirGrid in relation to the interconnector and provides that the company may construct an

interconnector subject to the authorisation of the Commission for Energy Regulation. It may also transport electricity across and maintain an interconnector, subject to licence. The section also provides that EirGrid may own an interconnector and may not lease, sell or dispose of the interconnector without the consent of the Minister for Communications, Energy and Natural Resources, with the approval of the Minister for Finance. The company, in performing its duties under the legislation, may also carry out additional activities.

There are many other important sections to which I will not refer. I compliment all involved on the progress to date with the provision of this east-west interconnector. Much reference has been made during this debate to the North-South interconnector with which I am familiar because we have had much deliberation in the committee on that issue. I listened to the concerns of the lobby groups which united in that part of the country to request that this be done underground rather than overhead. I again welcome, as other speakers have, the fact that the Minister in his wisdom has agreed to appoint international consultants to examine doing so. I understand that the Governments of Norway and Sweden have recently taken decisions and signed an agreement whereby all future power lines will be put underground and not overhead. I came across that recently and it provides food for thought.

Deputy Ulick Burke: Spoken like a man who expects something next week.

Deputy John Cregan: I will return to the promises made. A Government decision on 4 July authorised the Minister to request the commission to arrange the design of a competition to select a developer to construct a 500 MW electricity interconnector with Great Britain at the earliest possible date before 2012. It also authorised EirGrid as the transmission system owner to expedite the selection of a sub-sea route and other sites for the construction of an interconnector. The interconnector will be owned by EirGrid to ensure this strategic asset remains in public ownership. That is very important. Such a strategic asset should be in public ownership.

Since the Government decision, EirGrid and the commission have been steadily progressing the interconnector project and a detailed project plan has been developed to ensure delivery by 2012. The sooner we get this the better because at peak demand times EirGrid is under pressure to supply electricity throughout the country where and when it is needed.

EirGrid has selected Woodland in County Meath as the connection point for the interconnector on the Irish transmission system and has also secured a connection point from the UK national grid located in Wales. Work on marine surveys to determine the most suitable route for the under-sea cable to link these points is under way and the surveys are targeted for completion shortly. In December last year, EirGrid issued an invitation to negotiate documents to five pre-qualified tenders for the design and construction of the interconnector. Tenders are to be submitted by mid-May 2008 and EirGrid is targeting the end quarter of 2008 to announce a successful bidder. EirGrid is also targeting quarter three of 2011 for the completion of works and quarter one of 2012 for the completion of commissioning and testing and the start of commercial operations.

To oversee and ensure the delivery of the interconnector to schedule, a high-level co-ordination group has been established to continuously monitor progress on milestones and address obstacles to progress. The group is chaired by Mr. Michael Tutty, commissioner of the Commission for Energy Regulation, with representation from EirGrid and the Department of Communications, Energy and Natural Resources.

The interconnector will bring many benefits to our country. It will enhance security of supply. There is significant capacity available in the UK electricity generating market to provide security of supply via the interconnector to Ireland. In addition, the UK is developing intercon-

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nectors with mainland Europe to further contribute to security of supply and market integration. That would give us that vital link to Europe as well as the UK.

The interconnector will provide a fully dispatchable source of energy supply that will also provide the capacity and stability required to increase the extent to which renewable generation can be accommodated on the system. The interconnector will provide a mechanism by which such wind-generated electricity could be exported in the event of surplus energy generation. This is a very important point because we do not have an abundance of storage. It is important to have an output for what we can generate during off-peak times. I welcome that wind energy can be exported in this manner through the interconnector because many wind farms are coming on stream throughout the country and I am a major supporter of them. They can be of great benefit in supplementing the other forms of generation and I welcome that this will give the wind farm industry an outlet for the export of electricity when that is necessary.

The interconnector will lead to greater competition in the electricity market by allowing third party access in a fair, consistent and transparent manner. This will assert downward pressure on electricity prices and I welcome that — it is a true saying that competition is the life of trade. A third party competing in the electricity generation market would be very welcome. Competition can only lead to a better deal for the consumer.

The interconnector will diversify the fuel sources used to generate electricity on the Irish system. The environmental benefits will include greater potential to export wind power, reduced need to carry a reserve and reduced carbon credit payments. I very much welcome the Bill. I look forward to its safe passage and to it going to the committee for Committee Stage for further deliberation. I commend it to the House.

Deputy Ulick Burke: I welcome the opportunity to contribute to the debate on this Bill. The construction of the interconnector is a key priority in the energy White Paper and the programme for Government and I agree that there is a need to prioritise it. However, the Minister is using this Bill to give additional functions to EirGrid. On past record, EirGrid has shown tremendous capacity to delay projects over the past few years. If the Minister expands EirGrid's functions, will we create another monstrosity like the NRA, the HSE and others that has no direct responsibility to the Minister? Will the Minister will be in total control of this agency and all the functions it will perform at all times? I am sure the Minister has found the delay and inability to get information from the agencies I mentioned distressing. In this House we cannot get answers to questions on those agencies from the Ministers responsible for them. That is unsatisfactory. I hope the additional functions being given to EirGrid under this legislation will not lead it to replicate the difficulties in those other agencies.

Practically all the personnel in EirGrid and CER are former ESB people. That is important because in the ESB structures they were important professional and technical people who administered the ESB and delivered a very important service to the country down the years. It worries me that Mr. Tom Reeves, the chairman of CER, has publicly stated his difficulty on renewables, and wind energy in particular, which would be close to the Minister's heart.

The programme for Government clearly states that by 2020 a total of 30% of our energy needs will be supplied from renewable energy. If a person who is in a strategic position with regard to the delivery of an ambitious project is publicly resistant to its being achieved, how can we be in a position to deliver on the specified target? This is important.

Energy projects take a long time to go through the planning process. An example of this occurred in County Galway when two hen harriers delayed a project for nearly two years. It was not known where they were or whether they were on the hillside at all, but it was supposed that they were there and that the project would have an impact on them. Deputy Ó Caoláin

mentioned earlier the importance of the implementation and strengthening of the strategic planning infrastructure. I wholeheartedly agree that instances such as this should not delay important projects to the extent they have. It is on the record that many wind energy projects throughout the country have been delayed unnecessarily for such reasons.

There is much bureaucracy involved in getting access to the national grid. It is unbelievable. Without the most dogged determination on the part of the people concerned to advance their projects, they would fade away. Other fainter-hearted people might say it was impossible, drop the idea and go elsewhere to get their projects on stream. It is necessary for the Minister to eliminate such impediments to projects that are important for the country.

The announcement about the interconnector was made in 2006, yet two years on we are only at the elementary stages of the project. Let us compare this to the interconnectors from northern European countries such as Norway and Sweden to mainland European countries. A major project of 700 MW which has just been completed was carried out from start to finish in three years. For some reason we cannot compete with this. I blame the bureaucracy. With the additional functions we are giving to EirGrid we are compounding that difficulty.

The three important issues in this context are competitiveness, security and environmental sustainability. I will give an example of a project, and if the Minister can tell me this is competitive and will result in cheaper electricity, he should say so. I put down a parliamentary question to the Minister about this issue. A recently established energy company called Gamma, at Tynagh, Loughrea, County Galway, which is a mile from my home, has obtained an incredible contract to supply electricity to the national grid with payment for the full capacity output even if only a quarter to a half of the total output is drawn down. If competitiveness was a priority, surely nobody would have agreed to this. At any given time we could be paying full price for one half to three quarters of the capacity of the station, with energy being taken into the national grid and not used. How can we have competitiveness in energy supply in this context?

Customers are paying for this electricity with spiralling prices, as was pointed out by a Government backbench Deputy a few moments ago. Yet we are now going to obtain electricity from the UK, where the unit cost of electricity is lower than it is here at present. We must ask ourselves why we are putting all our eggs in one basket with one interconnector. Could the Minister tell me whether there will be a proposal, at the same time or immediately after, for an interconnector with mainland Europe? It is important that we do this. Can the Minister guarantee that we will have cheaper electricity as a result of the Bill? This is important for manufacturing and for domestic supply.

Within the next couple of months there is a great danger that the Minister's colleague and fellow party member, the Minister for the Environment, Heritage and Local Government, Deputy Gormley, will have the responsibility of implementing the European habitats directive, which will prevent the domestic harvesting of peat in certain areas. The derogation that was there for the last ten years will cease at the end of this year. I ask the Minister to intervene with his colleague, at this crucial time of escalating costs and energy scarcity in certain areas, to request an extension of the derogation for a further period. I refer to the cutting and harvesting of turf for domestic purposes in County Galway. Certain areas in the west have been designated for protection. We have had controversies in the House in the past about the implementation of this directive. I ask the Minister to intervene with his colleague, the Minister for the Environment, Heritage and Local Government, to request that he seek an extension of that derogation for a certain period of time until the current energy crisis is over. Many people who were accustomed to using turf had turned to oil or gas but the prices of these have now become prohibitive.

[Deputy Ulick Burke.]

We need consistency of supply in Ireland and under this proposal we will be getting energy from the UK. It is a little ironic, when we see that a portion of British electricity is produced through nuclear energy and that the Government of which the Minister, Deputy Ryan, is a member has on numerous occasions objected to all that went on at Sellafield, that under this provision we will import electricity generated in such a way. It is a typical example of an Irish solution to an Irish problem that we close our eyes and do it. I wonder where the Minister, Deputy Ryan, stands on the question of the generation of nuclear energy in this country. I would greatly appreciate it if, when the opportunity presents itself, he would indicate without ambiguity the position on nuclear energy potential in Ireland.

There is a gas interconnector with Northern Ireland and from Northern Ireland, through Scotland, into mainland Europe. A few years ago during the winter difficulties that arose in the Ukraine with Russia there were headlines in the newspapers announcing a gas shortage and that we would be cut off. Was it not obvious that we, at the periphery of Europe, would be the first to be sacrificed in the supply of energy from so far away? In the contract that will obviously emerge for this interconnector and the supply, apart from the cost per unit, although I hope the costs do not finish up like those in Tynagh to the Gama group, does the Minister have a facility to ensure that if we provide the interconnector, we are guaranteed a supply at a reasonable arranged cost? Deputy O'Hanlon mentioned that due to the difficulties in the North there was one interconnector out of commission. What, if any, safeguards are there against such eventualities for any reason, apart from terrorist acts? From a commercial perspective, what guarantees on continuity of supply will be sought by the Minister or will it be the function of EirGrid to do that and the Minister will state, as the Minister for Health and Children and the Minister for the Environment, Heritage and Local Government do in the case of the HSE and the NRA, respectively, that the agency is responsible and will take the blame? Some day down the road will the Minister for Communications, Energy and Natural Resources state that the matter is the responsibility of EirGrid and one cannot blame him? If this Bill is to be successful, the additional functions given in it should be clarified so that at all times the Minister, unlike the Ministers to whom I referred, will be responsible and in total control.

We hear many Deputies, particularly from Cavan Monaghan, speak about the North-South interconnector and the difficulties regarding power lines and the grid in those areas. Those difficulties arise throughout the country. In Galway, there is a proposal from Cashla in Athenry through to Connemara and EirGrid vehemently resisted for a long period even a slight movement of the line left or right, as the case might be, at the request of the local people. EirGrid stated that it could not be done and then suddenly stated it would reinvestigate the matter and it has been agreed. If there will be similar difficulties in this case to those many speakers outlined, it will be delayed far longer than we anticipate. We are two years down the road already and we have not started whereas other countries can provide such infrastructure, from planning to output, within three years. I hope that in this Bill the Minister is not creating another monster that will come back to haunt us all in the future.

Deputy Michael Kennedy: I welcome the opportunity to speak on this important Bill. In terms of the electricity market, it is crucial that a company such EirGrid is a strong independent State company developing to meet the electricity needs of the country for the future.

It is vital that we facilitate the early delivery of the east-west electricity interconnector. I mention that in particular because others have concentrated on the North-South one. The east-west interconnector comes through my constituency and will arrive on shore in Rush in north Dublin. It is particularly welcome and necessary.

EirGrid has grown into an important supplier of electricity in the Irish market and expanding its functions is not only necessary but urgent. As the Bill outlines, EirGrid will have responsibility for the operation, planning and development of the Irish electricity transmission system.

I welcome the fact that the regulator must license all interconnector operations. We all have heard of the controversy in counties such as Meath and Cavan. The fact that there is a regulator gives us a degree of comfort that all regulations will be in accordance with best practice.

The supply of power is vital and the fact that EirGrid will have a borrowing limit of €750 million will enable it to deliver what we expect will be the best service.

Although it might not be commonly known, the towns at the northern end of my constituency of Dublin North, Balbriggan and Skerries, are at severe risk of blackouts due to under capacity given the considerable growth in the constituency not just in the residential sector, but in the business and industrial sectors.

I welcome the establishment of an all-island single electricity market. It will bring price competitiveness into the marketplace. We cannot underestimate the strategic role EirGrid will play in providing us with increased capacity and also ensuring that competitive prices apply.

I welcome the Minister's commissioning of a study to provide independent professional advice on the relative merits of constructing and operating overhead transmission lines compared to underground lines. It does not necessarily affect me in my constituency but given the level of people's fear, that study will give us answers on reliability, the operation and maintenance factors involved, the environmental impact and any potential health issues, and on the costs of both types of electricity infrastructure.

I look forward to the development of the east-west interconnector because the country, not just my own area of Dublin North, needs it. We need to provide security of supply quickly.

Wind energy in this country has lagged behind other forms of energy supply. Communities need to look at the benefits of wind energy not just to the communities themselves, but to the country as a whole. A few years ago I was in Gran Canaria in a small community that was a residential and industrial area combined. The community had its own wind energy system that supplied local houses and businesses. It was a great opportunity for a small area to be self-sufficient in electricity supply. I watched a programme about the development of a new wave energy programme in Carlingford Lough. Given that we are an island surrounded by water and heavy seas, there is no reason we should not have more wind energy programmes so we can become self-sufficient in energy.

The access provided by the British energy interconnector will have huge benefits. It will guarantee our supply and it will ensure that price competitiveness is always there. Deputy Burke seemed to be very negative about the east-west interconnector and the fact that it only connected to Britain. He fails to recognise that Britain is being connected to mainland Europe. If we are connected to the British system, then equally we will be connected to the European system and that is all the more reason to become proactive in developing the east-west interconnector. This Bill underpins the ability of EirGrid to develop that programme urgently.

Irish businesses and household consumers demand competitiveness. They want to be able to buy their electricity at the same price as their colleagues in the North of Ireland and across the water. I do not have any reservations in saying that the east-west interconnector is timely and I want to see it onshore as quickly as possible. Half of Ireland's electricity needs are currently supplied by gas. That should be rectified and the progress of EirGrid and the ESB is vital in that respect. The east-west interconnector will enable us to have less dependency on gas supply. It is vital for the guarantee of supply and price competitiveness.

[Deputy Michael Kennedy.]

The renewable aspects have been dealt with in the Bill and everybody agrees we must make up for lost time on those issues. A recent study showed that business people were concerned about energy supply during normal trading hours. Businesses expect us to be progressive. We have come a long way in the last ten years in building our economy so that we can advance that. We can ensure that foreign businesses will not question their commitment due to concerns over power supply. We need to get to grips with the energy situation.

Our communities have failed to grasp the nettle on wind energy. Many communities have objected to An Bord Pleanála, which has resulted in some projects being abandoned, while others have been seriously delayed. As an island nation, we need to be aware that if we suffer blackouts, we will be looking to blame people. The little project in Gran Canaria for 2,000 houses and a small industrial estate was self-sufficient with a few wind turbines. We should be looking to such models. I welcome the approval from the local authority for the very first wind energy turbine in my constituency. The company involved will be supplying its own power. It is a regret that it was not able to supply local residents because connecting to the grid would have delayed its own project. The company wanted to contribute to the local community by putting in a second turbine, but due to planning restrictions a second turbine would have resulted in a much longer delivery time. Communities must look at their individual cases and allow wind turbines to go up provided there is a local gain to be made and the particular community can tap into the system for a cheaper supply of power.

The Government's target of achieving 33% of our electricity consumption from renewable resources by 2020 is necessary. There is a target of 15% for 2010 and few people in this House would argue against it. The recently published all-Ireland grid study pointed to a possibility that 40% of electricity might be provided by renewable sources by 2020. The overall reduction on other forms of energy is vital.

The Government decision in 2006 to appoint a Commission for Energy Regulation allowed us to proceed with the construction of the 500 MW interconnector at the earliest possible date, which will hopefully be 2012. The Government believes it is a national strategic asset and retaining it in public ownership is essential. This Bill allows for that and I cannot see why anybody should object to it. It is necessary that the supply of power is controlled by the Government so we do not allow monopolies to occur in the future.

A high-level co-ordination group has been established under the chairmanship of the regulator and I understand that representatives from the Department and EirGrid are involved. Work on this is progressing well. The design and construction of the interconnector are far advanced. I believe that by September of this year, a successful bidder will be announced. Speaking as one who has problems within the constituency, it will be very welcome news when we know that the tender has been agreed and that the construction can proceed.

The selection, planning and foreshore permissions are issues in my own area. In respect of the consultation in which EirGrid has been involved, I thank it for going out and talking to the community where there were concerns about digging up roads and going across fields. EirGrid has talked to the local people and is not endeavouring to ignore the wishes of local people, which is to be welcomed. As we all know, quite often, local people see problems that perhaps consultants working from drawings, papers or maps may not. I wish to put on record my appreciation of EirGrid for consulting people in Rush in north Dublin and seeking their views. This is an acceptable outcome in terms of the roads that will be dug up and the fields that will be crossed. All of those issues have been resolved satisfactorily.

I understand the Bill provides for future interconnection and makes some minor amendments to the Electricity Regulation Act 1999. It effectively inserts a new subsection in the 1999 Act

to provide that a person operating an interconnector without the appropriate licence is guilty of an offence and is liable to a fine or a term of imprisonment. This ensures that there is consistency in respect of offence provisions for other licensable activities. I understand that it is already an offence to supply or generate electricity without an appropriate licence.

The Bill further clarifies the position of interconnectors with respect to the transmission system. Section 2(a) of the 1999 Act provides that the cost of interconnectors would be recovered through the transmission charges. The Bill provides that those costs are only recovered in the case of a regulated interconnector such as the east-west interconnector, which we have discussed.

I will conclude by talking about the issue of food.

Acting Chairman (Deputy Jack Wall): The Deputy has two minutes left.

Deputy Michael Kennedy: I have much contact with farmers within my constituency who point out that the transferring of the growth of food products to energy sources is causing problems for them in terms of the cost of products, fertilisers, etc. Equally, the ordinary citizen has seen an increase in the cost of food, primarily because of lack of supply. If there is one thing that should bring about the rapid introduction of extra electricity supply, it is those issues. While it is desirable to have all of the renewables, if there will be a substantial increase in food products, we must make sure we have alternatives. Providing increased power through the EirGrid system is the way forward.

7 o'clock

Deputy Paul Connaughton: We have only two or three minutes left in this slot.

Acting Chairman: We have four minutes.

Deputy Paul Connaughton: I am delighted to get the opportunity to speak on this EirGrid Bill. This is a very important topic because it embraces the question of the energy requirements of this country for years to come. There was a lost opportunity over the past four or five years to increase the capacity of electricity that was badly needed to keep up with the growth in our industrial set-up and buildings. I will come back to that at a later stage in my speech.

We approach this energy situation at a time when we hear about a figure of \$120 per barrel for oil on the world oil spot market. I thought I would not see or hear that figure for many years. As we know, the price fluctuates up and down but those are all pointers to the future. It is not so long ago that the price of a barrel of oil was around \$60. I heard two economists on radio recently say that it is entirely possible that in the next five or six years, it could reach \$200 per barrel under certain circumstances.

Can one imagine the effect this would have on us from everyone driving in to this House to do their work, be they politicians or staff, to the people who work in our factories? Can one imagine the cost of production and the effect it would have on jobs and heating for the elderly? One could not imagine the effect something like that would have on the living standards of every man, woman and child in the country.

This Bill will not solve all the problems. Hopefully, it will give us an opportunity through the interconnector system to at least see a security of supply, provided that the countries from which we are getting it have a security of supply themselves. We will return to renewables in a minute. In my area of east Galway, which is not an industrial area, I have noticed that over the past three or four years, particularly the past 12 months, the amount of electricity used is increasing at a considerable annual rate. However, all of a sudden, we have pure blackness. A blackout happens for no reason in the world and electricity goes off for perhaps five or six

[Deputy Paul Connaughton.]

hours. The strange thing is that the same area gets hit again in about a week's time. I am talking about today, last month and the month before that.

I know the ESB had to use mobile generators in the past year or two to try to boost the current around the country. Let nobody tell me that somebody was thinking about energy security over the past five or six years when that had to happen. There are many aspects of energy over which no Government has control, no matter who is in power. However, one of the elements of the equation over which we have control is ensuring that there is competition in respect of the market and delivery of the product.

Debate adjourned.

Estimates for Public Services 2008: Message from Select Committee.

Acting Chairman: The Select Committee on the Environment, Heritage and Local Government has completed its consideration of the following Revised Estimates for Public Services for the service of the year ending on 31 December 2008: Vote 25.

Private Members' Business.

e-Government Services: Motion (Resumed).

The following motion was moved by Deputy Simon Coveney on Tuesday, 29 May 2008.

That Dáil Éireann, noting the findings of the Comptroller and Auditor General's report on the Government's e-Government strategy, which while recognising some notable successes, found that:

- out of a total of 161 projects, only 74 were fully operational six months after their deadline for completion;
- the cost, at €420 million, was 20% over budget; and
- projects on average took 25% longer to complete than planned;

noting the possibilities offered by an efficient system of e-Government services, especially in terms of efficiencies, cost savings, ease of consumer access, transparency, and improving computer literacy;

acknowledging the role that e-Government can play in reforming public sector practices in order to shape systems and processes around user needs;

noting the results of a recent survey which indicated that 78% of people want improved access to Government through IT;

acknowledging that on-line Government services should exist as a complement to, and not as a replacement of, traditional face-to-face and phone-based services; and

noting the fact that no formal e-Government strategy has been in place since early 2006;

calls on the Government to:

mandate the information society policy unit of the Department of the Taoiseach to consult on e-Government with the Comptroller and Auditor General, international experts with experience of implementing successful and innovative e-Government services in other countries, as well as representatives of the successful e-Government projects to date, especially motor tax on-line and Revenue on-line;

require that based on this consultation the ISPU produce within six months an action plan on the achievement of a comprehensive system of e-Government within two years;

require that this plan include detailed proposals for the establishment within two years of:

- a properly-functioning central access point to all Government services on-line;
- a unified secure on-line digital identity system for users which can be used to access all Government services;
- a unified secure on-line payments system for on-line transactions;
- on-line systems of application for passports, driving licences, haulage licences, student grants and housing grants, e-tenders, planning permission and planning objections, birth certificates, marriage certificates, death certificates and additions to the electoral register;
- a system of on-line payments of court fines and commercial rates;
- public transport real time information on-line; and
- an integrated health services portal, including access for medical professionals to patient records;

require that this action plan also consider the viability of a number of innovative possibilities for e-Government, including:

- m-Government, or the use of text messaging and mobile phone-based web services for access to Government services;
- the use of digital TV for interactive Government services;
- the cost savings provided by the use of on-line tools and software instead of expensive consultants; and
- collaborations with private sector on-line initiatives, such as the use of on-line banking passwords for e-Government services;

require that this action plan also include:

- a template for a report that all individual e-Government projects must publish, including the name of the person with ultimate responsibility for implementing the project, a clear and measurable objective, a detailed budget and a system of measurable deadlines;
- a system of annual reporting on the overall e-Government project, including assessment of benefits, user satisfaction levels, international comparisons and hearings before the Oireachtas Committee on Communications, Energy and Natural Resources; and
- consideration of issues surrounding cross-departmental projects, funding issues and the role e-Government can play in reshaping public sector systems and processes around user needs;

establish a rigorous code of practice governing the treatment of sensitive personal data by public sector organisations, including:

- a restriction on carrying databases of personal data on mobile devices such as laptops, Blackberrys and memory keys;
- a restriction on sending databases of personal data in the post; and
- six-monthly review of all encryption and security software procedures.

Debate resumed on amendment No. 1:

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

- acknowledges that technology is a potent tool to be used in almost any field of activity, providing opportunities for innovation and performance improvement;
- accepts that because technology is changing rapidly, increased functionality will continue to create possibilities for innovation, many of which can be ground-breaking and even revolutionary;
- recognises that performance improvement is the key driver for the use of technology in service delivery, internal administration and otherwise in the creation of mutually beneficial social, cultural, commercial, or other networks;
- accepts that, where performance improvement in the context of modernisation is the desired goal, organisations have to manage the other significant contextual change requirements for the people, processes and the cultures of organisations;
- welcomes the significant successes in the development of on-line public services with annual savings of over €86 million for just 21 of the e-Government projects and notes that this will rise as more services are developed;
- welcomes the increased availability of public service information through services like citizens information on-line and the Basis website;
- welcomes the streamlining of compliance procedures and the reduction of administrative burdens for organisations and individuals using technology, with facilities such as Revenue on-line and motor tax on-line;
- welcomes the administrative process improvements and efficiencies gained in projects like the e-Cabinet system;
- welcomes the benefits gained from programmes like the civil registration modernisation programme, which has yielded benefits in other areas like the processing of child benefits;
- welcomes the increased capacity in organisations resulting from the use of technology with, for example, the Revenue Commissioners doubling the number of taxpayers they handle with no additional staff and the Department of Agriculture, Fisheries and Food freeing up clerical staff for redeployment on the Garda PULSE system;
- notes that the OECD report published on 28 April 2008 acknowledges that e-Government should support modernisation and that there should be a greater emphasis on performance as a driver;
- notes that Reach has been taken over by the Department of Finance, arising from the recent review of its activities;
- notes that some public service organisations have yet to fully exploit the potential of technology and that the new arrangements in place within the Department of Finance will address this;
- notes that a peer review process has been initiated by the Department of Finance to ensure that major projects are being planned and managed to a high standard and in keeping with recognised good practice;
- accepts that, in relation to electronic identity processing, the priority must be the protection of identity and other personal information and that any system intro-

duced must meet this requirement, and notes that as recommended by the review of Reach, the Department of Finance is researching the provision of central identity systems with a view to the provision of a robust authentication system to Departments and agencies that provide services on-line;

- welcomes the recommendations of the Comptroller and Auditor General, the OECD and the Reach review for a different approach to the exploitation of technology in Government;
- looks forward to the implementation of those recommendations by the relevant Departments, having regard to the need to deploy and use technology as a response to a need for improved performance; and
- looks forward to the publication in July of a new action plan that will build on the successes to date and will take account of the recommendations of the OECD and Comptroller and Auditor General reports, accepting that prudent use of technology also involves considerable changes for the people, processes and the cultures of public service organisations.

—(Minister of State at the Department of the Taoiseach, Deputy Tom Kitt).

Deputy Liz McManus: I welcome this debate. The Comptroller and Auditor General's report on e-Government has exposed the disturbing level of poor Government. We should have seen the development of quality public services using the benefits of new technologies at a reasonable cost and within strict timeframes. What we have got instead is a record of inadequate planning, unrealistic expectations, interdepartmental friction and weak central oversight. The report shows that 23 of the 141 flagship projects to provide Government services were abandoned. Of the total of 161 projects, only 74 were fully operational six months after their completion deadline. Their cost of €42 million was 20% over budget. Projects, on average, took 25% longer to complete than planned. In effect, one in three projects were only partly implemented while one in six was abandoned.

The report of the Comptroller and Auditor General is not only an inventory of the shortcomings of the e-Government strategy, it also offers us clear direction for the future. Its recommendations specifically pinpoint the lack of essential management principles, which is startling. The report of the Comptroller and Auditor General reveals a serious deficiency in strategic management and offers good advice. It states:

All projects should have clear, measurable business objectives, and time and cost targets. A much stronger project cost and performance measurement and reporting system is required, integrated with departmental and agency reporting systems.

The report further states:

measurable targets should be set for each of the strategic goals of eGovernment, and responsibility for the achievement of the goals should be formally assigned. . .

Annual eGovernment progress reports should be published, focusing on the achievement both of strategic goals and of planned project impacts. The effectiveness of the eGovernment strategy should be formally and independently evaluated from time to time.

I asked the Minister of State, Deputy Tom Kitt, yesterday to take on board these specific points, and I thought he had an open mind to doing so. I welcome and congratulate Deputy Coveney and the Minister of State, Deputy Tom Kitt, for the progress made in reaching an agreement on this motion and, thus, the House will not divide on it. None of us benefit from avoiding learning from the mistakes of the past. All of us, regardless of which side we are on,

[Deputy Liz McManus.]

have an interest in ensuring that sufficient thought and preparation will be invested in the next e-Government strategy, which I understand is due to be published in July, to ensure a better outcome than the two plans which preceded it. It would be difficult to imagine that the outcome of this one could be worse. However, what we can expect now is significantly better than what we would have expected.

As the agreed motion points out, there has been no formal e-Government strategy in place since 2006. This shows a lack of priority and focus being given to changing and improving the method whereby public services are made accessible to the citizen. The Comptroller and Auditor General's report has already shown that there has been a worrying slowdown in the delivery of new e-Government services. I hope the focus that has emerged from this debate will kick-start efforts from the Government, which up to now have been disappointingly half-hearted.

The agreed motion puts greater emphasis on the Government's obligation to live up to the report's recommendations. We will have to see better planning, more realistic targets, better cost management, greater interdepartmental co-operation and more effective central oversight into the future. They are only words on paper and time will tell whether the Government is up to the task. We on the Opposition side will work diligently and to our best efforts to ensure that it is.

I have concerns about the overall responsibility and management of this programme. Yesterday the Minister of State, Deputy Tom Kitt, stated that he was not in charge of the project but rather that each Department was responsible for its own changes and developments. This motion, which has been agreed between the Government and the Opposition, calls on the Government to provide a framework for implementation of this strategy following its publication. However, it is still not specific about who ultimately is in charge and responsible for it. Clearly, there is a need for overall management and, in a sense, a change of command.

I return to an issue I raised previously. On 1 April this year the REACH project was transferred from the Department and Social and Family Affairs to the Department of Finance. It is not clear who made that decision but we know that a project to provide a public service broker, estimated to cost €14 million, ended up costing €37 million and the ongoing cost of it is estimated to be €15 million per year. Will this project still proceed or will it be buried? It would be helpful if a full and frank statement was made regarding its future. Such a frank move would be in line with the spirit of the motion that has been agreed. It would also serve the interests of the public who are supposed to be the beneficiaries of such developments but who too often, as the report has shown, end up simply paying for Government mistakes. It needs to be remembered that, on the one hand, the public are hungry for the provision of greater facilities on-line, whether in terms of public or private services, and that this need has not been met to date. It is still not possible to apply for a driving licence or purchase a new television licence on-line, the provision of which would be a service for people whose time is precious.

However, it is also important to recognise that there is a lack of confidence when one considers that we have been lumbered with e-voting machines that are essentially useless and the storage of which is costing us money year on year. We have also seen the Government run up gargantuan overruns in the cost of PPARS under the charge of the HSE. The cost of that system was approximately €180 million and probably even more than that has been spent on it at this stage. There is a cost in that. That money could have been spent on keeping hospital beds open, given that we now read that they are being closed. It could have been spent on fighting hospital infections. Ultimately, the public pay the bills for Government inadequacies.

We all understand that it is not easy to change and develop new services but at the very least we should and are entitled to expect that the best strategic management is in place when it

comes to making these changes. It is not that we do not have the expertise, but it seems there is a certain lack of political leadership. The Comptroller and Auditor General's report indicates a lack of leadership.

My last point is probably odd and tangential to this debate. An impressive presentation of climate change was made at a committee today and all the changes we will have to make to tackle this vital global issue were outlined. If we can provide more services on-line, it will ensure that fewer people have to make journeys by road. Perhaps they can work from or carry out their normal business from home or from centres at work. That is the kind of change that is possible and the hidden benefit of getting e-Government strategy right.

I wish the Minister of State well in this respect. I hope the next phase into which we are moving and the new strategy will benefit from the analysis of the mistakes made the past. The Minister of State has shown an openness in dealing with this matter and I wish him well in doing that.

Deputy John Cregan: I wish to share time with Deputies Cuffe, Behan, Curran, Michael McGrath and Barry——

Deputy Ciarán Cuffe: Andrews.

Acting Chairman: Is that agreed? Agreed.

Deputy John Cregan: I compliment and congratulate our Chief Whip, the Minister of State, Deputy Tom Kitt, and Deputy Simon Coveney, the main Opposition spokesperson, on arriving at a sensible solution in bringing forward an agreed motion. That is welcome, and I am not surprised. From another forum, I know about the wealth of Deputy Coveney's knowledge on this subject. I also want to compliment the conciliation and negotiating skills of my good friend, the Chief Whip. It is good that, from time to time in this House, we can be sensible, not oppose for the sake of opposing, and make progress by way of agreement. The Opposition has made some good suggestions, and I welcome them.

E-Government projects that use the interactivity and speed of the Internet to provide public services need someone clearly identifiable to drive cost savings and efficiencies in Departments and public service organisations and to ensure that major projects are delivered on time. Any useful website should be intuitive, fully functional and of great benefit to both the organisation and its customers. E-Government can deliver many savings and efficiencies. It can speed up processes, enabling public interaction with public bodies to take place in a more efficient environment. There are many excellent high-profile and successful implementations of on-line services, such as motor taxation, Bord Gáis, the Property Registration Authority and — I suppose the biggest and most popular of all — the Revenue on-line service. They are all services being widely used by the general public, and tremendous savings have been made through them.

Of course, more can be done. I suppose we can use the old cliché — a lot done but more to do — and I am sure that more will be done in future. I envisage, for example, applications for housing grants, access to our health services, passport applications, and applications for haulage and driving licences being available on-line if people put their heads together and are in a position to move forward with different projects. There are many intelligent and innovative people who can, and I am sure will, implement such projects.

I know that the Comptroller and Auditor General has recommended that future initiatives should concentrate on supporting and strengthening those who are currently falling behind in the provision of e-Government services. It is important that we give as much commitment as possible to supporting e-Government services, and organisations that have shown initiative,

[Deputy John Cregan.]

talent and application in delivering e-Government projects should be congratulated. There is scope for those people to become involved in other public sector organisations and share their knowledge of delivering e-Government.

There is a wealth of knowledge that can be shared to the benefit of us all as we constantly seek to improve efficiency and effectiveness. A European Commission report issued just last week suggested that 60% of public services across the European Union are now fully available on-line. More than 96% of European schools are now connected to the Internet, two thirds of which are via broadband, which is up from just over zero in 2001. In the health sector, 57% of doctors now send or receive patient data electronically, with 46% receiving results from laboratories electronically.

The report shows that some countries, such as Austria, the Czech Republic, Malta and Portugal, offer 100% of basic public services for businesses on-line. Although we have achieved much in Ireland, we acknowledge that we still have a lot more to do in that sector. The European Commissioner for Information Society and Media has welcomed the connectivity figures, and all EU countries must work hard to close the gaps and enhance cross-border communication services as well as services that reach rural and remote regions.

By its nature, e-Government is a constantly changing phenomenon. We cannot rest on our laurels, as e-Government is central to shaping how we evolve as an information society. Progress in this area is increasingly seen internationally as a key indicator of wider information services. I welcome the fact that the Government is focused in particular on the delivery of integrated public services to the customer, on improved internal efficiencies and back-office administration, and on stimulating wider engagement with information and communications technologies in the business community and the public in general. The Government is committed to the objective of having all key public services that are capable of it being delivered on-line.

Just before I finish, I will throw a spanner in the works on e-voting which was referred to. I do not take issue with or want to be flippant about e-voting, but we never intended to have e-voting. I understand e-voting would be on-line voting, which was never planned. We were talking about electronic voting, and I regret that we did not proceed with that. We were trying to achieve perfection and we could not do that — no more than we have perfection in our present system. Coming from a constituency in which one seat was decided on one vote and a bundle of 70 votes were spoiled because they were not stamped, I know that the current system is far from perfection. That could not have happened if we had taken the other route. I rest my case.

Deputy Ciarán Cuffe: I welcome the motion tabled by Fine Gael. It brings into sharp perspective the work that needs to be done in bringing Government and local authority structures kicking and screaming into the 21st century. Although there are some outstanding examples of e-Government — particularly the Revenue site, which stands head and shoulders above the rest — there is an awful lot to be done in other areas. The composite motion that has been worked on by our Chief Whip, Deputy Coveney and others points in the right direction to what I think will be consensus in this Chamber on where we should be going.

I have taken an interest in the web since I first ran for Dáil Éireann in 1997 and had a web page. In those days, it was considered quite unusual for an individual or corporate entity to have an on-line presence. In 2008, it would be remiss of anybody not to have some on-line presence. However, it never ceases to amaze me how badly bodies and institutions can run their on-line services. There are simple rules and procedures that anybody who has an on-line

presence should follow. Those include having a home page link on the top of every page and having links that are clearly visible.

The example that I want to bring into the debate is that of my own Dún Laoghaire-Rathdown County Council. There are significant problems with its website. The individual links do not appear in the browser, so we cannot cut and paste a link and send it to somebody else. The search function is almost useless, so we cannot readily find information from the site. There may well be a site index accessible from the home page, but I have not found it yet. There may well be an organogram on the home page that shows users how Dún Laoghaire-Rathdown County Council is supposed to work, but it does not seem to be there. There are other aspects, such as having a clear organisational directory that shows people who is in charge and what their e-mail addresses and telephone numbers are. Those things are basic, and that information should be available on the local authority's website.

In fairness, the Dún Laoghaire-Rathdown County Council website is by no means the worst. Some county and town councils have websites that go back to the early 1990s, with "Under Construction" flashing and men with spades digging furiously, with links that do not work, and with web-hit counters that flash off the page. Even the Dún Laoghaire-Rathdown County Council website has scroller contents that go zooming around the page, which people have to snap at before they can find the relevant links.

I say all this in order to point out that, for the most part, the private sector is streets ahead in using electronic means of communicating, buying and selling, wheeling and dealing and telling people what something is about. There is an awful lot that we can learn from it. There is an awful lot that Dáil Éireann can learn too, as we are not beyond reproach either. Some websites have not changed since the 2007 election and, in some cases, the 2002 election. I wish those Deputies well. I am delighted that they can survive without a significant on-line presence.

On a more serious note, I think the report at the heart of the motion contains a huge amount of information from which we can learn. There are certainly examples of good practice, such as people being able to renew their motor tax on-line. Simple tasks can be done very well electronically, but it is the more complex activities of national and local government that need a large amount of time and information put into them. I have no doubt that there are enormous advantages to be gained by putting significant resources into electronic Government. There are ideas I would not be so enthusiastic about, such as electronic voting without a voter verifiable audit trail, but in downloading forms and such like there are good examples that we can learn from in other counties, other Departments and abroad to allow us to revolutionise the way that Government works. I look forward to that happening.

Deputy Joe Behan: I speak in favour of the agreed motion. This is a subject worthy of consideration and discussion by Members. I welcome the positive political engagement that took place today between the Chief Whip and Deputy Coveney, which has resulted in a very positive and forward-looking motion that will be accepted.

As Members will know, the concept of e-Government originated with an action plan in 1999, the purpose of which was to create a new vision of on-line and self-service delivery of key public services to the citizen. There followed a second plan in 2002 which focused on Departments of State identifying key flagship projects using information and communication technologies in the service of citizens. There have been many successes to celebrate along the way, including the delivery of many key public services on-line to those who wish to avail of them. It is apparent that these services are being accessed by increasing numbers of people as they become familiar with the process.

[Deputy Joe Behan.]

A recent survey of motor tax on-line customers showed that every person who used it was either satisfied or very satisfied with the service being provided. This indicates that people will respond to an on-line service that is convenient, quick and efficient. There are many other examples upon which we could reflect tonight, including practical service delivery models such as on-line examination results, CAO on-line, Revenue on-line, citizen's information on-line, on-line library book borrowing services, on-line planning application information and generally the on-line public appointments service as well as access to and interaction with a wide variety of local and central Government Departments and agencies.

Apart from the advantages in terms of ease and convenience to the citizen when these services are available, it is increasingly the case that significant cost savings and efficiencies arise from their use. I note that the Secretary General of the Taoiseach's Department during his recent appearance before the Committee of Public Accounts indicated that e-Cabinet, for example, is now facilitating significant efficiencies across all Departments. There are probably only two or three Members in the Chamber at the moment who have had the privilege of attending a Cabinet meeting but perhaps there will be one or two others who will have that privilege after next week. The television pictures of Cabinet meetings where Ministers are looking at computer screens and there is a notable lack of files and folders presents a good example to the rest of the community and is something of which we will see more in the future.

As Cathaoirleach of Wicklow County Council in 2006 and 2007, I was very happy to oversee the development of the concept of webcasting of council meetings, which has resulted in the proceedings of the council being available for residents of County Wicklow to watch on the worldwide web. This access to council meetings is a great service to those constituents who wish to find out what business is being conducted on their behalf. Indeed, the business of Wicklow County Council, regrettably, has often been hampered by incidences of obstructive, boorish and destructive behaviour on the part of certain members of the council but the advent of webcasting allows the people of Wicklow to see for themselves exactly what goes on in the council chamber. Hopefully, it will inform their decision as to who they vote for at the next local elections.

I wish to enter a cautious note in my contribution to this debate. While it is commendable to have a system of public service delivery that is accessed electronically, it is essential that we avoid two possible pitfalls. The first would be to mistakenly believe that electronic communication is always preferable to the human and personal contact offered to citizens by the many thousands of dedicated public servants on a daily basis in this country. If we lost this, we would be much the poorer for it. I urge Members to consider e-voting as an exciting additional service but not one to replace forever the personal contact with the public service.

My second concern for the future is that in our efforts to provide an electronic public service delivery model, we will in some way accelerate the marginalisation of those in our society who suffer socioeconomic disadvantage. It would be appalling if the valuable work being done at the moment, and planned for the future, to improve efficiency and effectiveness in the delivery of our public services were to become another barrier for the least well-off in our society. It is essential that in all our deliberations on this matter, we constantly remember that we must bring all our people with us.

Deputy John Curran: I welcome the opportunity to contribute to this debate on e-Government. As one who has had an on-line presence since I was first elected to South Dublin County Council in 1999, I leave myself open to the criticism that my web presence is not as good as it should be. However, I acknowledge the relevance of on-line communication. As a member of

the Committee of Public Accounts and having read the report of the Comptroller and Auditor General's report and debated it at that committee, I have a keen interest in this motion.

Previous speakers referred to the cost of the programme to date. While I acknowledge that the level of expenditure was in excess of that budgeted, in the period under review in the Comptroller and Auditor General's report the level of expenditure was in the region of €420 million. If one examines the report of the Accounting Officer and the whole picture, one sees that the accountable savings over the same period were approximately €86 million per year, which is well in excess of €500 million for the period under review.

In many ways, that is too crude and too basic a means by which to examine this area. It is easy to say that if we introduce e-Government and information and communications technologies, we will save X amount and simply measure that. We can say we are saving on staff costs, literature, post and so forth, but that is too basic and does not take into account what is going on.

What does e-Government mean and what does it mean to the ordinary person in the street? If one takes the examples of Revenue on-line and car tax on-line, one can see tangible benefits. We can identify, for example, what is being saved by having car tax available on-line but we do not take account of the saving to the individual. It is not so long ago that one had to go to River House in Chancery Street to renew one's car tax. One joined one queue to get the paperwork done, another to pay and another still to collect the tax disc. In that context, the measure of calculating the benefit of such services is inaccurate in that it only examines the savings from the perspective of the service provider. It does not take account of the saving to the public, which is far greater and in many cases we do not quantify and acknowledge that. It is important to realise that there is a far greater benefit than has been financially quantified from the introduction of such services.

It is important to note that e-Government initiatives within Departments are the catalyst for other developments. I particularly acknowledge developments in my local authority area, that of South Dublin County Council. Unlike the previous speaker, I have nothing but praise for the e-Government initiatives and the electronic communication options available from South Dublin County Council across a wide range of areas. Planning forms, queries and so forth can be dealt with effectively and efficiently on-line. As with all initiatives, one needs someone to drive them forward. In that context, the staff of Dublin County Council would readily acknowledge that the driving force is the County Manager, Mr. Joe Horan. I use the system on a daily basis and know that not only is it efficient for South Dublin County Council, it is also efficient and time-saving for me.

I highlight the fact that the Government Chief Whip and Deputy Coveney have an agreed motion before us tonight. Given that this is an issue in which we all have a keen interest, that should be acknowledged and appreciated. Effective e-Government is something upon which we need to deliver. In case anyone thinks we have done nothing and things are going nowhere, the Comptroller and Auditor General commented to the Committee of Public Accounts in March of this year:

My review suggests that the momentum evident in the early years towards developing e-government appears to have faded. I note, however, that the Department of the Taoiseach is working with other Departments and agencies on the development of a new strategy. This, together with the findings of the near-complete OECD review of public sector performance, should provide a sound basis for building on the substantial e-government achievements to date.

That is reflected in the agreed motion.

Deputy Michael McGrath: I am pleased to have an opportunity to contribute to this debate. I congratulate the Minister of State, Deputy Tom Kitt, and Deputy Coveney, on agreeing to the motion, which is the correct way to approach this issue. There is no need for it to be adversarial because, essentially, it is about improving the quality of services we can provide to the people we represent.

It has become clear that technology will be at the very heart of the provision of public services in the future as it has become increasingly important in recent years. In embracing technology, it is essential the systems and services we set up on-line are flexible and can adapt to the changing nature of technology and that we can change them to respond to new needs and demands which will emerge from time to time.

As Deputy Cuffe said, many commercial organisations have done great work in providing services on-line. Websites such as *Ryanair.com* and *eBay.com* have become part of everyday life in Ireland and around the world. Banking and shopping on-line are part of people's everyday experiences. It is important we make a distinction between the provision of information on-line and the provision of public services on-line. There are many fine examples of the provision of information on-line by public bodies. The Citizens Information Board website is an outstanding resource which is widely used by the citizens of the State and which provides a wide range of information. The Basis website for businesses is very beneficial to anyone in business or considering starting a business.

In terms of the provision of services, as a chartered accountant, I know from talking to colleagues regularly that the Revenue on-line service has transformed the way they do their work. Revenue has enjoyed real benefits in terms of efficiency. It is probably the single most successful e-Government initiative which allows Revenue to administer the business of twice as many taxpayers with fewer staff. That should be noted. Motor taxation was mentioned. As a former Member of Cork County Council, Deputy Coveney will remember seeing people queue outside County Hall in Cork to renew their motor taxation at the end of every month. Thankfully, that will never be the case again. One can view real time air quality monitoring in one's area on the Environmental Protection Agency website. The Companies Registration Office also has an excellent website and many services are available on-line on the national car test website.

The way the Oireachtas does its business has changed for the better and it has really embraced technology in recent times. For example, replies to our parliamentary questions are on-line. However, we can all do more. Many Deputies, including myself, do not have websites and we need to change that, if we can. Departments have taken very important steps to provide services on-line but I would like to see us do more. For example, I would like the Department of Social and Family Affairs to accept applications on-line. I agree with Deputy Cuffe in regard to local authorities. There is much room for improvement there in terms of accepting housing applications, applications to register to vote and planning applications on-line and posting information on road programmes, road works, etc., on-line. Many local authorities do not provide a staff directory and one cannot find the person to contact on-line to deal with a particular issue.

Data protection and identity theft are serious issues which will increasingly come to the fore as we embrace e-Government in the way we do our business. I agree with Deputy Ferris's point that we must ensure equality of access to services, that people who do not have access to computers, broadband and the Internet are not discriminated against and that we continue to provide the traditional services on a one-to-one basis which many people enjoy.

Again, I congratulate the Minister of State, Deputy Tom Kitt, and Deputy Coveney on agreeing to the motion. I look forward to the revised e-Government action plan due to be published in July.

Deputy Barry Andrews: I wish to reflect on the limits of technology referred to by Deputy Behan. Coming up to the last election, I did podcasts. I thought I was great and was trailblazing but I did not get a single response or reaction from anybody. That may be a reflection on my standing in Irish politics.

Deputy Richard Bruton: It went straight to the ballot box.

Deputy Barry Andrews: That is true. I do not believe it made an impact nor do I believe blogging is an effective method of communicating one's message. Sometimes we get ahead of ourselves but it was worth experimenting. I did three or four podcasts which are still available to anybody who may have interest in this type of thing. They would be very helpful to anybody who is having trouble sleeping at night.

Much has been done in the e-Government area. Deputy Michael McGrath referred to the Basis website which tells one how to set up a creche if one is stuck for details in that regard. It also tells one where to get funding. There is an excellent section on sources of grants for people starting up businesses and for feasibility studies, etc. The Citizens Information Board website provides excellent information. All of these sites are conspiring to put Deputies out of business altogether because the information we used to provide on parish pump type issues is now readily available. Nevertheless, our clinics are still full of people, although with different types of issues.

This debate is very topical because of the OECD report which came out in the past couple days and which had much to say about e-Government. Some of it was positive while some was negative. Sometimes there is a tendency for the Government to exaggerate the positive and for the Opposition to exaggerate the negative. Therefore, an non-adversarial motion such as this gives Members time to debate an issue in a more mature fashion and allows them to slip quietly into the night because they do not have to vote later. Again, there are positives and negatives in that.

Deputy Simon Coveney: It has nothing to do with the Champions League.

Deputy Barry Andrews: It was very thoughtful of Deputy Coveney to have one eye on the box.

The OECD report said the public service has played a key role in ensuring that the right economic, regulatory, educational and social conditions are in place to facilitate growth and development. It is easy to knock the public service — in fact, it is almost a reflex reaction. Some people like to knock the public service but the OECD report has patted it on the back and we should reflect on that fact. It is relevant to what is going on. The report said that the approach taken by Ireland in trying to assess its public service as a whole is a first in terms of reviewing and seeking to benchmark the public service. Again, that is very positive.

On the negative side, there is the issue of a lack of integration between public agencies. I have occasion tomorrow to speak on an issue relating to acquired brain injury. The advocates of that disability sector complain that they must enter details each time they look for local authority accommodation, health services, social services and advocacy support. They require connectivity between public agencies and the way to do that is through the technology available. We have a great opportunity to push this forward. I hope this motion will provide an impetus to make the necessary improvements.

Deputy Richard Bruton: I wish to share time with Deputies D'Arcy, Terence Flanagan and Bannon.

[Deputy Richard Bruton.]

I congratulate Deputy Coveney on tabling this timely and appropriate motion. It is particularly fortuitous in the context of the e-Government report which is due. Having read the Minister of State, Deputy Tom Kitt's, contribution, I do not see any evidence of a new approach emerging. We have been told there will be a new strategy in July 2008. We will give one cheer for a new strategy but I see this statement from Deputy Kitt as saying everything is going swimmingly. He is praising all the progress that has been made but almost passing over in silence the serious problems that have arisen with the e-Government strategy which has only achieved half of what it set out to achieve. We have slipped from being first in 2001 to 17th in the EU now. The graph in the OECD report shows we were flying upwards until 2003, we peaked at 55% accessibility on-line and then the graph falls away. Throughout the tenure of the Minister, Deputy Cowen, and the Minister of State, Deputy Tom Kitt, in the Department of Finance, supposedly driving this as the core strategy, it flatlined for the whole subsequent four years. There is an issue of responsibility and a need to acknowledge that things are not working well. Until we square up to this, I will only give one cheer for the existence of a new strategy. The crucial question is whether the new strategy has learned from what went wrong in the last one. What changes will we see in the new strategy that will reflect the lessons learned? I do not think I am doing the Minister of State an injustice when I say one would search in vain for any indication of where these radical changes in the strategy will be and we are told it will be published in two months.

We have had the benefit of the OECD report and of the report of the Comptroller and Auditor General. The Minister of State's officials and other officials have sat down for months with these people and know their thinking yet I do not see the changes being made. A casual reading of the OECD report will show it refers to 30 out of 70 flagship projects delivered. Someone was responsible for the 40 that were not delivered. What went wrong and what do we learn from what went wrong?

The report states there was no financial pressure created through either the Estimates or funding process to ensure these projects were delivered. Will we see change? There was no articulation in the Minister of State's speech of the financial pressure that would deliver change. The information society group is described as having adopted a cheerleader's role in respect of the roll-out of e-Government. We have not seen from the Minister of State a change from being a cheerleader to engaging, delivering and driving change. The opportunity for information-sharing in health services which can greatly improve resource use and patient care is not being taken up in Ireland. We do not see an indication of some new thinking and some new drive.

The Opposition will be accused of being unduly critical but the e-Government strategy was not some incidental marginal strategy and a sideshow; this was supposed to be a core element of our drive for the knowledge information society. We were told this was to be Ireland's area of competitive advantage for the future and we needed to position ourselves in the leading edge, yet this is the area in which we dropped from first to 17th place. It was not just on the watch of the Minister of State, Deputy Tom Kitt, admirable though his qualities are. A Cabinet committee with the Taoiseach and the Tánaiste and Minister for Finance, the core of Government, was supposed to be driving this project. A committee of Secretaries General was also supposed to be driving this project. All the stops were pulled out, it would seem, and yet we did not deliver. There needs to be some fundamental questioning of why did this not happen. Why did the Government apparently set its ambitions, put in its best people, have people from the Taoiseach down riding shotgun and yet not deliver? We need to see some answers in terms of how the strategy must change for the future if we are not to go merrily off at the end of this debate and announce new targets and new people responsible. If there is a lack of co-operation

between groups and an unwillingness to seize the advantages of shared services because different agencies protect their turf, according to the OECD report, and if this is the problem, what changes will we see?

Deputy Tom Kitt: That personal identification issue is one we have agreed in the motion.

Deputy Richard Bruton: I accept that and recognise it is in the motion. However, where in the motion is the issue of agencies not willing to exploit the opportunities of shared services which e-enabled government can deliver? It is quite explicit that turf wars and the attitude of “I hold what I have” is at the heart of it. Even with the Taoiseach and the Tánaiste and Minister for Finance in a Cabinet sub-committee and another sub-committee of Secretaries General, the Government did not crack any of those issues in the course of the past seven years. Why should we have confidence that it has now been cracked? We have not seen it in the Minister of State’s speech. The strategy will have to be a lot more than just repeating and setting targets, high level groups and monitoring here and there. It must be budget-driven. There has to be a strategic group driving it. When the Taoiseach was speaking the other day about the reason some big ambitious projects did not deliver, he spoke quite honestly and said that people running busy Departments and answering parliamentary questions and going here, there and yon, at the beck and call of every crisis in their Department, were expected to at the same time deliver major strategic change. Will we see a different approach and a project team with real authority and real budgets and with the authority to tell recalcitrant units that they must change? That is what we need to see if we are to have confidence that a new strategy will make a difference.

The OECD report has highlighted the lack of joined-up thinking in Government. It has also pointed out — this is not by way of a political point — the lack of joined-up thinking in Fianna Fáil. One cannot put hacks on boards and not give them proper riding instructions and think one is going to deliver high quality service. One cannot treat public servants like pawns and move them around the country and totally disrupt the coherence of much of the planning that has been taking place in Departments. They will not say it in public but if the Minister of State were to talk frankly to public servants they would tell him that decentralisation set back what he is trying to achieve very significantly. The energy of committed and enthusiastic people was dissipated in wasteful exercises on many occasions, simply because the Government had not thought out in advance how to make decentralisation work. Right through the OECD report is the recommendation to think first and then develop a plan and have a road map and benchmarks. The obstacles and barriers should be identified and it should be worked out how to get through them. None of this was done in decentralisation. Time and again, this approach to governance appears and we wonder why, as Deputy Coveney said last night, the spatial strategy failed, why the health strategy failed and why decentralisation failed. There is a core issue and it is one of people taking political responsibility for delivering targets. When one takes political responsibility, one will ensure there is a road map and the obstacles have been foreseen and a way found to overcome them before one puts one’s neck on the line.

I give one cheer for the knowledge society plan but we need to see the Government has identified the barriers and it has a strategy to remove them, that it is genuinely starting with consumers’ needs and redesigning systems around those needs so that agencies are creating e-enabling as a means of delivering to customers and not just putting existing things on-line. We need to see that the Government will identify savings in advance. One of the alarming aspects is the inability to identify savings.

I wish the Minister of State well in his endeavours but if a knowledge society strategy like the last one is produced and it does not have a well-thought out implementation plan, tight

[Deputy Richard Bruton.]

budgets, benchmarks and responsibilities, and a willingness to drive agencies that will not co-operate, we will have wasted the opportunity.

Deputy Michael D'Arcy: E-services are a way of life in the private sector in areas such as banking and finance, information and research, travel and accommodation, and consumer spending. There is a need for greater and better access to Government services through information technology, with a recent survey indicating that 78% of respondents wish to avail of such services. There have been excellent successes in some areas of e-Government. One of these is the motor tax on-line service where dozens of local authorities allow people to pay their vehicle tax on-line quickly and efficiently. The Revenue on-line service is another notable success.

For these successes to be replicated in other sectors will require a properly thought out strategy that is implemented in a timely manner and is subject to a rigorous ongoing review process to ensure it is properly functioning, efficient, easy accessible and provides value for money. The wastage of resources that was allowed to happen in the past must not recur. The State could afford to be generous in its allocation of resources in the past, but that will not be possible to the same extent now that the economy is slowing down. There can be no excuse for wastage within any Government sector.

The implementation of successful e-Government projects will require the expertise of international experts in this field, as well as input from those involved in successful projects such as the Revenue on-line service and the motor tax on-line facility. Properly executed and completed within budget, such projects have the potential to deliver significant cost benefits for Departments by reducing the volume of internal administration in such areas as the payment of court fines, commercial rates and other charges, passport and driving licence renewals, student and housing grants and many other areas. This would allow for the transfer of personnel, subject to retraining requirements, from administrative work to the provision of frontline services where there is generally a shortage of staff.

The Tánaiste and Minister for Finance, Deputy Cowen, who is also the Taoiseach-designate, has repeatedly claimed that Fine Gael is bankrupt of policy. I take this opportunity to compliment Deputy Coveney, who has produced an excellent report on broadband provisions and other sectors, on bringing forward this motion. My party is clearly not bankrupt of policy. However, evidence of bankruptcy on the Government's part is clear in its failure to deliver essential projects on time and within budget. It must produce an action plan which includes an investigation of the viability of innovative uses of technology, such as text messaging and mobile telephone-based web facilities, for access to Government services. These technologies are continually developing but while the private sector is deriving great benefit from their utilisation, the Government is not taking advantage of them. These technologies are routinely used by consumers in the private sector. For example, we must exploit the potential of digital television to provide interactive Government services.

A move towards broader access to information within Departments carries with it a serious obligation to ensure security. A secure on-line digital identification system for users is required and all available safeguards must be employed to protect the identities and personal information of users. We must tighten up policies regarding the use of mobile devices such as laptops, BlackBerrys and memory sticks. Permission to convey databases of personal information outside of Departments on these devices must be restricted to safeguard security in the event of loss or theft. We have seen the negative impact of the loss of such information for Bank of Ireland in recent days and, before that, for the Irish Blood Transfusion Service.

Above all, it is vital that we have accountability. It is not sufficient merely to implement an efficient unified system with clearly identified objectives. Responsibility must be taken for delivering that system within an agreed timeframe and within budget. It must then be subject to annual audits to assess user benefits and satisfaction and to undertake comparisons with e-systems in other countries.

Deputy Terence Flanagan: I welcome the opportunity to speak on this motion and I thank our communications spokesperson, Deputy Coveney, for bringing it forward. I am pleased that agreement has been reached between the Minister of State, Deputy Tom Kitt, and Deputy Coveney to implement an agreed action plan on e-Government.

E-Government refers to the transaction of Government services, such as the making of payments to various Departments, on-line. Unfortunately, it has been successful in only a few instances. Until payments can be paid on-line to all Departments, the benefits of e-Government cannot be realised. However, i-Government, which is offered by most Departments, has been a success, allowing the user to print forms and complete them on-line.

Fine Gael supports the development of e-Government services. We realise, however, that certain members of the public such as the elderly prefer to conduct their business on a face-to-face basis with public servants. Such facilities should continue to be available. According to the Department of the Taoiseach, of 143 planned e-Government projects to date, only 86 are live, a success rate of 60%. A total of 45 projects are works in progress, while 24 have never commenced.

According to the Comptroller and Auditor General's report on e-Government, which was published last January, the total cost of the e-Government projects undertaken to date was €420 million, which was 20% over budget. In most cases, however, this included only the direct costs such as software and the employment of project consultants. The inclusion of the costs of engaging Civil Service staff on these projects would make the overrun much higher. The Comptroller and Auditor General identified the main failings of the Government's e-Government strategy as the lack of central leadership and oversight, particularly from the Departments of the Taoiseach and Finance, lack of specific targets for individual projects against which progress could be measured, and lack of strict budgetary mechanisms. Some projects took 25% longer to complete than planned.

The flagship project of the Government's strategy was the public service broker, which was envisaged as a one-stop system through which citizens could access all public services provided by the Government. The original estimate for the project was €14 million but its final cost was three times higher at €37million. In addition, there are ongoing costs of some €15 million per year. Despite the high budget overrun, the service provided is limited and falls far short of its stated aim, according to the Comptroller and Auditor General's report.

Another disaster was the planned national health portal. This project was supposed to allow the public access to all health services through a single site. It was abandoned in 2005, however, after €2 million had been spent. Likewise, a driving licence applications facility and passport applications service were abandoned after public money was wasted on initial development. In addition, 24 out of 143 planned e-Government projects have not even started. We must learn from the mistakes that have been made not only in this area but also in the case of such projects as PPARS and electronic voting. Such failures must not recur.

On the positive side, substantial savings have been achieved as a consequence of the successful e-Government projects. For example, it is estimated that the Revenue has saved €49 million since the introduction of its on-line service. Some 125,000 queuing hours have been saved as a result of the introduction of the on-line facility for the payment of motor tax. I have used the

[Deputy Terence Flanagan.]

motor tax website, *www.motortax.ie*, and found it useful. The expertise of those involved in the development of these successful systems should be harnessed for the purposes of forthcoming projects. The starting point of e-Government should be to put in place on-line systems to deal with applications for passports, driving licences, student grants, death certificates and additions to the electoral register.

In the action plan proposed for e-Government the name of the person who is ultimately responsible for implementing the project should be published. Clear and measurable objectives and a system of deadlines need to be put in place for each project. There should be annual reviews of e-Government projects, including the assessment of benefits, user satisfaction levels and comparison to other countries.

As Deputy Coveney's motion proposes, we should have a code of practice for the treatment of personal sensitive data, including restrictions on the use of laptops and BlackBerrys for databases. The last thing we need to read about in the newspapers is that laptops containing Government databases with the personal information of thousands of people have gone missing. We should also have restrictions on sending in the post databases with personal data. I am glad the above points are included in the motion agreed by Deputy Coveney and the Minister of State, Deputy Tom Kitt.

The Government has made many mistakes in the roll-out of e-Government, but it has also had success, particularly with the Revenue on-line and motor tax websites, and this should be acknowledged. I hope the lessons in the Comptroller and Auditor General's report can be taken on board and we can stop wasting taxpayers' money unnecessarily. I commend the motion to the House.

Deputy James Bannon: I strongly support this motion, which is driven by the findings of the Comptroller and Auditor General's report of the Government's e-Government strategy, or lack thereof. One only has to mention e-Government for a vision of misgovernment to take over and the overriding picture is one of fiasco and potential fiasco.

As the Government seems to be unable to complete unaided the projects outlined by Deputy Terence Flanagan, it is obviously time to bring in the cavalry. The information society policy unit of the Department of the Taoiseach must consult those with experience in this area to perfect and expand the existing e-Government initiatives.

In the midst of all this bungling, of major concern to me is the issue of security. There are so many institutions with details of our names, dates of birth, addresses, security codes, passwords and medical records that we have become completely vulnerable to identity theft. We could expect a bank which makes a €1.7 billion profit a year to keep its customer details secure but that was not the case, as the Bank of Ireland proved. Therefore, I would not put my money on the Government to protect my vital statistics. I am a betting man and I would not like to bet that the information would be secure with the Government. Its record of mismanagement in this area is a complete disaster.

Card fraud amounted to €14 million last year and apparently the latest form of theft involves distraction techniques. This can be done as simply as a child waving a newspaper in one's face at an ATM machine. One becomes distracted and another child nips in and makes off with a few hundred euro. The same could happen with the Government in a scenario which goes like this: the Government, which has all my details on computer with those of approximately 4 million other people, distracts us and itself with a promise or two, broken later of course, and while no one is looking, all the data disappears. One might say this is a flippant look at a serious situation but it is a valuable lesson nonetheless.

The future lies with e-Government, but security is a basic right of every citizen whose details are entrusted to a Government or non-governmental organisation. Assurances must be given that security will be put in place to protect what will be extensive and highly confidential data and extreme measures must be put in place to honour these assurances.

After the theft of a laptop containing details of Irish blood donors in New York, Deputy Ruairí Quinn asked how many other Government laptops had gone missing. The answer to his question turned out to be 80. This is extremely worrying and I certainly fail to remember news headlines about filing cabinets disappearing from Departments in the days of hard copy information storage. It seems we take one step forward in terms of progress and a number of steps backwards. There is a worrying lack of Government policies relating to security for e-data. With regard to the Irish Blood Transfusion Service laptop the question that must be asked is why was a laptop with details of Irish blood donors taken to New York and treated with such disregard.

We also have the issue of data retention whereby details are stored but nobody knows by whom, where it is kept or, most importantly, who has access to it. While this is permissible under a sequence of data retention legislation, I ask the Minister whether it is morally right.

It is becoming increasingly urgent that we debate in this House the growing availability of electronic systems used to monitor our citizens with regard to data privacy and retention. A series of data losses in the UK have focused attention on the entire area of data protection with the Liberal Democrat health spokesperson stating:

The whole culture of data management in the public sector has to change. Organisations and staff must understand that important data must be protected at all costs.

I certainly endorse that view.

This month, Sweden launched a new citizen-centred e-health strategy designed to ensure the provision of information to support improvements in health care. This e-health strategy will be used to ensure health care professionals can devote more time to patients and adapt health care provisions to individual needs. The strategy calls for tight security on any e-health system. Increased use of e-health will be combined with effective security measures designed to ensure that highly sensitive confidential information relating to individual patients or users is securely handled according to the strategy.

This move is designed to produce a strategy that examines progress in Sweden's health care settings to date and lists six action areas for co-operation and co-ordination at national level, which is extremely important. The first three relate to better conditions for ICT in health care and care of the elderly and the latter are about improving e-health solutions and adapting these to patient needs, which is also important.

Whenever health systems are ranked, in Europe Sweden seems to come out on top or very near the top. We can learn many lessons from the Swedish health care system and its e-Government provisions. At this late stage, after 11 years in power, will the Government take a lesson from what other nations are doing to protect their citizen's data? I would like to hear a response from the Minister on the Swedish system.

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I must apologise for my voice and before it fades completely I propose the withdrawal of amendment No. 1 to the motion.

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

Amendment, by leave, withdrawn.

Deputy Eamon Ryan: I move amendment No. 2:

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

- noting the findings of the Comptroller and Auditor General’s report on the Government’s e-Government strategy;
- noting the publication of the OECD report on the public service, which calls for a new approach to the use of technology in the modernisation process;
- noting the possibilities offered by the prudent exploitation of technology in the modernisation and transformation of Government in pursuit of higher levels of performance, especially in terms of efficiencies, cost-savings, ease of consumer access, transparency, and improving computer literacy generally;
- acknowledging the increasing potential of technology in improving performance in meeting citizen needs;
- noting the results of a recent survey which indicated that 78% of people want improved access to Government through IT;
- acknowledging that on-line Government services should exist as a complement to, and not as a replacement of, traditional face-to-face and phone-based services;
- noting that no formal e-Government strategy has been in place since early 2006, and therefore the need for a new strategy for the use of technology in Government; and

welcomes, in that context, the Department of the Taoiseach’s commitment to publish a new plan for the Knowledge Society this July setting out the new strategy for the use of technology in Government in the context of modernisation and performance improvement;

proposes that:

the Government should ensure that responsibility for the implementation of the projects identified in the strategy is clearly assigned and that the plan should:

- contain short, medium and long-term targets;
- provide for a method of regular review and reporting on the achievement or otherwise of those targets;
- address the need for secure identification and payment systems that are low-cost, flexible and easy to use, as a foundation for the development of sophisticated on-line public services;
- give commitments to the provision, in a two year timeframe (and subject to 6 monthly reviews), of on-line systems for driving licenses, haulage licenses, student grants and housing grants, procurement and tendering, planning permission and planning objections, birth certificates, health services information, marriage certificates and death certificates, payment of court fines and commercial rates; and
- provide for the extension of citizen information facilities to include on-line public transport information where possible;

the Government should consider assigning an ‘innovation brokering’ function, to encourage and support, where appropriate, partnerships with academic institutions and industry,

to stimulate innovation, harnessing emerging technologies to support modernisation and performance improvement, initially focusing on:

- the potential for using mobile devices for access to and use of services;
- the use of digital TV for interactive Government services; and
- the possibilities for greater exploitation of low-cost on-line tools and software;

the Government should also include, in respect of modernisation and transformation projects supported by technology:

- a provision that all projects must be published with the name of the person with ultimate responsibility for implementing the project, a clear statement of objectives, a detailed budget and clear measurable deadlines;
- a provision for annual overall reporting on modernisation, including where practicable, assessments of benefits, user satisfaction levels etc. to be presented to the Oireachtas; and
- a mechanism or process for consideration of cross-organisational issues and services, where responsibilities and funding can be agreed and where innovative services can be designed around user needs;

the Government should also establish a rigorous code of practice governing the treatment of sensitive personal data by public sector organisations, including guidelines and procedures for the storage, transmission and transportation of personal data (including on laptops, data keys etc.), and six-monthly review of all encryption and security software procedures.

With my remaining vocal cords, I commend Deputy Coveney and the Minister of State, Deputy Tom Kitt, for being able to reach agreement on a joint motion. It is progressive and it does the State a service. We are in common agreement on the need to move towards the greater use of e-communications in Government business. No one disputes that. How we achieve it is the key issue. Rather than hammering backwards and forwards, with the Opposition claiming that the Government is doing nothing and it is all wrong, and the Government retorting that the Opposition knows nothing and it is all happening, it is far more progressive for the Dáil and the Houses to tease out the details of where we can reach agreement as has happened with the drafting of the amendment to the motion. I commend Deputy Coveney and the Minister of State, Deputy Kitt, in this regard.

The motion comes at a timely moment not alone in respect of the Comptroller and Auditor General's report, but, particularly, the publication on Monday of the OECD report which is of significant consequence in terms of the development of public services in Ireland. The report comes at an interesting time. It is clear we are at a stage when we will be not as certain as we have been over the past ten years or 15 years of the levels of growth in income and other taxes. In these circumstances, there will be, rightly and justly, real pressure on us to make the most effective use of public money. In this context, there is no greater opportunity for us to deliver greater efficiencies and improvements in public service than through the deployment of new digital technologies which are rapidly evolving.

My ministerial office is responsible for communications and broadcasting. One can see emerging a pattern of rapid change in the computing industries with services now being stored

[Deputy Eamon Ryan.]

and delivered not from servers within the office but from a remote network, one of the tools of the trade in computing. Not having to have complex, heavy pieces of machinery in every office of the State and being able store information remotely and access it over the Internet will result in huge efficiencies.

Efficiencies are also being delivered through changes in technology in the communications area which allow for the fast transfer of data. This does not happen only in the area of traditional fixed line networks but in regard to a new range of mobile devices, all of which we are using in a way not expected five years ago. This work in terms of how we promote a new e-services strategy within Government is timely. It fits in with what I understand as the general recommendation of the OECD review, namely, that we need a flexible public service that is networked across other Departments. We cannot have one Department working on an issue without recognising that often three or four other Departments have an equal interest or responsibility in that regard. Co-ordination can work far better in areas where there is open communication and digital communication systems which work effectively together.

I would like now to concentrate on broadband, an issue raised by a number of Members opposite, and, I am sure, by Members on this side of the House, in terms of how we can, through the provision of broadband, improve the services we use in the State. The State can be a leader or a real stimulator of broadband applications. The State, through its own procurement policies and delivery of its own services, has the potential to be a leader and to assist other commercial sectors of Irish society to make similar efficiencies and improvements in customer service. It can also lead in terms of the use of new broadband communication technologies to sell not alone in Ireland but around the world.

The delivery of public services in the area of health, education and various Departments will assist in building up a volume of business for data broadband networks which will help them become commercially applicable elsewhere. Crucial development is often in the area of small applications. Immediate usage will not necessarily be in the area of 100 mega connectivity broadband applications but in ubiquitous connectivity. The fact that we can connect to the Internet in a whole variety of locations through a wide variety of platforms is what will give us as a country the advantage over other countries. It is our flexibility in public policy making — the type of flexibility shown here tonight — that should provide us with an advantage to spend Irish taxpayers' money well, to create Ireland as a best case example for development of new e-communication services.

I commend the amended motion and both parties involved in its drafting.

Deputy Noel J. Coonan: I wish to share time with Deputy Coveney.

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

Deputy Noel J. Coonan: I welcome the news that agreement has been reached between the Chief Whip and Deputy Simon Coveney on an amended motion. I am glad the Chief Whip is looking to our side of the House and acknowledging we have ideas and the ability to put forward motions from which the country will benefit. I hope this is the start of a new trend.

I listened to the contribution made by the Minister for Communications, Energy and Natural Resources, Deputy Eamon Ryan. There is not much point talking about a new strategy if the infrastructure to deliver it is not in place. It certainly is not in place in rural Ireland. The Government must first ensure that infrastructure is put in place so as to afford the people of rural Ireland an opportunity to move with the modern age, which is in e-Government. The

national broadband scheme will, it is hoped, provide broadband services in areas currently unserved. I welcome the Minister's announcement that the scheme will be rolled-out later.

The motion calls on the Government to consider a series of innovative solutions to improve the performance of e-Government. It is important when considering the motion to ensure that the realm of e-Government becomes more user-friendly. I hope the Departments using e-Government will avail of the opportunity to provide on-line user-friendly application forms. The application process for the farm early retirement scheme — for which I am seriously considering applying — is so convoluted and technical that even legal professionals have difficulty making them, which is incredible.

We need broadband in unserved rural areas and we need it now. Initiatives to bridge the gap in respect of broadband coverage need to be constantly updated to ensure people can avail of the new e-Government strategy. This strategy has the potential to transform public services and citizens' experience of it. To achieve this, there needs to be a re-organisation of the politics behind it. I am glad the Fine Gael motion has been taken into consideration tonight. It is hoped the next step will be to improve connectivity, band width and download speed.

The Tánaiste and Minister for Finance, and Taoiseach-elect, Deputy Brian Cowen, needs to seriously apply himself to the issue of e-Government and high speed broadband connectivity. Both must be a priority. We need more successful projects like the motor tax on-line service.

Deputy Terence Flanagan: Hear, hear.

Deputy Noel J. Coonan: It would be great if the public had an opportunity to report, on-line, illegal dumping, to obtain statistics about their neighbourhood or to find out about school term dates. These basic facilities exist in other countries. It is important we keep up with international best practice.

The OECD report published earlier this week highlighted the problems in respect of e-Government. It stated that from a wider perspective there is concern that Ireland is falling behind in international benchmarks of on-line service provision. The report makes it clear that we are not keeping up with international best practice and need a new approach to the use of technology.

I am glad the Government has seen the sense of our recommendations. We want an aggressive roll-out of broadband to coincide with this new e-Government strategy. Fine Gael has been to the fore in driving forward both of these issues and will continue to push them. High speed broadband has become essential in life, education and business and is no longer an extravagance. As modernisation continues to sweep the country, it is imperative our infrastructure is up to speed in this regard.

I hope the e-Government initiative will be more successful than the better local government initiative. Most of us have experienced what happens when one rings a Department or local authority, namely, one is given the option of pressing buttons 1, 2 or 3 following which one hears a message indicating the mailbox is full, the person required is on annual leave or asking that a message be left and the person will return the call. All of this is to the strains of "Have I told you lately that I love you?" It is so frustrating but we hope when one uses e-Government that the least one will get is some information.

Deputy Simon Coveney: I wish to outline the purpose of Fine Gael tabling this motion in Private Members' time. We want an accepted recognition that Ireland needs a new strategy for modernisation and information technology in Government. It is an embarrassment that we

[Deputy Simon Coveney.]

have had no formal strategy in place since early 2006 on this issue since the new connections strategy finished at the end of 2005. We want to insist on lessons being learned from previous strategies that have cost, and continue to cost, significant sums of money, yet have not delivered sufficiently. We need to recognise the notable failures and learn the lessons from such failures and also recognise the successes so that we replicate that model and apply it to other areas to get the success we have got from the Revenue Commissioners in terms of making services available on-line. We are trying to influence the thinking of Government behind the policy formation and more important, perhaps, the planning and implementation of the Government's next e-Government strategy. We are emphasising once again the priority that we in Fine Gael give to the creation of an advanced modern information society in Ireland and the necessity for clear Government commitment, direction and leadership to achieve that end. We were looking for agreement from all parties, including Government, on the priorities set out in our original motion, as a recognition that this has been a worthwhile debate in outlining ideas to progress and re-ignite the modernisation agenda through advancement in communications technology.

There is a perception among some people that e-Government is simply about providing information on-line, putting information that was in pamphlets and books on to websites to allow citizens to access information via the Internet. Accessing information on-line is, of course, part of e-Government but only that. What we need to achieve is the creation of new solutions through technology to provide a full range of services to the public, allowing full interaction across a broad range of public services and also to facilitate interaction between Departments, local authorities and public sector bodies that can improve efficiency, drive down costs and, most important, provide better Government.

What this issue is about is Government reflecting the needs of a modern society in the provision of public services. It is about providing 24 hour access to services and information in the same way that the private sector has already done in a range of areas. Most families planning their holidays look up the Aer Lingus and Ryanair websites after dinner in the evening and probably book their flights, hotels, hire care and their place by the pool side, if they wish to do so, via the Internet.

Deputy Eamon Ryan: If they were to go to Cork they would not have to fly anywhere.

Deputy Simon Coveney: The weather is much better there so they can do that. If one compares how the private sector has reflected on the way in which modern society lives and interacts with how the Government has responded it is clear we are lagging behind as in so many other sectors. For most people time is at a premium. It is no longer good enough to provide essential public services from 9 a.m. to 5 p.m. or 10 a.m. to 4 p.m. as is sometimes available or to allow planners be accessed by the public for two or three hours two days per week, which is the case in many local authorities. It is no longer acceptable when we know we can provide these services in a much more cost effective way in terms of how we spend taxpayers' money that we do not do it.

A recent survey conducted by a local authority in the UK stands over the figure that it is 50 times less expensive to provide basic services on-line on average than it is to provide those services on a face to face basis, employing somebody to meet a member of the public.

This motion may sound somewhat technical and a little boring but it is hugely important and relevant to our everyday lives. It is about facilitating often basic and useful tasks, such as reporting a pothole or a faulty public light over the computer from home. It is about creating

the capacity for citizens to apply for planning permission on-line. It was pointed out last night that we have the ridiculous situation of most local authorities providing a good information service where one can go on-line and look at planning applications and the detail of them but one cannot apply for planning permission or make an objection on-line. One can see the detail but one has to get into one's car and travel down to the local authority and fill out a form before making a comment or an objection. That is the kind of nonsensical, non-joined-up thinking that currently exists. It is about people waiting at a bus stop accessing, via PDA, information on when the next bus is due or whether it is stuck in traffic. It is about reporting a crime to one's local Garda station on-line as opposed to waiting until it opens next morning. It is about applying for a new passport or a new television licence. One can renew one's television licence on-line but not get a new one, yet we are trying to stamp out the practice of people not paying their television licence fee.

It is about applying and paying for, in one transaction, driving licences, student grants, housing grants, birth certificates, marriage certificates and a whole range of other basic services that we should be able to access at home in the evening after work while spending time with our families. It is about getting registered to vote without having to go to a Garda station, the local authority or one's local TD. It is about GPs being able to access patient records from hospitals and *vice versa*, hospitals being able to access patient records in accident and emergency departments if somebody comes in unconscious as a result of a car crash. Instead, in the accident and emergency departments, there is a scramble to find out who is the person's GP. That information should be available on a centralised health computer system so that when people from Cork are in Dublin and get sick or have an accident and go to a local doctor their information is available on a database. These are the practical solutions e-Government can provide. That is why this motion is important even though technically boring.

These are not projects that should be promoted because Ireland needs to be seen to be embracing technology, although that is important in terms of the image we send out to the rest of the world, but because through technology we can deliver better Government that takes account of modern living and because it can deliver services in a far more cost effective way. E-Government or modernisation in Government is about delivering better government. That is why it is important.

Individual local authorities and individual public bodies in different parts of the country are developing their own IT processes independently of one another. We will face the difficulty of trying to co-ordinate all of those at a later stage, the issues Deputy Bruton pointed out earlier, if we do not take charge centrally.

I thank the Minister for agreeing a joint motion with me on which we both worked and made compromises. We have got what we want as an Opposition in terms of content in our motion. I thank the Minister for that. That is not to say this is a rubber-stamping of the Government's future strategy on e-Government. We will seek to ensure that all of what we have achieved in this motion is delivered on time as set out, that the targets set out are delivered, that the delivery and accountability system is put in place and the security system for people's data is put in place. In the past two years, 123 items holding personal data, including laptops, memory sticks and mobile telephones, have been stolen across 15 Departments. We have a serious data protection problem which must be addressed through a detailed, comprehensive code of conduct. Let us have delivery on this issue. I look forward to following developments, now that we have agreed a framework within which progress is to be made.

Amendment No. 2 agreed to.

Motion, as amended, agreed to.

Adjournment Debate.

School Accommodation.

Deputy Olwyn Enright: I thank the Ceann Comhairle for the opportunity to raise this important issue. I do so on behalf of Gaelscoil Portlaoise which has been trying for a considerable period to secure permanent accommodation. The Department of Education and Science recently requested the school to enter into a further three-year lease on the current site at Heathfield in Portlaoise. The annual rent for the site is €120,000, in addition to which the school must pay rent of approximately €155,000 for classrooms and Portakabins. The total being spent by the Department on temporary accommodation for the school is €275,000 per annum. The Minister of State, Deputy Haughey, and other Deputies present will agree this is a large sum for a temporary facility.

In September 2008, the 11-teacher school will have 208 pupils, a figure which is expected to increase considerably in the coming years. The gaelscoil was originally founded in the prison officers club in Portlaoise in 1998. Thereafter it moved to the GAA club and has been located on the current site at Heathfield for three years. The school authorities, parents' council and others have done substantial work on the school's infrastructure, including the installation of tarmacadam areas for sport. Approximately €50,000 was spent on this type of work in the past three years.

I share the concern of parents and the school authorities about the lack of commitment to a permanent accommodation solution. A difficulty has arisen in Portlaoise because all the town's schools have been allowed to drift on the Department's schools building programme for a considerable period. Consequently, school accommodation throughout the town has reached crisis point. While solutions for some schools are in the offing, a solution has not been provided for the gaelscoil.

Every time a Deputy raises this issue with the Department, it refers to the McCarthy report issued in 2000 and indicates the school will be considered in 2011 when all other schools in the town have secured accommodation. The other schools are not optimistic on that count. Parents and teachers are frustrated by the Department's approach.

The key issue is the large amount of money the Department is spending on temporary accommodation. By 2011, almost €1 million will have been spent on a temporary facility. The sum would go a long way to providing a permanent accommodation solution. The school has submitted two site options, including the current site, to the Department and is anxious to enter into meaningful negotiations with it to find a permanent solution. While the school authorities want to keep the school open for the next number of years, they also want a permanent facility, rather than an expensive temporary facility. In the eyes of the school authorities, the current accommodation has been a long-term solution which bridges a gap but does not offer a long-term answer. I ask that the Minister give the issue serious consideration, enter into meaningful negotiations and provide a permanent solution to the problem.

Minister of State at the Department of Education and Science (Deputy Seán Haughey): I thank the Deputy for raising this matter as it provides me with the opportunity to outline the

Government's strategy for capital investment in education projects and the current position regarding my Department's long-term plan for Portlaoise in general. On the latter issue, the developing areas unit of the Department has identified the town as an area of rapid development. In this regard, a decision has been taken to provide three new post-primary schools and amalgamate and expand primary provision to meet the growing needs of the area. Educational provision at post-primary level needed to be addressed first and a new VEC school building has been delivered. The two other post-primary school building projects are due to go on site this year and are being delivered by way of public private partnership.

Now that the accommodation requirements of the town at post-primary level are well on the way to being addressed, it is proposed to deal with the primary school requirements. Approval in principle has been given for five large-scale primary building projects in Portlaoise which will improve conditions for the schools concerned and provide much needed extra school places.

Two new green field site schools will be built to facilitate the amalgamation of Scoil Náisiúnta an Chroí Naofa, St. Paul's primary school and Scoil Náisiúnta Mhuire. The new facilities will be configured as a junior and senior school and will cater for 1,600 pupils. The school authorities were given approval to appoint design teams and the nominees under consideration are with the Department for ratification.

The third project is the extension of Scoil Bride, Knockmay, to create a 32 classroom school catering for 800 pupils. The school authorities were given approval to appoint design teams and the nominees under consideration for this project are also with the Department for ratification. The fourth is the extension of The Heath national school which will enable it to cater for 200 pupils. A site visit has been carried out by the Department's technical staff. Funding is also being made available to Maryboro national school on a devolved basis to enable the construction of a new three classroom school for 75 pupils.

Taking all these factors into consideration the Department is examining options for the provision of permanent accommodation for Gaelscoil Portlaoise.

Deputy Olwyn Enright: What are they?

Deputy Seán Haughey: The various options under consideration will be considered in the context of the Department's multiannual school building and modernisation programme. The Department will keep the school informed of any developments. I thank the Deputy again for affording me the opportunity to outline the current position regarding schools in Portlaoise.

Fisheries Protection.

Deputy Martin Ferris: The Sea-Fisheries Protection Authority report gives the impression that the bulk of illegal fishing is being carried out by Irish boats. While I do not defend any such illegal activity, I am aware from experience that most of those involved in the fishing sector are of the opinion that most illegal fishing is carried by non-Irish vessels. I still await replies to a number of questions I tabled on the number of verbal and written warnings issued to vessels by the Sea-Fisheries Protection Authority and the number of prosecutions it has initiated. I understand the authority did not give any verbal or written warnings and chose instead to initiate prosecutions immediately.

The Naval Service, on the other hand, which deals mainly with foreign vessels fishing in Irish waters, issues verbal warnings first. There follows a written warning and, if necessary, a prosecution ensues thereafter. Given that 75% of the legal catch in Irish waters is being taken by non-Irish boats, we must assume illegal fishing is being carried out in at least the same

[Deputy Martin Ferris.]

proportion, and probably higher, due to the limited resources and powers the Irish protection services have on foreign vessels. According to one estimate, at least 9,000 tonnes of fish are illegally caught in our waters each year. That amounts to €45 million per year. To put that in context, the value of the demersal and pelagic catch by Irish fishermen in 2004 was €123 million. I want to bring to the attention of the House and the Minister that I am totally dissatisfied, as a representative of a coastal community, with the fact that the Sea Fisheries Protection Authority is targeting Irish vessels and does not give them the opportunity of a verbal or written warning prior to prosecution.

Deputy P. J. Sheehan: I thank the Ceann Comhairle for selecting this very important matter to be raised. When does the Minister for Agriculture, Fisheries and Food intend to remove the element of criminal prosecution of those charged under the various fisheries Acts, and will she make a statement on the matter? I see the Minister, Deputy Coughlan, was unable to come to the House but the Minister of State, Deputy Browne, whom I know very well and who has a very good, thorough knowledge of the fishing industry, will take her place here tonight. The fishermen of this country have many problems but this problem can be removed with the stroke of a pen by the Minister for Agriculture, Fisheries and Food before she might depart for greener pastures in the coming week.

We seem to be the best Europeans in the EU. Not only are we implementing EU regulations, but we are penalising Irish fishermen more severely than any other member state. No other member state imposes criminal sanctions on its fishermen for these offences. There was no stipulation from the EU to criminalise Irish fishermen. Why did the Government implement such a rash measure on our Irish fishing skippers? The criminalisation of Irish fishermen must be stopped immediately. If there is an infringement of EU regulations in any other country in Europe it is dealt with at District Court level, not going as far as Circuit Court level. We criminalise Irish fishermen, which shows on their record if they travel to the United States or elsewhere abroad. No other European country does that. If the Taoiseach can ask Congress in the great USA today for an amnesty for the illegal Irish in America, I ask only for an amnesty for our Irish fishing trawler owners here.

I understand the Minister has hinted she wants to change this. I demand that the Minister remove this blatant discrimination by confirming tonight, through the Minister of State's reply, her intention to do so and to stop the criminalisation of Irish fishermen. I look forward to a positive reply from the Minister of State and I wish his superior luck in whatever might happen next week.

Minister of State at the Department of Agriculture, Fisheries and Food (Deputy John Browne): I thank Deputies Ferris and Sheehan for raising this very important issue. Ireland has a very important position as custodian of the largest and richest fishing waters within the EU and 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 the Naval Service, the Air Corps and the Sea Fisheries Protection Authority. The use of these resources with the addition of satellite monitoring of all fishing vessels, EU and non-EU, allows a high level of monitoring and surveillance of our waters.

The fishing activity of non-Irish fishing vessels within our 200-mile limit is monitored by a combination of maritime air patrols by the Air Corps, simultaneous deployment of several Naval Service patrol vessels within our 200-mile limit and beyond, close monitoring of the position signals from these fishing vessels relayed via satellite to the fisheries monitoring centre

at Haulbowline and direct inspections of these fishing vessels by the Sea Fisheries Protection Authority when they enter Irish ports to land their fish. The control authorities also co-operate with our neighbouring member states to ensure effective protection of the fisheries in our waters and elsewhere.

Notwithstanding the efforts employed by the Irish control authorities, illegal fishing practices by all fishing fleets in Ireland's exclusive fisheries zone remain a matter of ongoing and substantial concern. Illegal practices militate against the protection of our fisheries resources and their exploitation in a sustainable way into the future. I have worked to strengthen the tools available to our control authorities to monitor activities at sea. Following strong pressure from Ireland, the Agriculture and Fisheries Council agreed a new EU regulation on electronic recording and reporting of fishing activity and on a means of remote sensing of fishing vessels. The new measures oblige fishing vessels to record and submit their logbook by electronic means at least once a day to the control authorities. Coastal member states will have full on-line access in real time to the electronic log book and landing declaration data of all vessels operating in its waters. This measure will substantially strengthen Ireland's controls at sea.

We must ensure that the rules of the common fisheries policy are evenly and properly applied throughout the Union. As Minister with responsibility for fisheries, I have worked to deliver a level playing field on control and this will remain my top priority. The conservation and sustainable management of fish stocks are critical to support and protect fishing communities dependent on fishing around the coast and we must ensure that all fishing vessels fishing in our waters respect the rules.

Regarding prosecutions for illegal activities, it is important to reflect, as I have outlined, the importance of having in place penalties that act as a deterrent to address illegal fishing activity by all fishing vessels operating in our zone. Obviously Deputy Sheehan must have got a tip-off.

Deputy Willie Penrose: He is a man with his nose to the ground.

Deputy John Browne: The possibility of introducing administrative sanctions was comprehensively considered at the time of the passage of the Sea-Fisheries and Maritime Jurisdiction Bill through the Oireachtas in 2005 and 2006 but these were not included in the Act. The position taken by the Minister at the time was based on the legal advice from the Attorney General.

Under the current Act all sanctions are purely financial in nature. The Act simply sets down the maximum fines that may be applied. No minimum fine is set and it is purely a matter for a judge, taking into account the specific case, to determine the actual fine levied. The Act also applied for the first time a scaled approach to setting maximum fines whereby the maximum fines set for smaller vessels are less than for larger vessels. In that respect the 2006 Act sought to guarantee a degree of proportionality for fines based on vessel size, a factor which did not exist in the previous legislation.

On foot of the recent Court of Auditors report on fisheries control the Commission is proposing wide-ranging proposals to reform and update the EU fisheries control framework and it is likely that the issue of harmonised sanctions will be considered in that light. In addition, the recent Commission proposal on illegal, unregulated, unreported fishing proposes a degree of harmonisation of sanctions for fisheries offences. This approach may have significant implications for the application of administrative sanctions in Ireland for fishery offences.

At that time, as Deputy Sheehan hinted, I asked my Department to review the operation of sanctions under the Sea-Fisheries and Maritime Jurisdiction Act 2006 in light of experience

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since its enactment. Officials of my Department will be consulting, among others, industry representatives, the Sea Fisheries Protection Authority and the Office of the Attorney General in the course of their review. Invitations have been issued to the fishing industry representative organisations inviting them to meet with official groups to present views on this issue as soon as possible.

Deputy P. J. Sheehan: Will the Minister decriminalise the actions of the fishermen?

Deputy John Browne: We will review the legislation.

Deputy P. J. Sheehan: I want an amnesty for our trawler owners who are victimised.

Schools Building Projects.

Deputy Willie Penrose: I thank the Ceann Comhairle for the opportunity to raise the important subject of the provision of a new school for Athlone Community College. This is not a mushroom-type project of which the Minister and his Department has only recently become aware. On the contrary, the Minister and his Department officials are fully conversant with this important project for Athlone. A detailed feasibility study was carried out on it in 2002 and 2003. Athlone Community College was constructed in the 1970s, backed by funding from the World Bank. The building clearly had a limited lifespan which has now been greatly exceeded. The rationale for putting in place a new school has been clearly proven and all that is required is to ensure the old building is replaced immediately. No ifs or buts — replacement with a top-class building capable of catering for 1,000 pupils is immediately needed.

The building currently accommodates 860 pupils and there was no equivocation when the decision was made to construct a new building. Following the aforementioned feasibility study, the school authorities were informed that it had been placed in priority banding 1, a decisive indication that a new school was the only way forward. I salute the school principal, Val O'Connor, and all the teachers who, together with the board of management and the parents' association, must be rightly proud of the excellent academic achievements of the school's pupils over the last number of years, complemented by their heroic achievements on the sporting and cultural fields.

In this context, let us retrace the history of this project, which, unbelievably, appears to have been put in cold storage despite unqualified assurances and commitments by the Minister of State's senior Minister, Deputy Hanafin, in correspondence in November 2006 to both former Deputy Cassidy and Gearóid Ó Brádaigh, chief executive officer of Westmeath VEC, that it was full steam ahead for the school building project. To former Deputy Cassidy, the Minister stated in her letter that the school was authorised to commence architectural planning with immediate effect. It was indicated in this correspondence that the building unit of her Department would shortly be in contact with the school to outline how the project would progress. As expected, the Department's building unit, on 16 November 2006, some eight days later, contacted Mr. Ó Brádaigh indicating that the proposed development of Athlone Community College was one of the projects selected to proceed with immediate effect. After this, to facilitate the initiation of the design phase of the school project, the interested parties were invited to meet with officials in Tullamore on Wednesday, 13 December 2006. They duly attended and came away heartened that no obstacles would be placed in the path of the advancement of this important project. We were all greatly satisfied with that assurance. Indeed, one of the participants recalls only too well the assertion by the officials at the meeting that the only people who could delay the project were the clients — that is, the VEC. That was music to everyone's

ears because the VEC was on the button and was pressing ahead. It was confident that a new school would be in place at the end of 2010 or 2011 at the latest. That was the target set out in the school project feasibility study, and Kinnegad was also mentioned in this regard.

We can imagine their shock, then, when in response to a letter of 2 April 2008 from the CEO — he also wrote in December 2007 — expressing concern about the complete standstill and absence of any progress in the project over a period of several months, the Minister replied in a letter dated 9 April 2008 that a developing areas unit had been set up in her Department to focus on the school accommodation needs of rapidly developing areas, including the area to which the CEO referred — namely Athlone — and that in this context the status of the project was to be assessed and progression of the project would be considered in the context of the multi-annual school building and modernisation programme. This was a stalling exercise, no more and no less. What further review is required? Surely the Minister of State does not intend to waste valuable time and resources by trying to reinvent the wheel. The reassessment surely has the sole purpose of delaying the progress of this important project. The status of the project has already been decided by the Department's officials and any further attempt to change the goalposts or procrastinate about status will be seen for what it is — the diversion of money that has been designated for an important centre of learning in Athlone — which, along with Mullingar and Tullamore, is one of the gateway towns of County Westmeath — to other areas of the country, notably the eastern seaboard and Dublin in particular. This should not happen. Money should be provided for every new school that is required. It should not be a question of either one school or another. There are schools needed all over the country and if we do not have the money to provide the necessary educational accommodation, we could readily borrow funding for the purpose of providing much needed schools.

At a special meeting of County Westmeath VEC on Monday, 28 April 2008 — only a couple of days ago — members unanimously called upon the Minister, Deputy Hanafin, to meet a deputation to ensure there will be no further delays, foot-dragging or procrastination in this important project, and that it will proceed as planned in the original timetable. I call upon the Minister of State to meet with his senior Minister to ensure that this project goes ahead as planned and that she will meet the deputation, as requested by me in a letter to her dated 28 April 2008. I look forward to a positive reply from the Minister of State. He is well aware of how important schools are in giving an opportunity to people to start off well in their educational fields.

Deputy Seán Haughey: I thank the Deputy for raising this matter as it provides me with the opportunity to outline to this House the Government's strategy for capital investment in education projects and also to outline the current position with regard to the Athlone Community College building project.

As the Deputy may be aware, a developing areas unit was set up recently in my Department to focus on the school accommodation needs of rapidly developing areas. The main emphasis in 2008 is on providing sufficient school places in these developing areas as well as delivering improvements in the quality of existing primary and post-primary school accommodation throughout the country. The developing areas unit has identified Athlone as an area of rapid development. In this regard, a decision has already been taken to replace and expand the existing Athlone Community College. The new building will cater for 1,000 pupils. This project has advanced to the point where schedules of accommodation have been drawn up. These were issued for observations to the VEC and its response in this regard is being considered by the Department's senior building inspector.

[Deputy Seán Haughey.]

While I am not in a position to give a timetable for the commencement of this particular project, I will reiterate that the need for a new school building for the school in question is acknowledged by my Department. Once the schedules of accommodation have been finalised and agreed, the building project required to deliver the new school building will be considered in the context of the multi-annual school building and modernisation programme.

I thank the Deputy once again for affording me the opportunity to outline to the House the current position on Athlone Community College.

Deputy Ciarán Lynch: I thank the Ceann Comhairle for the opportunity to bring the matter of Ballygarvan national school before the Dáil. As the Minister for Education and Science is aware, I have raised this matter with her on two previous occasions. In November of 2007 I asked when the building of a new school would be completed and brought to her attention once again the overcrowded conditions in the existing school. I also asked her to explain what is impeding the progress of the project. In December 2007 I raised the matter of when the Office of the Chief State Solicitor would be instructed to finalise the purchase of the three plots of land and when the construction of the school would commence. Tonight I raise again the urgent matter of Ballygarvan national school and I ask the Minister of State whether the Department's officials have begun the conveyancing and contract process, when this is due to be completed, and when the contracts will be signed so that construction of the new school can commence.

The present school is grossly inadequate to meet the needs of the village population. Inordinate delays have meant that the current school population subsists in prefabricated and dilapidated buildings which breach the Department's guidelines on proper accommodation. I salute the staff who go to work there every day and provide a high-quality education to the children of that area in spite of the problems experienced by the school as a result of the delay in this project.

I wish to quote some of the parents who have corresponded with me on this matter. One parent says: "Our three children attend Ballygarvan National School and of the three, two of them are accommodated in portakabins." Another states:

The issue of a new school has been topical since our oldest child started in school — she is now in fourth class and is educated in a portakabin. I have no reason to believe that she will ever attend the new school as she will be finished primary in two years.

I draw the Minister of State's attention to the following point in particular: "Some two years ago, the books, personal belongings and general contents of one portakabin were removed and burned because evidence of rat infestation was found INSIDE the portakabin and this course of action was deemed necessary as a safety precaution." The removal and burning of coats, schoolbags, books and other school articles because of rats is completely unacceptable in 2008.

Another parent outlines succinctly the difficulties outlined by the school and goes on to say:

We have been told about the legal difficulties in relation to the site but there have been difficulties for the last 10 years. These excuses are not going to help my asthmatic child when he is in a damp cold classroom next year in an obsolete building. Nor does it help children trying to learn in overcrowded classrooms or get some physical exercise in a tiny yard. In any project in my business, I make sure the professionals get on with their job and get the

thing progressed. That is surely the Government's job through the Department of Education in the case of this school.

In 1998, Ballygarvan national school started the process of seeking a new school for the area as there was major growth in the community. In 2001, a configuration of three sites was identified. In February 2003, due to a lack of available funding, negotiations for the acquisition of these sites were put on hold and in May 2004 negotiations for the site acquisitions were recommenced. It is now 2008. Ten years after that initial day a community which has grown several fold is still without the basic requirements of what we would call a school. The idea that in this economy ten years down the line the Government believes it is acceptable for the children of the Ballygarvan area, their parents and the teachers who work there to have to go to this school in its current condition on a day-to-day basis is unacceptable.

I look forward to hearing the Minister's response. I hope it is not the general platitudes of the building programme. This evening I want specific answers about this school.

Deputy Seán Haughey: I thank the Deputy for raising this matter as it provides me with the opportunity to outline to the House the Government's strategy for capital investment in education projects and also to outline the current position on the building project for Ballygarvan national school.

Modernising facilities in approximately 3,200 primary and 730 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 to emerging needs in areas of rapid population growth. Nonetheless, the Government has shown a consistent 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.

The Government has dramatically increased investment in the school building programme from just over €90 million in 1997 to almost €600 million this year. Under the lifetime of the national development plan, almost €4.5 billion will be invested in schools. This is an unprecedented level of capital investment which reflects the commitment of the Government to continue its programme of sustained investment in primary and post-primary schools.

As the Deputy may be aware, a developing areas unit was set up recently in the Department to focus on the school accommodation needs of rapidly developing areas. The main emphasis in 2008 is on providing sufficient school places in these developing areas, as well as delivering improvements in the quality of existing primary and post-primary school accommodation throughout the country.

On Ballygarvan national school and Carrigaline generally——

Deputy Ciarán Lynch: At last.

Deputy Seán Haughey: ——the developing areas unit of the Department has identified Carrigaline as an area of rapid development. In this regard, a decision has already been taken to replace and expand the school. The new building, when complete, will be a 16-classroom school.

A suitable site has been identified for the school in question. The site comprises three plots of land with three separate vendors. A number of issues have arisen during the acquisition process and the Department is continuing to progress these outstanding issues in consultation with the Chief State Solicitor's office. When the site acquisition is complete, a building project for the school will be considered in the context of the Department's multi-annual school building and modernisation programme.

[Deputy Seán Haughey.]

While I am not in a position to give a timetable for the commencement of this particular project, I reiterate that the need for a new school building for the school in question is acknowledged by the Department. In the meantime, temporary accommodation for the school has been approved by the Department as an interim measure to facilitate increased enrolments next September.

I thank the Deputy once again for affording me the opportunity to outline the current position on Ballygarvan national school.

Deputy Ciarán Lynch: It is clearly evident from this evening that nothing has changed since November and December last when I raised this matter.

Acting Chairman (Deputy Johnny Brady): The Deputy cannot contribute again.

Deputy Ciarán Lynch: There has been no further progress.

Acting Chairman: Please, Deputy, you cannot contribute again.

The Dáil adjourned at 9.05 p.m. until 10.30 a.m. on Thursday, 1 May 2008.

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.

Consumer Protection.

10. **Deputy Pat Breen** asked the Minister for Enterprise, Trade and Employment the contact he has had with the National Consumer Agency regarding the large price differences for the same goods sold in the UK and here; and if he will make a statement on the matter. [16694/08]

21. **Deputy Willie Penrose** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to reports that reductions in the cost of goods imported from outside the euro area, which should have followed on from the increase in the value of the euro, especially against sterling and the dollar, are not being passed on to consumers; the action he will take to ensure that such savings are passed on; if he will provide additional statutory powers for the National Consumer Agency to deal with this problem; and if he will make a statement on the matter. [16545/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): I propose to take Questions Nos. 10 and 21 together.

I am aware of the concerns expressed by some commentators that the benefits of ongoing movements in exchange rates between the Euro and Sterling and the Euro and the Dollar are not being passed on to consumers.

The National Consumer Agency has raised these concerns in bilateral discussions with retailers. In the course of those discussions, retailers have advised that the benefits of recent exchange rate movements may not be fully reflected in their prices as in many instances they are tied into long term hedging arrangements, which do not make it possible for them to respond to short-term exchange rate fluctuations. As such, it may take some time for exchange rate movements to be reflected in pricing. This is also likely to be the case for goods that are pre-labelled, often far in advance of hitting the shops.

Notwithstanding such considerations, I understand that the Agency remains concerned that in some instances the price charged by retailers reflects a price level that the retailer anticipates

[Deputy Micheál Martin.]

the Irish market will bear, and this may or may not take into account movements in exchange rates. In this regard, the Agency has undertaken various initiatives to raise awareness among consumers in relation to the price they pay for goods and services and in particular the importance of consumers achieving the best value for money when purchasing such goods and services.

The Agency recently published the results of a Grocery Price Comparison Survey in the area of food prices. Amongst its conclusions, the Agency was of the view that consumers can force more competition in the grocery sector by informing themselves of the prices of products charged by different retailers and to shop around if they have sufficient choice. I understand that following the publication of its survey, research carried out by the Agency indicated that a significant number of consumers have already changed their shopping behaviour based on the survey's results. This clearly demonstrates the importance of price surveys and information campaigns of this nature in providing consumers with the necessary information so that they can make informed choices as to where they wish to purchase goods and services.

I would like to advise the Deputy that the Agency intends to continue to exert pressure on retailers in the coming months to adjust their prices to reflect the benefits accruing from exchange rate movements, particularly in terms of the Euro's appreciation against sterling and the dollar. In this regard, the Agency will continue, through its Price Awareness Surveys, to provide consumers with the necessary information so that they can make informed choices as to how to get the best value for money.

It is clear that the appreciation in the Euro's value against sterling and the dollar has meant that the relative cost of goods sourced in the UK and the US has decreased and whilst some retailers may enter into long term hedging arrangements, consumers are entitled to benefit from these cost reductions. In this regard, I fully support the work of the National Consumer Agency in raising consumers awareness of prices to identify those retailers offering them a fair deal.

State Bodies.

11. **Deputy Ciarán Lynch** asked the Minister for Enterprise, Trade and Employment the number of staff employed by the Office of the Director of Corporate Enforcement; if he has an outstanding request for additional staff or resources for the office; and if he will make a statement on the matter. [16555/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Last year my Department responded to the Director's request for additional staffing resources by increasing the approved Departmental staff complement from 30 to 38. Approved Garda staff numbers were also increased by one in 2007 bringing the total approved staffing complement of the ODCE to 46 posts.

Four of these extra staff were provided to the ODCE in 2007, and my Departmental commitment to providing a further four will be fully met in the first half of this year with two of the four having already been provided. The Director indicated to my Department in late 2007 that having integrated these additional staff, he would review his request for further extra staff at the end of the 2008 and advise my Department at that stage of the results of that review.

Economic Competitiveness.

12. **Deputy Martin Ferris** asked the Minister for Enterprise, Trade and Employment if the

growing strength of the euro, which is projected by economists to reach above \$1.60 in the months ahead, is having an impact on Ireland's trade links with the US; and if he will make a statement on the matter. [16608/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): In 2007 Ireland's total merchandise trade (exports and imports) with the United States, totalled €22.81 billion, virtually unchanged from the 2006 figure of €22.99 billion. The value of our merchandise exports to the United States reached €15.78 billion, down 2.49% on the 2006 level of €16.18 billion. The value of our merchandise imports reached €7.03 billion, up from €6.81 billion in 2006, a rise of 3.23%. Overall Ireland had a merchandise trade surplus with the United States of €8.75 billion.

The evolving nature of the Irish economy has led to an increasing emphasis on our services trade, which represents an important part of our overall trade with the United States. In 2006, the last full year for which individual country statistics are available, while the level of our imports from the United States rose to €21.31 billion, a 7.21% increase on 2005, noticeably our services exports rose to €8.31 billion, an increase of 101% on 2005.

Considering the possible trading difficulties posed by the decline in the exchange rate of the US Dollar against the Euro, a factor which is outside the control of Government, these levels of trade are, I believe, commendable, and a credit to the Irish exporting sector. I am acutely aware of the difficulties we face, and it is likely that if present US dollar/Euro currency trends continue, 2008 will also be a difficult period for trade between Ireland and the United States. However, my Department and Enterprise Ireland (EI) will continue in their efforts to ensure that our overall level of exports, not just to the United States, which is our single biggest merchandise export market destination, are maintained.

In September last year I led a Trade Mission of 34 Irish companies to New York, Boston and Washington. The outcome was very satisfactory and the companies announced over \$40 million in new business sales and partnership deals with US customers, during that mission.

To maximise their efforts, Enterprise Ireland have five offices in the United States and their primary focus is to increase sales and partnership deals for their client companies in the United States market. There are over 200 EI client companies in 1,300 locations across the US. These companies employ over 80,000 people in all 50 States. Enterprise Ireland's work is facilitated through client-buyer introductions, market intelligence support in market entry/validation and an extensive range of focused group projects, targeted at specific industries or regional areas. In the coming years, EI will work intensively with its client companies to grow their business.

The value of EI's export promotional activities is illustrated by the fact that exports from EI supported companies to the Americas region increased by approximately 10% between 2006 and 2007. The vast majority of these exports are to the United States.

Employment Rights.

13. **Deputy Kathleen Lynch** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to concerns expressed by SIPTU that the treatment of some foreign workers employed as domestic workers amounts to forced slavery and that the union is taking three cases per month on behalf of foreign domestic workers to the Labour Court; his views on this development; if he is satisfied that adequate safeguards are in place to protect such vulnerable workers; and if he will make a statement on the matter. [16556/08]

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 Employee's (Part-Time) Work Act, 2001 provides that all employee protection legislation applies to a person, irrespective of his or her nationality or place of residence, 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.

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.

A Code of Practice for Protecting Persons Employed in other People's Homes was introduced in May, 2007. The Code of Practice follows from agreement by the social partners, within the framework of Towards 2016, on the need for special measures to support the employment rights of those people who are employed in the homes of others.

The Code provides a comprehensive framework for an agreed understanding of rights and responsibilities for the protection of those who can, potentially, be very vulnerable workers. The Code emphasises that employees in other people's homes have an equal entitlement to the employment rights and protections available to any other employee. It highlights a number of these rights and includes provisions relating to protections that have particular relevance to these employers and employees.

It is intended that NERA will include the Code in the arrangements it is making to give greater visibility to the employment rights of workers. The Code is also made available to workers employed in other people's homes where such workers have contact with the Employment Permits Section of my Department.

To facilitate NERA's monitoring of compliance with the employment rights of such workers, a provision has been included in the recently published Employment Rights Compliance Bill enabling NERA to apply to the District Court for a warrant to enter a private dwelling to carry out an inspection where the owner refuses permission.

Domestic workers are protected by the full range of employment rights legislation under which they can seek redress by referring their cases to the Rights Commissioners, the Labour Court or the Employment Appeals Tribunal. I urge anyone who has evidence of the mistreatment of persons employed as domestic workers to furnish all the relevant details and any related materials to the NERA's Inspection Services in the first instance with a view to pursuing the matter.

Job Losses.

14. **Deputy Fergus O'Dowd** asked the Minister for Enterprise, Trade and Employment the breakdown of types of employment that account for the job losses since the start of 2008; the way he accounts for the equal number of male and females made unemployed in the past weeks; and if he will make a statement on the matter. [16761/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): The numbers of actual redundancies notified to my Department for 1 January — 31 March 2008 broken down by sector and gender are as follows:

Department of Enterprise, Trade and Employment

Actual Redundancies received under the Redundancy Scheme during the period, 1st January to 31st March 2008

Industrial Group	Number of Employees		
	Male	Female	Total
Agriculture/Forestry and Fisheries	168	44	212
Energy and Water	15	7	22
Extraction Industry (Chemical Products)	44	5	49
Metal Manufacturing and Engineering	291	69	360
Other Manufacturing	1,267	752	2,019
Building and Civil Engineering	1,892	130	2,022
Distributive Trades	232	203	435
Transport and Communications	226	65	291
Other Services	1,134	1,186	2,320
Banking, Finance & Insurance	90	148	238
Total	5,359	2,609	7,968

These figures show the number of employees on whose behalf claims were submitted for statutory redundancy lump sum payments. They do not reflect those who lost their jobs with less than two years service in an employment.

These figures show that slightly more than twice as many males were made redundant in the first quarter of this year as females, with the largest number of male redundancies occurring in the building and engineering sector, where 1,892 males were made redundant versus a figure of 130 for females. I have no control over the number of redundancies that occur at any given time. However, it must be remembered that redundancy — as recorded in these statistics — does not equate with unemployment.

Employment/unemployment is measured by the Quarterly National Household Survey, collated and published by the Central Statistics Office. The most recent Quarterly National Household Survey, Quarter 4, 2007 (Sept-Nov) indicates that employment has increased by 66,800 or 3.2% in the year. The unemployment rate is currently at 4.5%. Data for Quarter 1 2008 (December-February) will not be available until May/June 2008.

Employment has increased in the year in most sectors, apart from other production industries and construction, when comparing data year on year (Q4, 2006 to Q4, 2007).

The Department of Social and Family Affairs maintains the live register. The total number of people recorded on the live register for March 2008 is 197,992. The live register is not designed to measure unemployment. It includes part-time, seasonal and casual workers entitled to unemployment benefit.

The live register has increased over the past number of months with the increase, pro rata, being higher among males. However, the live register results for March reflected an almost even split between the increase for both males and females. The fact that Easter fell in March is a contributing factor to the increase. The live register normally rises due to temporary lay-offs during the 2 week period of school holidays. The numbers employed in the educational sector is split unevenly between males and females with 35,500 males and 103,600 females.

Financial Regulation.

15. **Deputy Ciarán Lynch** asked the Minister for Enterprise, Trade and Employment if he is satisfied that there are adequate legislative measures in place to deal with the issue of insider trading, especially as a result of the €40 million settlement following a case involving two major public companies (details supplied); if he has plans to introduce new legislative measures or provide additional powers for the Director of Corporate Enforcement in this regard; and if he will make a statement on the matter. [16554/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy John McGuinness): The insider dealing in question took place in 2000, and it is a matter of public record that the Garda Bureau of Fraud Investigation investigated these events at the time. Any decision to initiate a criminal prosecution arising out of those events is a matter for the Director of Public Prosecutions who is an independent officer of the State.

The recent Court proceedings which have now ended were launched in 2002. It was the first civil insider dealing case taken in the State under the Companies Act 1990. The Director of Corporate Enforcement (whose office was established in November 2001) recently intervened in the case before both the Supreme Court and the High Court to draw to attention the power available to each court in Section 160 of the Companies Act 1990 to disqualify any person in any proceedings if satisfied that certain serious misconduct had occurred. Both Courts subsequently declined to utilise this legal power in this case.

It now falls to the Director to consider if he can pursue the matter further. The Deputy will be aware that the Director is a statutory officer who is independent in the performance of his compliance and enforcement duties under the Companies Acts.

It is relevant that the origins of the case to which the Deputy refers dates back to the year 2000 as subsequent to this, market abuse law has been fully overhauled. In addition to broadening the definition of market abuse and bringing in a system of market abuse administrative sanctions, the new law has appointed the Financial Regulator as the competent authority for market abuse.

The Financial Regulator has put in place a range of additional rules governing these matters and is currently well advanced in developing ambitious new systems for monitoring share trading. The Financial Regulator's published strategy sets out the extensive work they are undertaking to build up their capacity to police this area and their 2007 Annual Report just published sets out the work they have already done in this area.

I believe companies generally take their responsibilities in this regard very seriously and I am also confident that the Financial Regulator will make full use of its powers in the event that any company does not act responsibly.

Unemployment Levels.

16. **Deputy Pádraic McCormack** asked the Minister for Enterprise, Trade and Employment if he will revise the projected unemployment figures for 2008; his views on the scale of increase in unemployment; his views on whether inaccurate projections impedes proper policy creation; and if he will make a statement on the matter. [16744/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): In the Budget Outlook unemployment is forecast to average at around 5.5% over the period 2008-2010. The Department of Finance will publish a revised forecast with its Pre-Budget Outlook in October. Ireland compares favourably with the EU27 average of 6.7%. The current rate of unemploy-

ment is 4.5% as published by the Central Statistics Office in its Quarterly National Household Survey, Quarter 4 2007.

Unemployment is measured by the Quarterly National Household Survey, published and collated by the CSO, rather than the Live Register which is not designed to measure unemployment. The Live Register includes part-time, seasonal and casual workers entitled to unemployment benefit.

The Live Register figures for the first three months of 2008 are showing a steady increase and this was not unexpected following on particularly from the slowdown in the construction industry. This increase in unemployment must be seen in the context of the substantial increase in employment by 242,500 in the three-year period since 2004. The number of people currently in employment is 2,138,900. It is generally accepted that the strong rate of growth experienced over the past few years could not continue and the economy is now entering a period of adjustment. Employment is forecast to grow by over 1% (24,000) in 2008 for all sectors.

The high demand for labour in the past resulted in increased participation by many who might otherwise not have sought a job and in the need for sourcing labour from outside the State to fill the new jobs being created due to not having sufficient indigenous nationals available to meet the needs of employers.

The actual rise in unemployment over the coming months will be determined by a number of factors including a possible decrease in participation and the response of migrants to the slowdown. In regard to the latter the ESRI expects inward migration to fall from 70,000 in 2007 to 20,000 in 2008. The trend in PPS numbers issued to persons from the EU12 continues to reflect a decline in the numbers entering the State.

The most recent FÁS/ESRI Employment and Vacancies Survey for March 2008 shows that the percentage of firms reporting vacancies across all sectors is 10%, indicating that there is not a collapse in employment opportunities.

The range of integrated support services provided by FÁS involves information sessions, skills analysis, training/retraining courses and job placement will be available for those who become redundant because of company restructuring or closures. In the delivery of these services, FÁS liaises with other relevant agencies such as Enterprise Ireland, IDA Ireland, the City/County Enterprise Boards and the Department of Social and Family Affairs. There is also active engagement with the unemployed after 3 months on the live register to assist them progress towards employment, training or active labour market programmes.

Policy is not fixed on predictions made in the past but is constantly evolving taking into account a very wide range of up-to-date factors that affect and influence the labour market.

In this regard, FÁS is currently developing a strategy in response to the current slowdown in the construction sector. This strategy will contain a range of initiatives such as working in close collaboration with the Construction Industry Federation and other key stakeholders to encourage redundant construction workers to seek re-training in skills which are in short supply in the economy.

FÁS Training Programmes.

17. **Deputy Shane McEntee** asked the Minister for Enterprise, Trade and Employment his plans to retrain the significant number of recently unemployed construction workers; if he has a strategy to migrate them into other industry areas; and if he will make a statement on the matter. [16747/08]

18. **Deputy Eamon Gilmore** asked the Minister for Enterprise, Trade and Employment if he is satisfied that all appropriate retraining opportunities are available for workers who lose their jobs, especially in the construction sector; if he has plans to provide additional training opportunities; and if he will make a statement on the matter. [16553/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): I propose to take Questions Nos. 17 and 18 together.

FÁS, as the national training and employment authority, has the remit to provide a range of proactive job-related services, supports and programmes, to assist individuals remain in and return to the labour market. The Agency also promotes workforce development by upgrading the competencies and qualifications of individuals and by providing and facilitating targeted training programmes and services to both employers and employees.

FÁS has a specific policy in place to deal with redundancies and/or company closures. It offers a tailored approach as early as possible to the workers affected with a view to assisting them access alternative employment. This applies to workers in all sectors, including construction.

FÁS has a fast track redundancy notification system in place with my Department, to ensure a speedy and appropriate response is provided to redundant workers. Each response is tailored on a case-by-case basis. As part of the consultation process (in the case of company closures/major redundancies), FÁS establishes the scale of the redundancies, the skills profile of the employees affected, the number of years service/experience of the employees, level of education and any other information deemed relevant to the particular case in question.

FÁS is currently developing a strategy in response to the current slowdown in the construction sector and any anticipated future redundancies. This strategy will contain a number of initiatives/measures such as working in close collaboration with the Construction Industry Federation and other key stakeholders to encourage redundant construction workers to seek retraining in skills that are in short supply in the economy.

In addressing the issue of redundancies, FÁS liaises with other relevant agencies such as Enterprise Ireland, IDA Ireland, the City/County Enterprise Boards and the Department of Social and Family Affairs. It also works closely with the agencies to identify and support individuals who wish to start their own business.

While the slowdown in new house building has resulted in an increase in unemployment, overall employment is forecast to continue to grow, albeit at a reduced rate than heretofore, thereby providing new job opportunities. The Government is giving priority to fully implementing the National Development Plan in order to boost the productive capacity of the economy. Infrastructural spending under the Plan will help to absorb some of the excess capacity that is emerging from the new house building sector.

Services Sector.

19. **Deputy Eamon Gilmore** asked the Minister for Enterprise, Trade and Employment his views on the figures showing a decline in business activity in the services sector in the first three months of 2008, especially having regard to the potential impact on employment; if he will take steps to ensure that this trend is reversed; and if he will make a statement on the matter. [16552/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The recent data published by NCB Stockbroker's Services Purchasing Managers Index (SPMI) showed that business activity in the services sector experienced a slight decline in March — the first such

contraction in 56 months. More specifically activity increased in the Business Services and Financial Services Sectors while decreases in activity were recorded in Transport, Travel, Tourism and Leisure. Any slowdown in services activity must also be placed in the context of a global economic downturn. In fact, the Irish services sector has been a stellar performer over recent years and continues to perform strongly vis-à-vis key competitors.

Within the services sectors, financial and other business services have been the primary drivers of employment growth. Employment in this sector grew by 21,000 in 2007. This reflects a longer-term trend — the sector experienced growth in employment of 68 percent over the past decade. The overall employment picture also remains quite strong with staffing levels in the Irish service sector continuing to expand. This mirrors the findings of the CSO's QNHS which recorded an increase in services employment from 1.37 million in Q4 2006 to 1.45 million in Q4 2007.

Amongst the developed economies the service sector is becoming increasingly prominent and Ireland is no exception — employment in services increased by approximately 480,000 between 1997 and 2007. Recent figures have shown that services now represent approximately 67 percent of total employment in Ireland compared to 62 percent in 1997.

Ireland has been one of the leading countries in terms of services exports and Ireland is now ranked as the 12th highest exporter of services in the world. Between 2000 and 2006, the contribution of services to total Irish exports increased from 21 percent to 39.7 percent.

Recognising the increased importance of services worldwide and for Ireland, as well as the increased international tradability of services, Forfás established a dedicated Services Strategy Group. From the work of this group we intend to prepare and position Irish enterprise to adapt to the globalisation of services with the aim of achieving sustainable and competitive services enterprise in Ireland. The report, which is expected to be finalised shortly, will outline a vision and strategy on how to achieve sustainable and competitive services provision in Ireland based on three strategic imperatives:

- (i) Increasing Ireland's services export base;
- (ii) Growing a cadre of Irish services companies that can expand into international markets (Overseas Direct Investment); and
- (iii) Developing productive and competitive locally traded services including their globalisation potential.

In considering the problems impacting on economic activity, be it on a sectoral or global basis, the ability to compete is recognised by all as being central to any strategy for future success. Innovation and the productivity gains that flow from it are the new foundations for that competitiveness. "The Strategy for Science, Technology and Innovation" is clear about the types and levels of support that must be given to the most significant drivers of our economic well being, namely manufacturing and internationally traded services firms. Whilst different challenges face enterprises in both sectors, our development agencies are committed to bringing about a transformational change to company attitudes to R&D and we are focussing on an ambitious target to grow business expenditure on R&D to €2.5bn by 2013.

World Trade Negotiations.

20. **Deputy Seán Ó Fearghaíl** asked the Minister for Enterprise, Trade and Employment the measures he is taking to ensure a positive outcome for Ireland in the current World Trade Organisation negotiations; and if he will make a statement on the matter. [16465/08]

36. **Deputy Seán Ó Fearghaíl** asked the Minister for Enterprise, Trade and Employment the discussions he or his Department has engaged in at European level to advance Ireland's interests in the World Trade Organisation talks; and if he will make a statement on the matter. [16466/08]

41. **Deputy Áine Brady** asked the Minister for Enterprise, Trade and Employment if he will report on meetings undertaken by him or his Department with European counterparts in advance of the World Trade Organisation talks; and if he will make a statement on the matter. [16457/08]

51. **Deputy Margaret Conlon** asked the Minister for Enterprise, Trade and Employment the action he is taking to defend Irish economic interests in the World Trade Organisation negotiations; and if he will make a statement on the matter. [16467/08]

74. **Deputy Charlie O'Connor** asked the Minister for Enterprise, Trade and Employment if he will report on the discussions he or his Department have had with Commissioner Mandelson on the World Trade Organisation talks; if the Commissioner's understanding of Irish concerns with regard to the World Trade Organisation talks was adequate; and if he will make a statement on the matter. [16464/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy John McGuinness): I propose to take Questions Nos. 20, 36, 41, 51 and 74 together.

Discussions on the WTO's Doha Development round have been continuing since 2001. The aim of the negotiations is to liberalise trade, that is, improve access to the markets of WTO members in areas such as agriculture, manufactured goods and internationally traded services as well as examining ways of streamlining and strengthening WTO rules. What should not be lost sight of in public debate about the talks, is the overriding objective of the Round to ensure a strong development dimension to help poorer countries develop faster and help raise the living standards of all developing economies. On behalf of the EU, the Commission has the lead role in negotiating on behalf of Member States.

The talks have been making slow progress, in fits and starts for the past 7 years. At every step of the negotiating process we have made it patently clear that we support a successful conclusion of the Round, but only on the basis of a fair and balanced outcome for all sides. This includes a deal that recognises and respects our national interests. It must be remembered that previous WTO rounds of trade liberalization have greatly benefited our economy and have provided an encouraging, stable and predictable trading environment for our exporters.

Earlier this year, the Government noticed a tangible change in both the pace of progress on the talks and the mood of ambition to complete the Round this year. With the talks likely to enter a new and critical phase, I and other Government Ministers, especially my colleague the Minister for Agriculture, Fisheries and Food accelerated and intensified our engagement, discussions and direct contact with those who represent us at the negotiations in Geneva or who could in any way influence the process in areas where we have vital concerns and interests to promote.

I would like to set out some of the extensive Ministerial, diplomatic and official activities underway to keep our vital economic and agriculture interests at the top of the negotiators list of considerations. Over the past 3 months I have met with the Director General of the WTO, Pascal Lamy and with each the chairmen of three key negotiating groups within the talks, namely Ambassadors Falconer, Stephenson and De Mateo covering Agriculture, NAMA and Services, respectively. I also travelled to meet trade Ministers in France, Germany, the Nether-

lands, Slovenia (because that important country is President of the EU Council) and I have discussed our concerns with the UK's Trade Minister. Along with Minister Coughlan we also had a very useful meeting with the French Agriculture Minister to cement our strong mutual WTO interests on the agriculture front.

At the end of February, I met with Commissioner Mandelson and told him in straight terms that the direction of the talks he is spearheading for the EU, is not delivering a fair and balanced outcome for us. Furthermore Minister Coughlan has more recently met with her Ministerial counterparts in other EU Member States such as Poland, France and Germany and at Agriculture Council meetings, to forge alliances with others who share our concerns about where the talks are leading. Ministers are at the forefront in presenting and pressing our vital WTO interests at every opportunity and only yesterday Minister Coughlan met with Commissioner Mandelson to further express our perspective about the agriculture issues emerging from the WTO.

Recently at official visits to the country of Chancellor Merkel and Commissioner Barroso, the Taoiseach clearly set out our concerns about the how any WTO agreement, as presently structured, would affect our economy and employment prospects in the agriculture sector.

The WTO negotiations were also on the agenda of the March meeting of the General Affairs and External Relations Council, when EU Foreign Ministers reconfirmed the importance of achieving a comprehensive, ambitious and balanced final outcome to the negotiations. It is important that the Deputy is also aware that my Department's officials take every opportunity, almost on a weekly basis in relevant trade committees, to reinforce our deep concern at the way the negotiations are headed and the likely impact they will have on us. Our diplomatic representations abroad, particularly at the WTO in Geneva are actively engaged in presenting our case for a balanced and ambitious conclusion to the Doha Development Round. We are using all opportunities open to us and are taking, with determination and forceful diplomacy, the discussion of an ambitious, fair and balanced WTO conclusion into every available forum.

Question No. 21 answered with Question No. 10.

Employment Rights.

22. **Deputy Liz McManus** asked the Minister for Enterprise, Trade and Employment when the national employment rights authority will be established on a statutory basis; and if he will make a statement on the matter. [16559/08]

68. **Deputy Jan O'Sullivan** asked the Minister for Enterprise, Trade and Employment the progress to date in regard to the work of the national employment rights authority; when the authority will be placed on a statutory basis; and if he will make a statement on the matter. [16563/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): I propose to take Questions Nos. 22 and 68 together.

The National Employment Rights Authority, or NERA, has been established on an interim basis since February 2007. The Authority will be established on a statutory basis on the enactment of new Employment Law Compliance Bill which was published on 18th March this year and will be enacted in the coming months. Department of Finance sanction was secured for a total staff complement for NERA of 141, including an increased complement of 90 Inspectors.

The Director of NERA was appointed and took up duty on 12 February 2007. The Director is supported in his role by a management team including legal and accounting expertise and an administrative staff which are now fully in place.

[Deputy Billy Kelleher.]

Considerable progress has been made in the recruitment and deployment of Inspectors over the past year with 56 of the additional 59 inspector positions now filled. The appointment of inspectors to fill the 3 remaining posts is progressing. A budget allocation of €10.8 million has been provided for NERA for 2008.

Grocery Industry.

23. **Deputy Joanna Tuffy** asked the Minister for Enterprise, Trade and Employment if he is satisfied that the abolition of the groceries order has resulted in the reduction in prices that were forecast by his Department when the decision was made; and if he will make a statement on the matter. [16546/08]

28. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Employment if he has examined the extent of food price increases since the abolition of the minimum prices order; if he has come to any conclusions; and if he will make a statement on the matter. [16667/08]

45. **Deputy Ruairí Quinn** asked the Minister for Enterprise, Trade and Employment his views on reports of recent substantial increases in prices of a range of food and forecasts that food prices will rise further by the end of 2008; if he is satisfied that sufficient protection is available to protect consumers against unwarranted price increases; and if he will make a statement on the matter. [16565/08]

116. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Employment if he is considering legislative changes in view of the rapidly increasing food prices; and if he will make a statement on the matter. [16938/08]

117. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the steady increase in food prices since the abolition of the minimum price groceries order; if he has proposals to address the issues arising in the short or medium term; and if he will make a statement on the matter. [16939/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): I propose to take Questions Nos. 23, 28, 45, 116 and 117 together.

Following the enactment of the Competition (Amendment) Act 2006 which revoked the Restrictive Practices (Groceries) Order 1987 with effect from 20th March 2006, I asked the Competition Authority to review and monitor developments in the grocery sector in light of the new regulatory environment.

The Authority published two Reports earlier this month — Report No. 1 “A Description of the Structure and Operation of Grocery Retailing and Wholesaling in Ireland: 2001 to 2006” and Report No.2 “Price Trends in the Irish Retail Grocery Sector: A Description of the Evolution of Retail Grocery Prices between 2001 and 2007”. The latter Report considers the impact of the removal of the Groceries Order through an examination of the evolution of aggregate retail grocery price trends between 2001 and 2007 by analysis of price data published by the CSO.

The Authority reports that during the initial nine month period, April to December 2006, following the removal of the Groceries Order, the price trends for Groceries Order items and Non-Groceries Order items behave very differently. The price trends move in opposite direc-

tions, with the price of Groceries Order items falling and the price of Non-Groceries Order items rising.

This is the first time that such a divergence between the Groceries Order items and non-Groceries Order items has occurred since 2001. The Authority's view is that this may indicate that a structural change has occurred in the price trends for Groceries Order items and Non-Groceries Order items and may reflect a period of price adjustment by retailers who were free to use price enticements to compete.

However, since the beginning of 2007 the price trends for Groceries Order items and Non-Groceries Order items appear to behave similarly, with both trends rising. Towards the end of 2007, the rise in the price of Groceries Order items is steeper and this has been attributed to the rise in world commodity prices of certain agricultural products such as wheat.

In summary, since the removal of the Groceries Order in March 2006, CSO figures for the period April 2006 to November 2007, indicate that:

- the CPI (consumer price index), covering prices of all consumer goods and services, increased by 7.6%;
- the price of Groceries Order items, i.e. items which were covered by the Groceries Order, increased by 3.8%;
- the price of Non-Groceries Order items, i.e. items not covered by the Groceries Order, increased by 4.0%; and
- the price of all grocery items (Groceries Order and Non-Groceries Order items) increased by 3.6%.

The March 2008 CPI, as published by the CSO, shows that the annual rate of inflation increased to 5% in March up from 4.8% in February and the price of food and non alcoholic beverages increased by 9.3% in the past 12 months. The price of Groceries Order and Non-Groceries Order food increased by 7.2% in the past 12 months. While the price of food covered by the Order increased by 8.4% and the price of food not covered by the Order increased by 4.0%, both categories increased by 0.8% in the month.

During the debate that surrounded the removal of the Order, I indicated that increased competition in the market should lead to prices being cheaper than they would be if the Order remained in place. I am very aware of the increase in a range of food items over the past number of months. This is not an issue particular to Ireland as rising food prices are being experienced across the world due to a number of factors including climatic, economic and demand reasons. The Organisation for Economic Cooperation and Development (OECD) and the United Nations' Food and Agriculture Organisation has identified that the rapid expansion of the global bio fuel industry is causing fundamental changes to agricultural markets and is likely to keep the prices of agricultural commodities high over the next decade. A rise in input and transportation costs consequent on increased fuel and energy prices has also contributed to the increase in biofuel production.

Government policy insofar as the price of food to Irish consumers is concerned, is focussed on promoting a competitive grocery market and raising consumer awareness in relation to the need to get the best value for money when doing their grocery shopping. In this regard, the National Consumer Agency recently carried out a Grocery Price Comparison Survey in the area of food prices. The results of the survey found that food prices are on a strong upward trend primarily due to international factors. The Agency concluded that consumers can force more competition in the grocery sector by informing themselves of the prices of products

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charged by different retailers and shopping around, if they have sufficient choice, and not necessarily doing a “weekly shop” in the one outlet. I understand that following the publication of its Grocery Price Comparison Survey, research carried out by the Agency indicated that a significant number of consumers have already changed their shopping behaviour based on the Survey’s results. This clearly demonstrates the importance of price surveys and information campaigns of this nature in providing consumers with the necessary information so that they can make informed choices as to where they wish to purchase goods and services.

I am confident that the initiatives being undertaken by the Competition Authority and the National Consumer Agency, together with the vigilance of consumers themselves, will have the effect of ensuring that Irish consumers do not pay unnecessarily high prices when doing their grocery shopping.

Job Losses.

24. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Employment the number of manufacturing and service jobs lost in each of the past five years to date in 2008; the number lost due to a lack of competitiveness or other reasons; the action taken or proposed to address the underlying causes; and if he will make a statement on the matter. [16668/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The following Table lists the number of Enterprise Agency assisted (Enterprise Ireland, IDA, Shannon Development and Údarás na Gaeltachta) full-time jobs gained and lost in the manufacturing and services sectors in each of the last five years. The data shows that while 128,913 jobs were lost in that period, 131,136 new jobs were created giving a net increase in employment of 2,223 jobs.

There are many factors that influence a firm’s decision to relocate, therefore, it is not possible to determine the number of jobs which have been lost due to a loss of competitiveness. Firms adjust their plant location and utilisation strategies to address matters such as accessing new markets, moving production nearer to customers, meeting firm or market specific customer relationship issues, accessing technology and also includes business takeovers, consolidations. This results in flows of investment and employment across borders. Ireland successfully manages this process, through our policies on enterprise and foreign direct investment. These policies have enabled us to win many prestigious and value added investments, and have enabled us to replace lost jobs with others of equal or higher value in the economy.

The offshoring of lower value-added functions is, however, part of the reality of modern global manufacturing for a highly developed economy such as Ireland. While off-shoring can contribute to job losses for firms in some sectors, productivity gains achieved through off-shoring some activities also represents an opportunity to develop higher-end manufacturing and related activities domestically. The manufacturing sector in Ireland has achieved very significant increases in output, reflecting growing productivity in the sector.

Earlier this month I launched the “Report of the High Level Group on Manufacturing”, on foot of a “Towards 2016” agreement to review the challenges facing the manufacturing sector. The Group’s report contains some 27 recommendations directed at key areas of innovation and productivity leading to transformational change, reskilling and management development for the innovative firm, increasing awareness and take up of existing supports. Innovation and the productivity gains that flow from it are the new foundations for competitiveness.

Forfás established a group to look at the challenges and opportunities faced by the services sector. From the work of this group we intend to prepare and position Irish enterprise to adapt

to the globalisation of services with the aim of achieving sustainable and competitive services enterprise in Ireland. A report outlining how to maximise the future returns to Ireland from services activities in all enterprises, both current and potential, is due to be completed in the near future.

The “Strategy for Science, Technology and Innovation” is clear about the types and levels of support that must be given to the most significant drivers of our economic well being, namely manufacturing and internationally traded services firms. Whilst different challenges face enterprises in both sectors, our development agencies are committed to bringing about a transformational change to company attitudes to R&D and we are focussing on an ambitious target to grow business expenditure on R&D to €2.5bn by 2013. Such an achievement will be very much in line with the terms of the EU’s Lisbon Strategy goals and will place Ireland in the vanguard of countries addressing knowledge issues.

The Government is fully committed to further strengthening the competitiveness and productive capacity of the economy. Our economic policy is designed to promote competition with the co-operation of the social partners. Doing this should allow us to keep the burden of taxation low, thus helping to maintain competitiveness and to maximise our economic potential.

Employment in Enterprise Agency assisted firms

	2003	2004	2005	2006	2007	Total
<i>Fulltime Jobs lost</i>						
Services	–8,884	–8,063	–7,986	–6,433	–7,385	–38,751
Manufacturing	–22,660	–18,536	–16,436	–15,675	–16,855	–90,162
All sectors	–31,544	–26,599	–24,422	–22,108	–24,240	–128,913
<i>Fulltime jobs created</i>						
Services	8,960	11,086	11,892	13,215	11,430	56,583
Manufacturing	14,662	14,367	15,623	15,976	13,925	74,553
All sectors	23,622	25,453	27,515	29,191	25,355	131,136

Work Permits.

25. **Deputy Tom Hayes** asked the Minister for Enterprise, Trade and Employment his views on the proposed EU blue card scheme; and if he will make a statement on the matter.
[16738/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The proposed Blue Card Directive is one of five complementary instruments in the area of legal migration and aims to put in place arrangements that will attract high skilled workers to the EU. Whereas at present high skills workers come to individual member States, this scheme deals with the EU essentially as a single destination.

While initiatives such as this that are designed to enhance labour market mobility within the EU are to be commended, discussions on the proposed directive are still at an early stage. My Department and the Department of Justice, Equality and Law Reform are participating in relevant working groups in Brussels, in consultation with the Departments of Education and Science, Social and Family Affairs and Environment, Heritage and Local Government. A complete reading of the original proposal concluded recently, and a revised proposal is due to issue shortly which will reflect the views express by Member States during the working group

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discussions. Indications are that the proposal could be finalised by the end of this year and Government will, at that stage, make a decision on whether Ireland will adopt the Directive. In the meantime, officials of my Department will continue to take a full part in the ongoing negotiations at the working group.

26. **Deputy Terence Flanagan** asked the Minister for Enterprise, Trade and Employment if he will amend the green card system to encourage more highly skilled and highly qualified workers to enter the labour force here; and if he will make a statement on the matter. [16734/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): According to the European Commission, Ireland is one of only ten Member States who have specific schemes for admitting highly qualified workers into its labour market. Our principal initiative in this respect is the Green Card Scheme, which I introduced in January 2007. Green Cards are granted initially for a period of 2 years, and then may be renewed indefinitely. The benefit package includes immediate family reunification, the right of access to employment for spouses and normally a pathway to long-term residency after two years. The Green Card system gives effect to an economic migration policy the purpose of which is to attract and retain the highly skilled workers needed in developing a knowledge-based and innovation-driven economy.

In its first 13 months of operation (February 2007 to the end of March 2008), a total of 3,729 permits issued under the Scheme. By comparison, 2,713 permits issued in 2006 under the Work Visa/Work Authorisation Scheme, which the Green Card Scheme replaced. These figures indicate a positive take-up of the new scheme, which has enabled employers across key sectors of the Irish economy to successfully place in their enterprises highly skilled and professionally qualified employees sourced from outside of the EEA region.

The list of occupations eligible for a Green Card was identified after taking advice from the Expert Group on Future Skills Needs. The list includes professional and associate professional occupations where Ireland experiences skills shortages, such as in the Information and Communications Technology, Health Care, Construction, Engineering, Financial Services and Research sectors. My Department continues to work with FÁS and the Expert Group on Future Skills Needs to monitor skills needs in Ireland so as to ensure that the designation of those occupational categories for the purposes of the Green Card Scheme is consistent with changing labour market requirements.

FÁS Training Programmes.

27. **Deputy Olwyn Enright** asked the Minister for Enterprise, Trade and Employment the reason FÁS failed to train enough people to allow the safety certificate requirement to be implemented on time; and if he will make a statement on the matter. [16729/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): In 2007 FÁS provided Safe Pass Registration to 188,469 people and 17,000 people were registered under the Construction Skills Certification Scheme (CSCS). FÁS has developed a number of new programmes under the CSCS including Steel Fixing, Mobile Access Tower, Shot Firing, Signing, Lighting and Guarding at Road Works, and the Location of Underground Services.

FÁS was unable to complete the development of the necessary training material for the Signing, Lighting and Guarding at Road Works programme until Chapter 8 of the Road Signage Standards was finalised in November 2007, by the National Roads Authority, the Depart-

ment of Transport and the Ashbourne Roads Group. This new standard will come into full effect in October 2008. FÁS has trained over 1,500 people using the current standard. Over 80 trainers/assessors have been trained in the new standard and they are currently delivering Chapter 8 standard training throughout the country.

Over 600 participants have been trained to date in the Location of Underground Services Occupation and this training is ongoing. 200 people have been trained on Mobile Access Tower training programmes since March 2007. Training for Shot Firing has commenced; the number for training in this occupation is anticipated to be low.

FÁS is working closely with the relevant industry and regulatory bodies to minimise any delays, which may occur and to continue the development and promotion of these programmes

Question No. 28 answered with Question No. 23.

Consumer Protection.

29. **Deputy Joan Burton** asked the Minister for Enterprise, Trade and Employment if he is satisfied with the work to date of the National Consumer Agency; and if he will make a statement on the matter. [16547/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The National Consumer Agency was established on a statutory basis on the commencement of the Consumer Protection Act 2007 on the 1st May 2007. The Act gave the Agency a significantly expanded remit with specific functions in areas such as consumer advocacy, research, information, education and awareness and enforcement.

In the 12 months since its establishment, the Agency has been very active in the exercise of its expanded remit. For example, in the area of consumer information, the Agency has undertaken high profile campaigns to inform consumers about their rights, including the Shoppers' Rights Card and the Know your Rights campaigns which have resulted in a doubling of calls to the Agency's dedicated helpline to almost 70,000 calls in 2007 alone. In addition the Agency has produced a range of booklets to advise consumers of their rights including advice in relation to Toy Safety, Buying a Car etc.

In the area of consumer awareness, the Agency has dedicated considerable resources in the last year to raising the awareness of consumers in relation to the price that they pay for goods and services, particularly in relation to the price of grocery items. The Agency's latest Grocery Price Survey, the results of which were published at the end of February 2008, represented the most comprehensive survey of grocery prices and retail grocery outlets conducted in Ireland with the exception of the surveys carried out by the Central Statistics Office. Research carried out by the Agency has found that a significant number of consumers have already changed their shopping behaviour on the basis of the results of the Agency's surveys. The Agency is committed to continue to conduct such surveys so as to provide consumers with the necessary information to enable them to make informed choices in relation to where they can get the best value for the goods that they buy.

In the area of advocacy, the Agency has been particularly active in advocating the consumer's case on a range of issues and with a number of different traders. In this regard, the Agency successfully negotiated on behalf of 2,500 concertgoers with the promoter of a concert for varying levels of compensation arising out of difficulties experienced at that concert. The Agency also successfully intervened to advocate on behalf of consumers who had booked flights to the USA at a particular price which the airline was not prepared to honour. The Agency is

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currently advocating on behalf of broadband users and is working in co-operation with the Advertising Standards Authority of Ireland and the Communications Regulator to address difficulties in relation to the manner in which broadband services are advertised, particularly in the areas of service delivery and performance. Another advocacy initiative undertaken by the Agency was the establishment of its Stakeholder Forum on Multi Unit Developments. The aim of the Forum is, through the involvement of the various stakeholders, to try to address some of the problems being experienced by dwellers of Multi Unit Developments. As a result of the work of the Forum, the Agency hopes to publish specific Guidance and Educational material to assist Multi Unit Development dwellers.

In the area of research, the Agency has commissioned a major piece of research in relation to the home construction industry and the problems faced by consumers in relation to certain aspects of that industry. The Agency expects to publish the results of this research before the end of the year.

As regards enforcement, the Agency has sought to concentrate its enforcement efforts in those areas where there is greatest consumer detriment. A particular focus has been placed on the area of “car clocking” which is of serious concern. The Agency successfully prosecuted one car dealer and obtained a formal undertaking from another dealer to cease the practice of car clocking and to compensate customers who had been adversely affected by the practice. The Agency intends that car clocking will continue to be a priority. The Agency has also been very active in the area of product safety and in particular in relation to the process of product recalls. The Agency has focussed particularly on toy safety and in this regard recently convened a major seminar on toy safety.

As regards other enforcement activity, the Agency has successfully prosecuted 11 traders for breaches of Consumer legislation and served 12 fixed payment notices since the commencement of the Consumer Protection Act in May 2007.

I am satisfied that the Agency is embracing the full breath of its statutory remit and is acting as a forceful advocate on behalf of consumers. I wish to pay tribute to the Agency and its staff for the manner in which they are redressing the balance of power more towards the consumers. I am confident that the Agency, working on behalf of Irish consumers, will ensure that the consumers’ interests will continue to be at the forefront of the national agenda.

EU Directives.

30. **Deputy Ruairí Quinn** asked the Minister for Enterprise, Trade and Employment the number of EU directives for which his Department has responsibility, remaining to be implemented; the directives that are overdue; the number of reasoned opinions received from the EU Commission since 2002 regarding delays or non-implementation of such directives; and if he will make a statement on the matter. [16564/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): There are currently a total of fifteen Directives due to be transposed by my Department up to 2012. Four of these Directives are currently overdue.

- Directive 2005/56/EC on cross-border mergers of limited liability companies is scheduled to be transposed by 30 May 2008.
- Directive 2007/13/EC on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control is scheduled for transposition by 11 May 2008.

- Directives 2007/3/EC and 2007/4/EC on textile names are being transposed by a pair of statutory instruments. This transposition should be complete by 2 May 2008.

My Department has received 24 Reasoned Opinions from the European Commission related to Directives since 2002. The outstanding issues concerning all but one of these Directives have been resolved satisfactorily.

On 23 October 2007, twelve Member States, including Ireland, received a Reasoned Opinion concerning the implementation of Council Directive 96/82/EC on the control of major accident hazards involving dangerous substances as amended by Directive 2003/105/EC (known as the Seveso Directive). Since then considerable progress has been achieved and reported to the EU Commission. Measures are being taken to ensure full compliance as soon as possible.

Economic Competitiveness.

31. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Employment the steps he is taking to ensure that price competitiveness of industry here is improved; and if he will make a statement on the matter. [16718/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Tackling high and increasing costs is a challenge and there are no simple solutions. International commodity prices such as oil and gas are outside our control. It is important, however, to ensure that our domestic cost base does not undermine competitiveness.

The Government's last three budgets have been clearly non inflationary as a measure to help the cost environment for business. The pursuit of sensible incomes policy, and keeping public spending growth at sustainable levels in the medium term are important. Doing this will allow us to keep the burden of taxation low, thus helping to maintain competitiveness and to maximise our economic potential. The Government is playing its part in influencing inflationary trends by implementing responsible fiscal policies, promoting stronger competition and strengthening consumer protection.

In the context of the Social Partnership pay talks, wage price increases can severely damage competitiveness, therefore it will be critical to ensure that labour costs are managed so as to enhance productivity, support employment creation and to safeguard competitiveness.

Strengthened resources and a firm mandate for the Competition Authority is helping deliver more competition in the economy, particularly as the Authority's investigation activities begin to make an impact on sectors where competition is not as keen as required by a modern economy.

Enhancing competition in domestic services sectors is important to improve cost competitiveness. With regard to broadband costs, government policy, e.g. MANs and the Group Broadband Scheme (GBS) has assisted the stimulation of competition in the provision of internet services. There is strong cross-platform competition within the Irish broadband market and there are currently an estimated 80 (ISPs) Internet Service Providers.

Government energy policy envisages a programme of prioritised change to the electricity industry aimed at enhancing competitiveness, sustainability and market operations. My colleague the Minister for Communications, Energy and Natural Resources has asked the management of ESB to engage with the Group of Unions on the closure and/or divestment of power stations as agreed in the CER-ESB Asset Strategy. This measure will have the effect of reducing ESB's market share of the generation market to under 40% on an all-island basis and thus ensure the development of a competitive electricity market across the island of Ireland.

[Deputy Micheál Martin.]

The enterprise development agencies are pursuing a number of initiatives aimed at facilitating client companies to reduce their energy costs by adopting economically sound energy efficiency systems.

Representatives of my Department have established a forum with the Commission for Energy Regulation that includes the Enterprise Development Agencies. The forum seeks to ensure that the issues of concern to enterprise are identified and communicated to the Regulator.

Regarding international price competitiveness, because much of Ireland's trade is outside the euro area, our enterprise development agencies are providing specialised assistance to Irish exporters to focus on developing into the euro-area and emerging markets to win new export sales. Our export promotion policies are exerting a direct and positive influence on the ability of Irish exporters to grow their overseas business. Active measures are also being taken to improve the capabilities of indigenous firms in meeting global competition by greater investment in innovation and other value enhancing activities. Becoming more innovation intensive on the basis of a clear market and customer focus leads to products and services that are better able to withstand purely cost based competitive pressures.

The Government will publish an Innovation Policy Statement shortly, highlighting progress made on a broad range of innovation policy areas, both technological and non-technological, and emphasising how innovative policies will be advanced in the coming years. The Statement complements the Strategy for Science, Technology and Innovation launched in 2006.

Productivity growth is essential to enabling pay increases in firms while maintaining cost competitiveness. To support the continued growth of productivity, our policies are aimed at improving productivity across a range of platforms (human capital, R&D and innovation, infrastructure investment, skills and education). Examples of policies include Enterprise Ireland's Growth Fund and the County Enterprise Board's Tech Check Programme.

The Growth Fund launched in early 2008 is the successor to the Productivity Improvement Fund. The Growth Fund supports Enterprise Ireland SME clients taking on an innovative market-led development plan to increase sales and develop exports through improving their productivity and competitiveness. Funding is available to support a range of activities.

The "Tech-Check" Programme launched in April 2007, provides small businesses with the opportunity to access a highly subsidised independent technology check-up and help them to identify ways to boost their productivity and profitability through the better use of technology. This Programme is being delivered by the County and City Enterprise Board and some 850 of these have been carried out up to the end of 2007.

The Government is very conscious of the need to control costs in order to maintain competitiveness. Through the National Development Plan, our taxation and regulatory policies, the government are committed to putting in place an environment for enterprise that remains among the most favourable in the world. We have the advantage of still being one of the most competitive small countries in the world.

Job Losses.

32. **Deputy Willie Penrose** asked the Minister for Enterprise, Trade and Employment the number of redundancies notified to his Department during 2007; the way this compares with the same period in each year from 2002 to 2006; the numbers notified to date in 2008; if he is

concerned at the reported increase in the number of redundancies; and if he will make a statement on the matter. [16544/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): The numbers of actual redundancies notified to my Department for the years 2002-2008 are as follows:

Actual Redundancies 2002-2008

Year	2002	2003	2004	2005	2006	2007	2008
Actual	24,432	25,769	25,041	23,156	23,684	25,459	7,968
% Increase/Decrease on previous year	51.9%	5.5%	-2.8%	-7.5%	2.3%	7.5%	

These figures show the number of employees on whose behalf claims were submitted for statutory redundancy lump sum payments. They do not reflect those who lost their jobs with less than two years service in an employment.

I have no control over the number of redundancies that occur at any given time. Naturally I am concerned at any trend that indicates greater than normal volatility in the labour market. However, it must be remembered that redundancy — as recorded in these statistics — does not equate with unemployment.

The number of redundancies over the period in question has fluctuated year on year. The number of people in employment has increased significantly since 2002. Redundancy is a risk associated with employment and the risk has increased from an average annual risk prior to 2002 of 0.787% to 1.34% for the period 2002-2006.

Tax Code.

33. **Deputy John O'Mahony** asked the Minister for Enterprise, Trade and Employment his views on the lengthening of the ten year look back period for the research and development tax credit that applies to the pharmaceutical industry; and if he will make a statement on the matter. [16764/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Strategy for Science, Technology and Innovation 2006-2013 sets out ambitious targets for placing Ireland firmly on the global map in terms of the excellence of our research and its application for the benefit of our people and our economy. We are investing in Ireland's R&D infrastructure and human capital as the cornerstone underpinning our future competitive place in the world. It is a challenging goal given that we were starting from a relatively low base vis-à-vis EU and OECD peers. The Strategy provides us with the means to achieve convergence, coherence and complementarity in our national innovation system and to ensure maximum economic and social benefits are derived from the Government's commitment of €8.2 billion to this area under the National Development Plan. This Strategy is a critical vehicle to enhance Ireland's R&D performance which will contribute positively to the overall Lisbon goal of approaching 3% of EU GDP spend on R&D, two thirds of which should come from industry.

One of the most important mechanisms in encouraging R&D within industry is the R&D tax credit scheme. The R&D tax credit scheme is specifically designed to reward increased expenditure on R&D by allowing companies a tax credit of 20% of the increase in qualifying R&D spend as compared with such expenditure in a base year. The base year has been set as 2003.

[Deputy Micheál Martin.]

It is a general tax measure and applies equally to all companies regardless of sector, including the pharmaceutical sector. Following further improvements to the scheme in Finance Act 2008, which fixed the 2003 base year for a further 4 years to 2013, qualifying R&D expenditure incurred by a company in any year to 2013 will qualify for a tax credit where it represents an increase over the amount incurred in the 2003 base year. This change provides an additional incentive for incremental expenditure on R&D in future years and offers more certainty to industry in relation to the tax credit scheme.

For the years after 2013, the base year will move forward by one year and there will be a 10-year gap on a “look back” basis between the year in which the tax credit is claimed and the base year expenditure used for calculating the credit. Thus, for claims made under the scheme in respect of 2014, the base year will be 2004 and for 2015 the base year will be 2005 and so on.

The planning period for R&D is likely to vary from sector to sector: the average R&D cycle for product research programmes can extend to 8 years and a longer period can apply in certain industries such as in the pharmaceutical sector. Recognising this reality, the enhanced ten-year look-back period is intended to provide a reasonable timeframe for incremental R&D spend for enterprise to be rewarded through the tax system. Greater certainty is created for the investment decisions of companies and a realistic time period for R&D projects is also offered, which is important given that such projects often take a number of years to develop. This will encourage companies to invest more in R&D. This ten-year look-back period provides certainty critical to longer-term investment decisions, which is particularly important for research in the pharmaceutical sector. I believe that the ten-year period is an important enhancement to the overall support for R&D in companies and will accommodate the planning of most R&D cycles.

More generally, the R&D tax credit scheme now assists, along with other incentives, in making Ireland a more attractive location for companies to carry out additional business and also helps Ireland retain existing activities in an increasingly competitive international environment. It can have a key role to play in developing and attracting high value-added projects, which are essential to the development of a knowledge-based economy.

Joint Labour Committees.

34. **Deputy Damien English** asked the Minister for Enterprise, Trade and Employment the impact the recent High Court settlement between the Labour Court and the Irish Hotel's Federation will have on joint labour committees and registered employment agreements; and if he will make a statement on the matter. [16711/08]

59. **Deputy Liz McManus** asked the Minister for Enterprise, Trade and Employment the implications for the operation of the Joint Labour Committees of the decision of the High Court to quash the order made by the Joint Committee for the Hotel Industry fixing minimum wage levels for workers in that sector; and if he will make a statement on the matter. [16558/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): I propose to take Questions Nos. 34 and 59 together.

I have noted the decision reached in the High Court on 7 February to quash the Employment Regulation Order, relating to minimum remuneration of workers, made by the Labour Court on foot of proposals from the Hotel Joint Labour Committee on 5 November 2007, and to remit the matter back to the Joint Labour Committee.

The implications of the issues raised during the course of the action have required further reflection by the Hotels Joint Labour Committee, the Labour Court and by my Department. I understand that Draft proposals for a new Employment Regulation Order for the Hotels sector were published on 16th April. A three week period is allowed for representations to the Hotels Joint Labour Committee with regard to the proposals, and a meeting of the Committee to consider any representations has been arranged for 8th May next.

Active consideration of any legislative changes that may be necessary to protect the integrity of the JLC system and that of Registered Employment Agreements is also under way in my Department.

I would like to assure Deputies of the Government's ongoing commitment to ensuring that there are adequate systems and processes in place to underpin employment standards.

Competition Authority.

35. **Deputy Dan Neville** asked the Minister for Enterprise, Trade and Employment the number of recommendations made to Government by the Competition Authority since 2002 to date in 2008; the number of recommendations that were enacted in full by Government; and if he will make a statement on the matter. [16754/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): In addition to its law enforcement and merger regulation functions under the Competition Act 2002, the Competition Authority has a duty to promote competition. One way in which the Authority fulfils this statutory duty is by studying how competition operates in the economy and making recommendations as it considers appropriate.

In reports by the Competition Authority between 2002 and 2008, relating to formal studies undertaken, the Authority has made 54 recommendations to specific Government Ministers/Departments. Of these:

- 7 recommendations have been implemented,
- 14 recommendations are being progressed,
- 5 recommendations do not require action at this time (because they are contingent on particular circumstances which have not arisen), and
- 28 other recommendations are outstanding/under consideration.

The Authority keeps progress on the implementation of its recommendations under review and as part of this process it engages with those bodies to whom the recommendations are directed with a view to their future implementation. I would advise the Deputy that not all Authority recommendations are directed to Government or to specific Ministers. Many of the recommendations are directed to Statutory Regulators or to non-Governmental bodies and have been implemented.

Question No. 36 answered with Question No. 20.

World Trade Negotiations.

37. **Deputy Niall Collins** asked the Minister for Enterprise, Trade and Employment the main obstacles to a comprehensive World Trade Organisation agreement; and if he will make a statement on the matter. [16451/08]

44. **Deputy Charlie O'Connor** asked the Minister for Enterprise, Trade and Employment his views on whether a balanced outcome is possible at the World Trade Organisation talks; and if he will make a statement on the matter. [16463/08]

54. **Deputy Darragh O'Brien** asked the Minister for Enterprise, Trade and Employment his views on whether the European Union External Trade Commissioner has exceeded his mandate in relation to World Trade Organisation negotiations; and if he will make a statement on the matter. [16470/08]

66. **Deputy Margaret Conlon** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the fact that there is concern at developments relating to the World Trade Organisation and that, specifically, there is dismay at the negotiating position being adopted by Commissioner Mandelson; and if he will make a statement on the matter. [16468/08]

70. **Deputy Darragh O'Brien** asked the Minister for Enterprise, Trade and Employment his views on developments with regard to the World Trade Organisation negotiations; and if he will make a statement on the matter. [16469/08]

73. **Deputy Niall Collins** asked the Minister for Enterprise, Trade and Employment if he has confidence in the stance taken by European Trade Commissioner, Mr. Peter Mandelson, with regard to the World Trade Organisation talks; and if he will make a statement on the matter. [16452/08]

75. **Deputy Áine Brady** asked the Minister for Enterprise, Trade and Employment if he agrees with the views of the Irish Farmer's Association on the threat posed to the economy here by the stance being taken by Commissioner Mandelson on the World Trade Organisation talks; and if he will make a statement on the matter. [16456/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy John McGuinness): I propose to take Questions Nos. 37, 44, 54, 66, 70, 73 and 75 together.

Talks on the WTO Doha Development Round have been making slow progress since they commenced in 2001. The process inevitably extends over a very lengthy timeframe because of the multiple concerns that 151 WTO members bring to the process and where the outcome is based on consensus. Negotiations are exceptionally complicated not only because of the huge number of countries involved, but also because of the different interests, needs and expectations each of them bring to the table. In addition to compromises that have to be worked out in the key negotiating pillars on agriculture, industrial products, services, trade facilitation etc., considerable trade-offs and agreements have to be reached on concessions by both developed and developing economies. This Round is distinctively different from earlier ones because the development needs of less well off countries are given a special priority.

While there is a tangible change in the mood for and ambition to complete the round this year, negotiations are still very far from complete. In two of the most critical aspects of the talks, on agricultural and non agricultural produce, new texts and options will be issued by the chairs of these negotiating groups later this month or in early May. Whether the round will be completed this year or not I cannot say because there is an enormous amount of work still to be undertaken. The complete round includes other elements that are important to help reduce or remove obstacles that inhibit moving a small step closer to the type of free trade that our exporters benefit from for example in EU trade. It is only when all aspects of the talks have

been agreed as a single undertaking will we see how effective our negotiators have been in securing a fair and balanced outcome for both Ireland and the other 26 Member States of the EU.

The talks have to make more progress on delivering better market access opportunities for our broad enterprise sector. The success of our manufacturing and services exporters have made an enormous contribution to economic growth. Much of our trade is with markets in developed countries where trade liberalization has been more advanced. Our exporters are increasingly looking to strong, emerging economies where there is significant dynamic growth. We are looking to the WTO negotiations to help support our well established enterprise policy objectives by bringing about important tariff reductions and providing our manufacturing and services entrepreneurs with greater market access opportunities with lower costs.

In this context the EU's Trade Commissioner Mr. Peter Mandelson conducts trade negotiations on behalf of the European union on the basis of a mandate given to him by the Council of Ministers. In addition to meeting him personally to present our interests in the round, he attends EU Council of Ministers meetings at which the WTO talks are discussed. I know he understands very well the problems Ireland faces given the current direction of the negotiations because the Government uses every public and private opportunity to reiterate forcefully the needs for an equitable and balanced outcome from the Geneva talks.

At the moment, however, there is considerable uncertainty about what could eventually be agreed in Geneva. While there has been extensive public comment about what the WTO talks will mean for Ireland, I think it is too early to be precise about the impact on either the economy generally or many of its important sectors, including agriculture. If, however, some of the proposals circulating in Geneva were to arise I am very concerned about what this would mean for our farming sector. While I have not seen the assumptions underlying the analysis prepared by the Irish Farmers Association, I share their overall interest in wanting a Doha Round that does not irreparably damage Irish agriculture, recognizes the structural reforms that have already taken place under CAP Reform and ensures that the sacrifices already made by EU the agri sector are acknowledged.

I and my Government colleagues, have consistently and vigorously urged the EU Commission to work for a balanced agreement that is not at the expense of either EU or Irish agriculture. We believe this is possible if moderation can be applied to the extreme impacts that some Geneva ideas could mean for us and if the Commission aims for ambitious opportunities in other areas such as wider ranging market access and lower trade barriers for services and non agricultural products. However as things stand I cannot see the necessary, critical balance of benefits that would bring us the broader benefits we hope for. I would hope that the new texts promised by the Chairmen of Agriculture and NAMA negotiating groups will reduce our concerns about where the negotiations are currently taking us in terms of the direct and significant agricultural impact for Ireland, while setting a more exciting and liberal trading environment for the main drivers of our economy in manufacturing and services.

National Minimum Wage.

38. **Deputy Seán Sherlock** asked the Minister for Enterprise, Trade and Employment the reason for the decline from 2002 in 2006 to 1750 in 2007 in the number of inspections to check that the minimum wage was being paid; if there are plans to increase the number of such inspections; and if he will make a statement on the matter. [16568/08]

39. **Deputy Pat Rabbitte** asked the Minister for Enterprise, Trade and Employment the number of labour inspectors employed by the National Employment Rights Authority; the number of labour inspectors available for assignment on normal duties; the number of labour inspectors in training following recruitment; the status of the recruitment campaign to increase the labour inspectorate to 90 inspectors; and if he will make a statement on the matter. [16566/08]

60. **Deputy Pat Rabbitte** asked the Minister for Enterprise, Trade and Employment the reason for the 9% decline in the number of workplace inspections carried out by labour inspectors in 2007, compared to 2006; the plans to increase the number of such inspections; and if he will make a statement on the matter. [16567/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): I propose to take Questions Nos. 38, 39 and 60 together.

In accordance with commitments given under Towards 2016, the Social Partnership Agreement, the number of Inspectors was scheduled to increase from 31 to 90 inspectors by the end of 2007.

Competitions were held in 2007 for the recruitment of the additional fifty-nine Inspectors provided for under the Social Partnership Agreement Towards 2016. Fifty- six inspectors have been assigned to NERA from these competitions.

All fifty-six inspectors have completed NERA Inspection Services Introductory Training Programme and are currently undertaking further training, including on-the-job training with experienced inspectors. This involves working with experienced inspectors in carrying out inspections and other associated enquiries at places of work with a view to determining compliance with certain employment rights legislation.

Assignment of the three remaining Inspectors selected in the competitions is ongoing and it is intended that these Inspectors will commence training immediately upon arrival. Five of the original 31 inspectors have left NERA either on promotion or as a result of internal and external Departmental transfers. As a result, the total number of NERA inspectors currently stands at eighty-two. A further recruitment process is being organised to replace the five inspectors and to fill other vacancies as they arise.

The number of calls/visits/inspections undertaken by NERA inspectors to check compliance in 2007 amounted to 14,425. Of these inspections no breaches were detected in 8,556 cases while breaches were detected in 2,353 cases. The number of calls/visits/inspections in 2006 amounted to 15,855. Of these inspections, no breaches were detected in 10,113 cases while breaches were detected in 2,108 cases.

The number of inspections undertaken by NERA inspectors to check compliance with National Minimum Wage legislation in 2007 amounted to 1,942. Of these inspections no breaches were detected in 1,750 cases while breaches were detected in 192 cases. The number of inspections in 2006 amounted to 2,002. Of these inspections, no breaches were detected in 1,898 cases while breaches were detected in 104 cases.

Insofar as comparisons with 2006 and previous years are concerned, I am advised by the National Employment Rights Authority that there are three main reasons for the comparatively lower number of inspections generally carried out in 2007.

Firstly, NERA Inspection Services undertook a comprehensive and extensive employment rights compliance campaign in the construction sector during June and July of 2007. The nature

of the Construction Sector in terms of mobility, places of employment (headquarters and sites) and numbers of employees dictated a specific approach from NERA Inspection Services in order to optimise effectiveness. This approach was resource intensive in terms of inspector numbers, planning, intelligence gathering and liaison with the Revenue Commissioners and the Department of Social and Family Affairs in relation to joint investigations and the exchange of data. This campaign necessarily resulted in the diversion of resources for a considerable period from inspection activity in sectors that would be less demanding in terms of inspection planning, liaison and duration. However, the approach adopted for the Construction Campaign was extremely successful. Some €1.3 million was secured by NERA Inspection Services for employees arising from breaches detected.

Secondly, recruitment processes and training plans had to be put in place for the recruitment of 59 new inspectors in line with the commitment given under Towards 2016, the Social Partnership Agreement. Successful candidates were identified for the 59 additional posts and twenty new inspectors were assigned during 2007. Again, this recruitment and training was resource intensive and the influx of the 20 new inspectors within such a short timeframe required a strong commitment from existing inspectors in terms of training, mentoring and other supports and diverted resources from inspection activity during that period.

Thirdly, there has been a substantial training investment in existing inspectors which has limited somewhat their availability for day to day inspection work. This investment will continue in 2008, but it is not expected to impact on the overall service in terms of inspection activity.

Notwithstanding the reduction in the number of employment rights inspections/visits compared to the same period in 2006, it should be noted that the outcomes in a number of respects are extremely positive. Firstly, over €2.5 million in arrears due to employees was recovered by NERA Inspection Services in 2007 compared to €1.4 million for 2006. Secondly, 2,353 breaches were detected by Inspection Services in 2007 compared to 2,108 for 2006. Thirdly, 28 prosecutions were initiated by Inspection Services in 2007 compared to 8 for 2006. These outcomes point to the value of the more focused and targeted activities being undertaken by NERA in relation to employment rights promotion and compliance.

Job Creation.

40. **Deputy Thomas P. Broughan** asked the Minister for Enterprise, Trade and Employment the number of new jobs he expects to be created during 2008 in regard to manufacturing and other sectors; the way these compare to figures for 2007; and if he will make a statement on the matter. [16548/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Employment growth, i.e. the excess of jobs created over jobs lost, is expected to continue to be positive in 2008, though growing at a slower pace than in previous years. In the Budget Outlook employment is forecast to grow by over 1% (24,000) in 2008 for all sectors. Employment increased by 66,800 year on year in 2007 (CSO, Quarterly National Household Survey, Quarter 4) and the number of people in employment is now 2,138,900. It is generally accepted that the rate of growth experienced over the past few years could not continue and the economy is now entering a period of adjustment.

Employment has increased in most sectors, apart from other production industries and construction, when comparing data year on year (Q4, 2006 to Q4, 2007) as per the following table.

[Deputy Micheál Martin.]

Sector	Q3 2007	Q4, 2007	Qtr on Qtr changes	Q4 2006	Year on year changes
Agriculture, forestry and fishing	116,700	118,700	+2,000	114,700	+4,000
Other production industries	301,700	290,700	−11,000	294,900	−4,200
Construction	283,200	279,000	−4,200	284,600	−5,600
Wholesale and retail trade	310,400	311,600	+1,200	287,800	+23,800
Hotels and restaurants	138,400	132,300	−6,100	124,000	+8,300
Transport, storage and communication	121,700	120,800	−900	116,800	+4,000
Financial and other business services	294,200	297,100	+2,900	276,200	+20,900
Public administration and defence	109,100	105,000	−4,100	102,500	+2,500
Education	129,200	139,100	+9,900	138,100	+1,000
Health	219,300	221,300	+2,000	210,700	+10,600
Other services	122,100	123,300	+1,200	121,800	+1,500
Total	2,146,000	2,138,900	−7,100	2,072,100	+66,800

Source: CSO, Quarterly National Household Survey, Q4, 2007.

Question No. 41 answered with Question No. 20.

Official Engagements.

42. **Deputy Alan Shatter** asked the Minister for Enterprise, Trade and Employment the Government Ministers from non-OECD countries he has met in an official capacity since his appointment as Minister; the date of the meeting; the location of the meeting; if he raised concerns regarding human rights or lack of democracy with them in each case; and if he will make a statement on the matter. [16771/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Table 1 and Table 2 as follows list the Ministers from non-OECD countries that I have met in my official capacity as Minister for Enterprise, Trade and Employment. The tables also list the dates and locations of these meetings.

These meetings were arranged to discuss specific issues, including some of the following topics, depending on the circumstances, i.e. Bilateral Trade, Economic cooperation, World Trade Organisation matters, EU issues, Scientific and Technological cooperation, Foreign Direct Investment, Joint Initiatives between Governments, Legislative initiatives and other related matters which come within my remit as Minister for Enterprise, Trade and Employment. Issues such as Human Rights or lack of democracy in other countries were not raised at these Ministerial meetings.

Table 1: Non OECD Ministers met by Minister Martin during outward visits.

Minister Met	Date	Location
H.E Bo Xilai, Minister for Commerce	18/01/05	China
H.E Wen Jiabao, Premier of the State Council of the People's Republic of China.	18/01/05	China
H.E Hu Jintao, President of the People's Republic of China.	19/01/05	China
Prime Minister Manmohan Singh, Prime Minister of the Republic of India	19/01/06	India

Minister Met	Date	Location
H.E Mandisi Mphahlwa, Minister for Trade and Industry.	20/09/06	South Africa
H.E Rachid Mohamed Rachid, Minister for Trade and Industry.	06/11/07	Egypt
H.E Dr. Tarek Kamel, Minister for Communications and IT.	07/11/07	Egypt
H.E Hany Mahfouz Hilal, Minister for Higher Education.	07/11/07	Egypt
H.E Al Yamani, Minister for Commerce.	15/01/07	United Arab Emirates
H.E Sheikha Lubna Al Quasimi, Minister for Economy & Planning	17/01/07	United Arab Emirates

Table 2: Non OECD Ministers met by Minister Martin during Inward visits to Ireland.

Minister Met	Date	Location
H.E. Boris Tarasyuk, Minister for Foreign Affairs of Ukraine.	08/02/06	Ireland
H.E Luiz Fernando Furlan, Minister for Development, Industry and Foreign Trade of Brazil.	09/05/06	Ireland
H.E Omar Davies, Jamaican Minister for Finance	5/07/06	Ireland
H.E Hassan Fakhro, Minister for Industry and Commerce of Bahrain.	26/07/06	Ireland
H.E Emilia Maslarova, Minister for Labour and Social Policy of Bulgaria.	01/11/06	Ireland
H.E Petras Vaitiekunas, Lithuanian Foreign Minister	21/11/06	Ireland
H.E Ma Xiuhong, Vice Minister of MOFCOM, People's Republic of China.	26/06/06	Ireland
H.E YU Guangzhou, First Vice Minister of Commerce, People's Republic of China.	13/12/07	Ireland
H.E Branko Vukelic, Minister for Economy, Labour and Entrepreneurship of Croatia.	25/04/06	Ireland
H.E Romain Murenzi, Minister for Science and Technology of Rwanda. H.E Rosemary Museminali, Minister of State for Development Co-operation	05/03/08	Ireland
H.E Hashim bin Abdullah bin Hashim Al-Yamani, Minister for Commerce and Industry of Saudi Arabia.	27/06/07	Ireland

European Court Rulings.

43. **Deputy Arthur Morgan** asked the Minister for Enterprise, Trade and Employment his views on whether the EU Directive on the Posting of Workers, as referenced in the recent European Court of Justice ruling on a case in Lower Saxony, Germany, could have a negative impact on the protection of the minimum wage here. [16604/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): On 3 April 2008, the European Court of Justice issued a judgement in a case between Mr Dirk Rüffert, a company liquidator, and Land Niedersachsen, a public authority in Germany.

The background to this case is that a public construction contract was awarded to a German company, of which Mr Dirk Rüffert is the liquidator, by the public authority. The German company undertook to abide by relevant collective agreements and to ensure that sub-contract-

[Deputy Billy Kelleher.]

tors did likewise. The company engaged a Polish sub-contractor PKZ that was subsequently found to be in breach of a collective agreement relating to public sector construction contracts. The works contract was terminated following a criminal investigation and legal proceedings commenced between the public authority and Mr Ruffert to determine whether the German company was required to pay a contractual penalty amounting to €849,343 for breach of its undertaking concerning rates of pay.

The Regional Court held that a contractual penalty of €84,934 applied, but this was appealed to the Higher Regional Court, which referred certain issues to the European Court of Justice.

The Posted Workers Directive requires a Member State to ensure that a worker posted to its territory from an undertaking in another Member State is guaranteed the terms and conditions of employment, in respect of certain matters, that employees are guaranteed under the law of that Member State. The European Court of Justice found that the rate of pay provided for in the collective agreement relating to public sector construction contracts was not fixed in accordance with the procedures laid down in the Posted Workers Directive. Although Germany has a system for declaring collective agreements to be of universal application, no such declaration appears to have been made in respect of the collective agreement in question.

The judgement, which issued on 3 April last, is currently being considered by Member States. It appears that the judgement is quite case-specific and hinged on the failure of the German authorities to give universal application status to the collective agreement, even though procedures for doing so existed. I am satisfied that the transposition of the Posted Workers Directive in Ireland — through the Protection of Employees (Part-time Work) Act 2001 — is robust in its protection of the employment rights, including minimum wage requirements, of posted workers in Ireland.

Question No. 44 answered with Question No. 37.

Question No. 45 answered with Question No. 23.

46. **Deputy Arthur Morgan** asked the Minister for Enterprise, Trade and Employment his views on the recent ruling by the European Court of Justice in the Ruffert case in Lower Saxony, Germany. [16603/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): On 3 April 2008, the European Court of Justice issued a judgement in a case between Mr Dirk Ruffert, a company liquidator, and Land Niedersachsen, a public authority in Germany.

The background to this case is that a public construction contract was awarded by the public authority to a German company called Objekt und Bauregie, of which Mr Dirk Ruffert is the liquidator. The German company undertook to abide by relevant collective agreements and to ensure that sub-contractors did likewise. The company engaged a Polish sub-contractor called 'PKZ that was subsequently found to be in breach of a collective agreement relating to public sector construction contracts. The works contract was terminated following a criminal investigation and legal proceedings commenced between the public authority and Mr Ruffert to determine whether the German company was required to pay a contractual penalty amounting to €849,343 for breach of its undertaking concerning rates of pay.

The Regional Court held that a contractual penalty of €84,934 applied, but this was appealed to the Higher Regional Court, which referred certain issues to the European Court of Justice.

The European Court of Justice found that the rate of pay provided for in the collective agreement relating to public sector construction contracts was not fixed in accordance with the procedures laid down in the Posted Workers Directive. The Posted Workers Directive requires a Member State to ensure that a worker posted to its territory from an undertaking in another Member State is guaranteed the terms and conditions of employment, in respect of certain matters, that employees are guaranteed under the law of that Member State.

The judgement, which issued on 3 April last, is currently being considered by Member States. It appears that the judgement is quite case-specific and hinged on the failure of the German authorities to give universal application status to the collective agreement, even though procedures for doing so existed. I am satisfied that the transposition of the Posted Workers Directive in Ireland — through the Protection of Employees (Part-time Work) Act 2001 — is robust in its protection of the employment rights, including minimum wage requirements, of posted workers in Ireland.

Employment Rights.

47. **Deputy Jan O’Sullivan** asked the Minister for Enterprise, Trade and Employment the steps being taken to reduce waiting times for hearings at the Employment Appeals Tribunal ; if he has had a request for additional personnel or resources from the tribunal; if these requests have been met; and if he will make a statement on the matter. [16562/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): The Employment Appeals Tribunal is an independent body under the aegis of the Department. As an independent body, I have no role in relation to the day-to-day operation of the Tribunal.

I understand that the Tribunal continues to target areas of the country where the waiting time is longest. Progress has been made in reducing the waiting period. Currently the average waiting period for areas outside Dublin is 36 weeks compared to a high of 54 weeks in early 2007. The waiting period in Dublin is currently 14 weeks compared to a high of 27 weeks in early 2007. I understand the Tribunal will continue to target areas of the country with particular regard to the volume of cases on hand.

Extra resources have been assigned by the Department to the Tribunal in line with the Social Partnership Agreement, “Towards 2016” where the Government undertook to increase resources to the employment rights bodies. An increase of 8 staff was agreed for the Tribunal. To date 5 extra staff has been deployed and a further 1 will be assigned on 12 May. The direct effect of these extra staff has been to allow an increase from 5 Tribunal divisions per day each week in early 2007 to 7 and 8 Tribunal divisions per day per week since January 2008.

The Tribunal Chairperson has drawn attention at meetings with the Department to the need for full staff resources. I am pleased to say that the Department will be in a position to assign the remaining staff to the Tribunal in the near future, which will address the resources issue.

Workplace Accidents.

48. **Deputy Brian O’Shea** asked the Minister for Enterprise, Trade and Employment his views on the significant increase in the number of deaths recorded in workplace accidents in the construction sector during 2007; the proposals he has to ensure a reduction in the number of construction accidents and deaths; and if he will make a statement on the matter. [16561/08]

65. **Deputy Brian O’Shea** asked the Minister for Enterprise, Trade and Employment his views on the 34% increase in the number of deaths recorded in workplace accidents during

[Deputy Brian O'Shea.]

2007; the proposals he has to ensure a reduction in the number of workplace accidents and deaths; and if he will make a statement on the matter. [16560/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): I propose to take Questions Nos. 48 and 65 together.

The number of deaths recorded in workplace accidents during 2007 was 67 compared to 51 fatalities in 2006. Of these, 18 occurred in the construction sector in 2007, an increase of 5 on the 2006 figures.

In terms of injuries, there were over 7,000 non-fatal work injuries overall reported to the Health and Safety Authority in 2007. The most common non-fatal accident triggers for all sectors were handling, lifting and carrying (34%), and slips, trips and falls (18%). These have repeatedly been the two most common categories every year since 2000. However, there has been a steady decrease in the number of injuries reported to the Authority each year since 2004. Construction is one of the sectors which is repeatedly in the top three sectors which suffer the most accidents.

I am on record as having voiced the Government's concerns at the increase in fatalities in the construction sector. The Health and Safety Authority shares those concern and continues to focus its inspection and awareness campaigns on this and other high-risk sectors. Also, the Authority continues to work with employer and employee organisations to make workplace safety, health and welfare an integral part of doing business in every workplace.

The Authority's programme of work for 2008 sets out its key priorities and activities and targets a 10% increase in the number of workplace inspections this year to 17,500. In relation to the construction sector the Authority has plans to carry out 7,000 construction site inspections in 2008. Also, the Authority will continue to implement the Safety, Health and Welfare at Work (Construction) Regulations 2006 and the Safe System of Work Plan (SSWP).

The Safe System of Work Plan is a system that was designed in Ireland and is aimed at reducing injuries and deaths on construction sites. The system was first introduced by the Health and Safety Authority in 2005. The initiative is based on pictograms to explain and clarify hazards and controls, thereby creating a wordless document where safety can be communicated to all workers regardless of literacy or language skills. The Safe System of Work Plan aims to focus on those in the construction industry who are most at risk, allowing them to ensure that all necessary safety controls are in place prior to the commencement of planned work. This system recently received a Taoiseach's Award for Excellence in the Public Service.

Together with the above, the Authority, following consultation with its stakeholders, has launched a comprehensive Construction Safety Code of Practice for Contractors with Three or Less Employees, which is a further tool in advocating safe practice in the workplace. I also understand that a Code of Practice on scaffolding safety is due for publication shortly.

In addition to this in 2008 the Authority plans to develop, consult on and publish codes of practice on construction anchors, pre-cast concrete and roof work.

Economic Competitiveness.

49. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Employment the way he will support small to medium enterprises here to adapt to the changing economic environment; and if he will make a statement on the matter. [16720/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Irish economy continues to perform strongly in the global marketplace in an ever increasingly competitive

world. Ireland's enterprise strategy is to create and sustain an environment conducive to business and to offer targeted support for enterprises to promote innovation, growth and competitiveness. Small to medium enterprises are a key component of this strategy.

Growth in global markets through the internationalisation of Irish companies is the key to wealth and employment creation in Ireland. Central to the attainment of continuous growth in exports is innovation which impacts on every facet of a business. Technological progress and new ways of doing business set new standards and make new demands of firms. A natural consequence of this change will be the introduction of new business models and the emergence of new markets. A particular focus must be on developing new knowledge and new ways of doing things as recognised in Government policies, particularly the National Development Plan 2007-2013 and the Strategy for Science, Technology & Innovation.

My Department and its agencies support small to medium enterprises in a number of direct ways. Enterprise Ireland (EI) recognises the varied challenges facing SMEs in the context of the changing environment and partners with companies to address their needs. In line with its strategy "Transforming Irish Industry 2008-2010", EI provides supports — financial and advice — aimed at developing all aspects of the critical business functions. Financial supports focus on supporting start-ups with a high potential to grow, providing comprehensive funding for R+D, driving growth and innovation capabilities and supporting major projects for large-scale development. Key programmes include:

- the Innovative High Potential Start-Up (HPSU) Offer;
- the R+D Funding Offer covering Stimulating Research and Innovation, the R+D Fund, Collaboration and Innovation Expertise;
- the Growth Fund aimed at increasing the competitiveness of SMEs through business innovation and covering capital investment, recruitment of key managers, management development and staff training and business innovation consultancy;
- the Innovation Vouchers Initiative aimed at encouraging a transfer of knowledge between Ireland's public knowledge providers and small business;
- Large scale projects with significant R+D projects requiring funding in excess of €3m
- Seed and Venture Capital Fund

In addition to EI, the 35 County and City Enterprise Boards (CEBs) provide support to small businesses or micro-enterprises with 10 employees or fewer in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate economic activity at local level throughout the country. The specific types of formal CEB assistance available to micro-enterprise is broken down between financial assistance such as grants for feasibility studies, employment grants and capital grants and non-financial assistance ("soft supports") such as programmes covering business management, mentoring, e-commerce, enterprise education and women in business networks. The Tech Check Programme introduced last year is also a valuable assistance to small firms carrying out IT audits.

In 2008, the Capital allocation for the 35 CEBs stands at over €20m. This funding will enable the Boards to continue to be actively involved in the area of economic development and ensure that available funds are targeted to maximise entrepreneurial development.

[Deputy Micheál Martin.]

The Report of the Small Business Forum highlighted the extraordinary contribution that the small business sector is making to our economy with some 250,000 small businesses operating in the economy and employing about 800,000 people. The Report contained a detailed analysis of the factors that drive the small business sector and has provided a blueprint for the further development of the sector. Considerable progress has been made on the implementation of the Report's findings, and their ongoing implementation remains a priority for Government.

I am satisfied that all of the above measures and supports will help small to medium enterprises adapt to changing economic circumstances.

Consumer Protection.

50. **Deputy Emmet Stagg** asked the Minister for Enterprise, Trade and Employment the steps being taken to implement the commitment in the programme for Government that steps would be taken to ensure that consumer codes of conduct are published by businesses; and if he will make a statement on the matter. [16573/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Consumer Protection Act 2007 empowers the National Consumer Agency to prepare and publish Guidelines to traders in relation to matters of consumer welfare and protection and matters related to commercial practices. The Act also entitles the Agency to review or approve Codes of Practice voluntarily submitted to it by traders or their trade associations where the Agency is satisfied that the Code of Practice protects consumer interests.

As part of its stated intention to establish a strong relationship with business in order to promote a high standard of consumer protection and voluntary compliance by business with consumer law, the Agency is currently discussing the development of possible Codes of Practice with a number of businesses and their representative bodies. The Agency is also preparing Guidelines to businesses in two specific areas namely, the Retail Sector and the Health and Fitness Sector. I am advised that once it has concluded its consultations in relation to these matters, the Agency hopes to publish its final Guidelines to these sectors as soon as possible thereafter.

I very much welcome the positive approach of the National Consumer Agency in working with traders and their representative associations to develop a strong consumer culture amongst Irish business. I am confident that the development and promotion of such a culture through the initiatives embarked upon by the Agency will benefit not only consumers but businesses and the economy as a whole.

Question No. 51 answered with Question No. 20.

Site Investigations.

52. **Deputy David Stanton** asked the Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 691 of 30 January 2008, the further progress that has been made with the future redevelopment of the former Irish ISPAT site in Haulbowline; if decisions have been taken on the issue; and if he will make a statement on the matter. [16620/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): In the context of the further development of the former ISPAT site, the Department of Defence has requested

further consultations on the requirements of the Naval Service at Haulbowline. That consultation is proceeding.

EU Directives.

53. **Deputy Kathleen Lynch** asked the Minister for Enterprise, Trade and Employment the position in regard to the proposed EU Directive on Agency Workers; and if he will make a statement on the matter. [16557/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): As the Deputy will recall, the Portuguese Presidency tabled for consideration, at the ESPHCA Council, on 5th. December 2007, proposed Directives on Temporary Agency Work and the Organisation of Working Time in its efforts to fashion an overall compromise solution by way of an integrated approach to discussions of two sensitive dossiers. Having identified the remaining issues of concern to various Member States, the Presidency was unable to progress these dossiers to a successful conclusion and concluded that the best option was to postpone a final decision on these matters.

The Government have at all times indicated that we fully support the thrust of the proposed Directive but that we are concerned that any such instrument must be balanced and respect the different traditions and practices at the national level. Thus if flexibility is to be permitted in the proposed Directive in relation to the principle of equal treatment for those countries with collective agreements which tend to be more binding in nature or legally enforceable, then other means for providing appropriate flexibility should be allowed for those Member States with a tradition of more voluntarist approaches to collective agreements.

The Slovene Presidency share the view that the Draft Directive on Temporary Agency Work is an important legislative proposal and have indicated that they are willing to take the work forward but the Presidency is not in a position to estimate when the Council's Common position on this proposal might be agreed. We understand that it may be discussed at the Council this June but there are no firm indications in this regard.

Question No. 54 answered with Question No. 37.

Decentralisation Programme.

55. **Deputy Joanna Tuffy** asked the Minister for Enterprise, Trade and Employment the progress made to date with regard to the implementation of the programme of decentralisation in respect of his Department and State bodies under the aegis of his Department; and if he will make a statement on the matter. [16574/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin):

Department Decentralisation

My Department has been making good progress in the relocation of the required 250 posts to Carlow under the Government's Decentralisation Programme. The following business units/Offices of my Department are earmarked for decentralisation:

- Companies Registration Office/Registry of Friendly Societies
- National Employment Rights Authority (NERA)
- Work Permits

[Deputy Micheál Martin.]

- Redundancy Payments Section

Insolvency Payments Section

Officials of my Department, in consultation with the Department of Finance and the OPW, as well as decentralising staff and Business Units opened an advance office in Carlow on July 30th 2007. The number of posts in this decentralised advance office is 100.

As well as staff already decentralised, there are 48 staff within my Department due to decentralise in the substantive move scheduled for 2009, with a further 37 Carlow-bound applicants yet to be assigned from other Departments. With regard to the property side of the Department's move, the OPW completed the purchase of a site in Carlow town centre for the construction of my Department's permanent office in Carlow. My colleague Minister of State Noel Ahern TD, announced on 13th December 2007 that the OPW has invited The Macquarie Partnership as the consortium to become the 'Successful Tenderer' in respect of this decentralisation project. This forms part of a major PPP project, which also involves the provision of office accommodation for the Department of Agriculture, Fisheries and Food in Portlaoise and the Department of Education and Science in Mullingar.

The OPW has advised my Department that the formal application for planning permission was lodged with Carlow Town Council on Friday 18th April 2008. I am hopeful, subject to no planning issues arising, that the completion of construction of the permanent office will be in late 2009.

Agency Decentralisation

Under the Government Decentralisation Programme, announced in December 2003, six of the Agencies under the aegis of my Department are due to decentralise or have already been decentralised, as follows:

FÁS

Under the Government's decentralisation programme, FÁS is due to transfer its head office including some 383 posts to Birr, County Offaly. FÁS has completed the purchase of 5.59 acres (approximately) in Birr, Co Offaly. A Planning Application for the FÁS portion of the site access road and site entrance is currently being progressed on behalf of FÁS by the vendor's Consultant Engineers and Architects, in discussion with the Consulting Engineers and Architects representing FÁS. In the meantime, since 6 May 2007 FÁS has leased a floor of a building within the Birr Technology Centre to accommodate staff in the decentralised location pending the construction and fitting out of a permanent Headquarters.

Enterprise Ireland

Enterprise Ireland (EI) is to move 300 posts to Shannon under the decentralisation programme. Progress on the full transfer of EI's HQ to Shannon, within the Government decentralisation programme, will be influenced by factors (many external to EI) such as the level of interest in the Shannon location expressed by CAF applicants and by progress made in discussions at a central level on various issues central to Agency decentralisation. EI's latest understanding is that there are 7 internal applicants interested in moving to Shannon. None of these has yet re-located.

In parallel with the decentralisation programme, EI has been strengthening its regional focus in recent years. EI now has a major new presence in the Shannon region in addition to its nine other regional offices. In July 2007 EI officially opened its new National Regional Development Headquarters in Shannon and has based the new County Enterprise Support Unit there. Currently there are 40 staff working in the new Shannon office and it is expected that approximately 65 EI staff will be in place there over the coming months. EI has leased high-spec office space in Westpark, Shannon, to accommodate this new Regional HQ.

In terms of acquiring a building, Enterprise Ireland, working closely with the Office of Public Works (OPW) has identified, but not yet acquired, a preferred site for the construction of a suitably sized new HQ building in Shannon. The preferred site is a 13-acre site owned by Shannon Development. In co-operation with Shannon Development and the OPW, the site was valued and a feasibility study carried out. The site occupies a prime position in Shannon and is considered suitable for a major landmark building or civic structure.

Health and Safety Authority

The Health and Safety Authority is to move 110 posts to Thomastown, Co Kilkenny as part of the decentralisation programme. To date a total of 65 civil and public servants, including 12 Authority staff, have expressed an interest through the Central Application Facility (CAF) process in transferring to Thomastown.

In advance of decentralising to Thomastown, the Authority established an interim office in Kilkenny city. Currently, 27 staff, including 3 of the 12 internal HSA Thomastown applicants, are based in Kilkenny; it also includes new staff recruited for the REACH (Registration, Evaluation and Authorisation of Chemicals) strategy. All staff currently accommodated in the interim office will move to Thomastown once the new premises are ready for occupation.

The Commissioners of Public Works have signed a contract for sale in respect of the site in Thomastown. A condition of the contract is that the vendor obtains the appropriate zoning for the site so that the Commissioners' planned development can take place. The required change of zoning has now been granted and the sale should close shortly.

When the purchase is completed, expressions of interest for the design and build phase, will be invited from interested parties. It will be a matter for the successful tenderer to apply for planning permission at that stage. The current estimated timeline for availability for occupancy is 2009/2010.

NSAI

Under the Government's decentralisation programme the National Standards Authority of Ireland (NSAI) is due to relocate to Arklow, Co. Wicklow. The number required to decentralise from the NSAI is 132. A total of 10 Dublin based staff of the NSAI have applied to decentralise to Arklow. In addition a further 86 Dublin based civil and public servants have applied for decentralisation to Arklow. No member of staff from the NSAI has transferred to Arklow to date. The accommodation requirements for the NSAI in Arklow are being addressed by the OPW. To date no progress has been made by the OPW in identifying or securing suitable office accommodation in the Arklow area. The current NSAI implementation plan anticipates a target date of April 2009 as the completion date.

National Consumer Agency (NCA)

[Deputy Micheál Martin.]

The National Consumer Agency (NCA) was formally established on 1st May 2007 and inherited the functions of the Office of the Director of Consumer Affairs (ODCA). The Agency will have a headquarters in Cork City. The Department of Finance has granted sanction for an overall complement of 80 members of staff. It is expected that there will be a high percentage of staff turnover as many of the existing staff, who formerly worked in ODCA and are on secondment from the Department of Enterprise, Trade and Employment, return to the Department. Decentralisation plans are being progressed with a view to the Agency relocating to Cork in the course of 2009. The Agency has recently forwarded details of its accommodation requirements to the OPW.

Irish Auditing and Accounting Supervisory Authority (IAASA)

In the case of the Irish Auditing and Accounting Supervisory Authority (IAASA), a decision was made prior to its establishment that it would be located in Naas, Co Kildare. Having been established in December, 2005 it moved to new offices at Naas, in January 2006. All IAASA staff have been based in its offices in Naas since its establishment, and as such the Authority is fully decentralised.

State Aid.

56. **Deputy Frank Feighan** asked the Minister for Enterprise, Trade and Employment the decision he has made on the request that the Government should guarantee a loan in respect of Waterford Crystal; the criteria according to which the decision was made; and if he will make a statement on the matter. [16731/08]

63. **Deputy Joan Burton** asked the Minister for Enterprise, Trade and Employment the proposals under consideration by him with respect to financial support or guarantees for a company (details supplied); his views on whether such proposals would be consistent with EU State aid legislation; and if he will make a statement on the matter. [15616/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): I propose to take Questions Nos. 56 and 63 together.

This matter is under consideration by Government and I cannot comment further. The issue of compliance with State aid rules will be pursued with the European Commission, if necessary.

Job Creation.

57. **Deputy Jimmy Deenihan** asked the Minister for Enterprise, Trade and Employment the number of jobs created by multinational companies which have located here for each year since 2005 to date in 2008; and if he will make a statement on the matter. [16725/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Over the three year period 2005- 2007, a total of 65 multinational companies set up operations in this country with support from IDA Ireland and Shannon Development and with the potential to create 1,827 jobs.

In the same period, the total number of new jobs created in multinational companies supported by IDA Ireland and Shannon Development was 34,406. Many of these jobs were associated with projects announced prior to the period in question or with projects that were not announced at all. Figures in relation to 2008 will not be available until early 2009. The annual

breakdown of these figures is set out in tabular statement 1. This information is taken from the Forfás Annual Employment Survey. Information on job numbers is gathered on a confidential basis for statistical purposes only.

Since the beginning of 2008 there have been 5 announcements relating to new multinational, greenfield start-ups with a potential to create 595 new jobs with IDA support, while in the same period, 9 companies have announced expansions with a potential to create an additional 1,016 jobs. The names of these companies, together with the location and estimated job numbers that have been announced, are set out in tabular statements 2 and 3.

Table 1: Number of Full-Time Jobs Created In Each Year 2005-2007

	IDA Ireland Foreign Owned Firms	Shannon Development Foreign owned firms
2005	12,095	344
2006	12,033	483
2007	9,190	261

Table 2: Announcements To Date in 2008 In Relation to New Multinational, Greenfield Start Ups

Month of Announcement	Company Name	Location	Jobs
February 2008	Zimmer	Shannon	250
February 2008	Channel Advisor,	Limerick	15
February 2008	Unum	Carlow	200
March 2008	EyeWonder	Dublin	30
April 2008	Lancaster Labs	Waterford	100

Table 3: Job Expansion Announcements To Date in 2008

Company Name	Location	Potential Jobs
Citeo	Co. Cork	150
Service Source	Co. Dublin	100
Teva	Co. Waterford	165
De Puy	Co. Cork	20
IBM	Co. Dublin	21
Genzyme	Co. Waterford	170
Eli Lilly	Co. Cork	200
Cameron	Co. Longford	140
GlaxoSmithKline	Co. Waterford	50

Question No. 58 answered with Question No. 7.

Question No. 59 answered with Question No. 34.

Question No. 60 answered with Question No. 38

Industrial Disputes.

61. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Enterprise, Trade and Employ-

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ment if he will intervene in a dispute at a hotel (details supplied) in Dublin where workers have been let go because of dispute between management and the owners. [16610/08]

67. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the situation at a hotel (details supplied) in Dublin where 65 workers have lost their jobs following a dispute between management and the owners; and if he will make a statement on the matter. [16609/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): I propose to take Questions Nos. 61 and 67 together. Responsibility for the resolution of industrial disputes is a matter for the parties involved. The State provides the industrial relations dispute settlement machinery free of charge to assist this process, which, in line with the general principles of industrial relations in Ireland, is voluntary in nature. The system of industrial relations in Ireland is designed to help and support parties in their efforts to resolve their differences, rather than imposing an extensive set of legislative conditions on parties to an industrial dispute.

I understand that neither the Labour Relations Commission nor the Labour Court has been asked by any of the parties to assist in resolving any issues relating to this hotel that may be in dispute.

Consumer Protection.

62. **Deputy Róisín Shortall** asked the Minister for Enterprise, Trade and Employment his proposals for a consultation process regarding the prohibition of credit card and other relevant methods of payment surcharges to consumers; when he expects the process to be completed; and if he will make a statement on the matter. [16570/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The issues raised by the Deputy relate to Sections 48 & 49 of the Consumer Protection Act 2007. The Deputy will recall that my Department conducted a public consultation process in relation to the commencement of these provisions of the Act in the summer of 2007. The Department received a total of almost 50 responses to the public consultation. These responses raised a number of specific issues upon which the Department sought the advice of the Attorney General.

The issues referred to the Office of the Attorney General essentially related to the compatibility of Sections 48 & 49 with E.U. law, specifically with the EU Directive on Unfair Commercial Practices (UCPD) and the EU Payment Services Directive (PSD). The Attorney General advised that Sections 48 & 49 are not compatible with EU law and accordingly, I have decided not to commence these provisions.

Nevertheless I remain concerned in relation to the manner in which payment charges are being imposed and particularly in relation to the importance of customers being aware of the fact that a trader imposes an additional charge based on the method of payment before transacting with that trader. My Department is, therefore, currently examining the possibility of making Regulations under the Consumer Protection Act obliging traders who impose payment method charges to include information in relation to those charges in any advertisements for their goods and services.

Whilst the provisions of the Consumer Protection Act 2007 prohibiting payment method charges will not be commenced, it is my intention to ensure in so far as possible that those small number of traders who do impose such charges do so in a totally transparent manner.

Question No. 63 answered with Question No. 56.

Job Losses

64. **Deputy Thomas P. Broughan** asked the Minister for Enterprise, Trade and Employment if there is a dedicated section within his Department responsible for identifying plants that may be at risk, in order that there can be early intervention with a view, to where possible, saving jobs at risk or otherwise minimising the number of job losses; and if he will make a statement on the matter. [16549/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): My Department operates an early warning system of firms in difficulty and where jobs are at risk. The system applies to firms that have been assisted by the Industrial Development agencies operating under the aegis of my Department. Notifications of firms in difficulty and where jobs are at risk are received from these agencies as soon as the agencies become aware of the situation.

I should point out that the information is provided on a confidential basis and it must remain confidential as, invariably, it is commercially sensitive information. Such information could be of benefit to national or international competitors in the context of industrial projects already established in this country and our ability to attract further projects in the future.

I know that the Industrial Development agencies are in regular contact with their clients. The agencies would look to anticipate potential problems and are always prepared and available to assist companies in whatever way they can in order to minimise or avoid job losses if at all possible.

Question No. 65 answered with Question No. 48.

Question No. 66 answered with Question No. 37.

Question No. 67 answered with Question No. 61.

Question No. 68 answered with Question No. 22.

Equality Issues.

69. **Deputy Seán Sherlock** asked the Minister for Enterprise, Trade and Employment the average industrial wage earned by a male worker and female worker respectively; the average male earnings and average female earnings generally; if he plans additional measures to help bridge the male-female earnings gap; and if he will make a statement on the matter. [16569/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): Data from the CSO quarterly industrial survey shows that average industrial earnings per hour for male industrial workers on adult rates in June 2007 was €16.62. For female industrial workers the average rate was €12.73.

From the CSO National Employment Survey for March 2006, average hourly earnings were €20.59 for males and €18.22 for females. These latter figures cover the entire economy in March 2006 (excluding employees in agriculture, forestry and fishing).

The gender pay gap has fallen consistently and is now below the EU average of 15%. The most recent official figures from Eurostat (2005) put the Irish gender pay gap at 9%, placing us fourth lowest among the EU27. This compares with a rate of 14% in 2003, showing a drop of 5% in two years.

[Deputy Billy Kelleher.]

Primary responsibility for policy in relation to the gender pay gap is a matter for my colleague the Minister for Justice, Equality and Law Reform. Addressing the factors behind the gender pay gap is, however, a multi faceted task involving a number of Government Departments and agencies as outlined in the National Women's Strategy, 2007-2016. The Department of Enterprise, Trade and is responsible for a number of actions.

As Minister for Labour Affairs, I am responsible for the National Minimum Wage legislation. The national minimum wage was introduced in Ireland in April 2000. Since its introduction there have been six increases to the minimum rate. The most recent increase saw the minimum wage increase to €8.65 per hour, which is the second highest in the EU. The introduction of the national minimum wage in 2000 has had a positive impact on women who previously were more likely to have received very low wages in sectors which were predominantly female. Prior to the introduction of the minimum wage, the gender pay gap was at 22%.

My Department is responsible for chairing and providing the secretariat for the National Framework Committee on Work/life Balance Policies. This Committee, which was established under the social partnership process, comprises representatives from IBEC, ICTU, the Equality Authority and a number of Government Departments. The Committee has undertaken and continues to undertake a range of activities to raise awareness and encourage the provision of work/life balance at the level of the enterprise and these can help to encourage greater female participation in the workforce, including at senior levels which in turn can help narrow the earnings gap.

Similarly, "Expanding the Workforce", which is run by FÁS, is aimed at proactively encouraging women to return to work. The initiative facilitates women returnees by ensuring that training is provided in a flexible manner and is tailored to meet business requirements and skills needs of employers.

Question No. 70 answered with Question No. 37.

Unemployment Levels.

71. **Deputy Joe Costello** asked the Minister for Enterprise, Trade and Employment if he is concerned that according to figures published by the Central Statistics Office that 18 of the 28 towns with a population of 10,000 or more are suffering very high levels of unemployment, with Newbridge having 21.5% of the population on the live register; if he has plans to ensure that such towns are given particular priority in regard to the search for new jobs; and if he will make a statement on the matter. [16551/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Department of Social and Family Affairs maintains the Live Register. The total number of people recorded on the Live Register for March 2008 is 197,992. The number of people signing on the live register for March 2008 in Newbridge is 3,987. The Live Register is not designed to measure unemployment. It includes part-time, seasonal and casual workers entitled to unemployment benefit.

Unemployment is measured by the Quarterly National Household Survey, collated and published by the Central Statistics Office. The most recent Quarterly National Household Survey, Quarter 4, 2007 (September-November) indicates that employment has increased by 66,800 in the year. The unemployment rate is currently at 4.5%.

The increase in the live register figures, while unwelcome, must be seen in the context of the major increase in employment over the last number of years, with the anticipated period of

adjustment now being experienced. The predictions for the medium term are for continued employment growth, albeit at a slower pace than that experienced to date.

The most recent FÁS/ESRI Employment and Vacancies Survey for March 2008 shows that the percentage of firms reporting vacancies across all sectors is 10%, indicating that there are employment opportunities. The range of integrated support services provided by FÁS, which involves information sessions, skills analysis, training/retraining courses and job placement will be available for those who become redundant because of company restructuring or closures. In the delivery of these services, FÁS liaises with other relevant agencies such as Enterprise Ireland, IDA Ireland, the City/County Enterprise Boards and the Department of Social and Family Affairs. There is also active engagement with the unemployed after 3 months on the live register to assist them to progress towards employment, training or active labour market programmes.

Regional development is a major commitment in the National Development Plan that is being delivered through the National Spatial Strategy (NSS). The enterprise development agencies are playing a significant role in promoting balanced regional development and there is now a strong focus on encouraging investors to explore and locate in the Gateway and Hub locations, in line with the NSS.

In relation to Kildare, there are 25 multinationals operating in the county employing 11,042 people. It is most encouraging that despite recent global concern these jobs have steadily increased over the last 10 years. Specifically, Wyeth's investment of over €24 million in the establishment of a new Pharmaceutical Development Centre at its Wyeth Medica Ireland facility in Newbridge is a very positive sign of confidence in the area. It will create 20 high-calibre R&D positions over three years for people with PhD, MSc and BSc qualifications. The new Centre will be at the forefront of Wyeth's development pipeline and will assist Newbridge in attracting a significant number of the new products coming out of the corporate R&D pipeline.

Consumer Protection.

72. **Deputy Róisín Shortall** asked the Minister for Enterprise, Trade and Employment the action being taken to implement the commitment in the programme for Government that steps would be taken to ensure that prices of goods are labelled and transparent in order that the consumer is well informed; and if he will make a statement on the matter. [16571/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Price display law is covered by Orders made under Section 19 of the Prices Acts 1958 to 1972 and under the European Communities (Requirements to Indicate Product Prices) Regulations 2002, Statutory Instrument No. 639 of 2002. The various Price Display Orders made under the Prices Acts 1958 to 1972 cover Drinks Display in Licensed Premises, Hairdressing Services, Petrol and Diesel and Restaurants. The European Communities (Requirements to Indicate Product Prices) Regulations 2002 require retailers to display the selling and, where appropriate, the unit price (the price per litre or kilo) for all products covered by the scope of the Regulations. The Commission will be reviewing the Directive upon which these Regulations are based and I will support measures to enhance the information to be made available to consumers. This review is part of the general review of the Consumer Acquis.

The National Consumer Agency whose function it is to enforce consumer laws, regularly undertakes surveillance with a view to securing voluntary compliance on the part of traders.

Question No. 73 answered with Question No. 37.

Question No. 74 answered with Question No. 20.

Question No. 75 answered with Question No. 37.

76. **Deputy Emmet Stagg** asked the Minister for Enterprise, Trade and Employment the number of on-the-spot fines for breaches of consumer law imposed to date under the terms of the Consumer Protection (Fixed Payment Notice) Regulations 2007; the type of breaches in each case; and if he will make a statement on the matter. [16572/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Consumer Protection (Fixed Payment Notice) Regulations 2007 (S.I. No. 689 of 2007) came into effect on 13 October 2007. Responsibility for the enforcement of these Regulations is a matter for the National Consumer Agency and I have no direct function in the matter. I am informed that, to date, authorised officers of the National Consumer Agency have served twelve fixed payment notices. Eleven of the notices were in respect of alleged offences under the European Communities (Requirements to Indicate Product Prices) Regulations 2002 (S.I. No. 639 of 2002) and one was in respect of an alleged offence under the Retail Price (Beverages in Licensed Premises) Display Order 1999 (S.I. No. 263 of 1999).

The twenty-eight day period within which a person served with a fixed payment notice may make the stipulated payment to the National Consumer Agency has yet to elapse in the case of four of the notices served to date. Of the remaining eight cases, payment was made in accordance with the terms of the notice in five cases, the National Consumer Agency is initiating a prosecution in one case and, on legal advice, is not proceeding with a prosecution in two cases.

Employment Support Services.

77. **Deputy David Stanton** asked the Minister for Enterprise, Trade and Employment further to Parliamentary Question Nos. 34 and 36 of 28 February 2008, if the reviews of the wage subsidy scheme and supported employment programme commissioned by his Department and by FÁS have been completed and the findings of same; if not, when he expects them to be completed; and if he will make a statement on the matter. [16619/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The reviews of the Wage Subsidy Scheme and the Supported Employment Programme, that have been commissioned respectively by my Department and FÁS, are nearing completion and are expected to be concluded very shortly. Copies of these reviews will be made available to relevant interest groups in due course.

Financial Services Regulation.

78. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Finance the extent to which mortgage protection insurance policies are monitored by his Department with a view to ensuring that opt out clauses are not used particularly by individual insurance companies to avoid having to meet legitimate claims; and if he will make a statement on the matter. [16934/08]

79. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Finance if his attention has been drawn to the get out clause applied by insurance companies where a claim relates to the estate of a person deemed to have committed suicide; and if he will make a statement on the matter. [16937/08]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I propose to take Questions Nos. 78 and 79 together.

The authorisation and supervision of insurance companies, including the monitoring of mortgage protection policies and insurance policies is the responsibility of the Financial Regulator. The Financial Regulator has advised my Department that while individual issues relating to the terms and conditions of such policies arise from time to time, the Financial Regulator is not aware of any general or system wide issue relating to the issues raised by the Deputy.

The Financial Regulator's Consumer Protection Code (CPC) contains safeguards for individuals and/or their families where they are concerned about the interpretation and application of the terms and conditions in this area. The Code came into full effect on 1 July 2007. Under the general principles set out in the Code all regulated entities must act honestly, fairly and professionally in the best interests of their customers. This would, of course, include the handling of life assurance claims. Regulated entities must all ensure that all the information they provide to consumers on individual products is clear and comprehensible. This requirement would include terms and conditions and other marketing information provided to consumers in relation to mortgage protection policies. Clearly, the type of conduct referred to in the Deputy's question would not be consistent with the CPC and any information relating to instances where such behaviour may have taken place should, therefore, be provided to the Financial Regulator.

Moreover, the CPC includes a specific section dealing with handling complaints. Amongst other requirements, the Code requires that regulated entities advise complainants in writing, within 5 business days of the completion of the investigation of a complaint and the outcome of the complaint. Where a complainant is not satisfied with the outcome of the investigation, the matter can be referred to the Financial Services Ombudsman. There is, therefore, a comprehensive system of redress available to consumers of financial services where they are dissatisfied with their treatment by a financial institution.

Tax Code.

80. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Finance if there is a reason, other than budgetary, the reforms of residential stamp duty contained in budget 2008 did not include incentives to those owner occupiers who wish to trade down to a more manageable home; the consideration that is being given to such a policy change; if his attention has been drawn to the need to increase housing capacity and population density in Dublin city suburbs and that such an incentive has the potential to release thousands of under used family homes in established Dublin suburbs; and his views on such a policy change. [16815/08]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The Stamp Duty changes that I announced in Budget 2008 introduced a complete reform of the Stamp Duty payable on residential property. The benefits of this reform accrue to all home purchasers who have a Stamp Duty liability, including those wishing to downsize.

Consolidating the physical growth of Dublin is a core objective of the National Spatial Strategy and the Regional Planning Guidelines for the Greater Dublin Area. This can best be achieved by increasing housing densities at appropriate locations in the metropolitan area, such as locations close to good public transport, while developing the population growth capacity of strategic locations in the hinterland of Dublin.

My colleague, the Minister for the Environment, Heritage and Local Government published, on 10 February 2008, draft Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas for a period of public consultation which closes on 6 May. These

[Deputy Brian Cowen.]

draft guidelines address the potential of in-fill development and the sub-division of dwellings to increase residential densities in cities and larger towns, and suggest that they should be promoted and facilitated by planning authorities subject to high quality design, preservation of open space, and other considerations. When finalised, these guidelines will replace the 1999 Residential Density Guidelines.

81. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Finance the details of his efforts to complete a double taxation agreement with Egypt; and if he will make a statement on the matter. [16890/08]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am advised by the Revenue Commissioners that negotiations to conclude a Double Taxation Agreement with Egypt are in progress. A number of issues have still to be resolved, and this may take some time. However, the two sides are in contact with a view to making progress in relation to these remaining issues.

Health Service Allowances.

82. **Deputy Róisín Shortall** asked the Minister for Health and Children the reason a person (details supplied) in Dublin 11 has been declined domiciliary care allowance; the appeal procedures applying to this case in view of the recent legislative changes made to put the scheme on a statutory basis; the guidelines applying to deciding officers and medical officers; and the efforts that are being made to draw up qualifying criteria that are clear to applicants from the time of their application. [16783/08]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): Domiciliary Care Allowance is a monthly allowance administered by the Health Service Executive. The allowance is paid in respect of eligible children from birth to the age of 16 who have a severe disability requiring continual or continuous care and attention which is substantially in excess of that normally required by a child of the same age. Eligibility is determined primarily by reference to the degree of additional care and attention required by the child, as assessed by the Health Service Executive's Medical Officer, rather than the nature of the disability/illness involved.

The Deputy's question refers to the recent legislative changes made to put the scheme on a statutory basis. While the Social Welfare and Pensions Bill 2008 contains the statutory basis for the administration of the Domiciliary Care Allowance by the Department of Social and Family Affairs, this has not yet commenced. Therefore, the Domiciliary Care Allowance Scheme remains under the remit of the Health Services Executive (HSE) and no changes have been made to the scheme or the appeals procedure relating to the case in question. It is anticipated that responsibility for the scheme will be transferred from the HSE to the Department of Social and Family Affairs in mid-2009. My Department has asked the Parliamentary Affairs Division of the HSE to investigate the case raised and to have a reply issue directly to the Deputy.

Health Services.

83. **Deputy Ciarán Lynch** asked the Minister for Health and Children the funding allocated for short-term respite care in budgets 2007 and 2008; the amount of the funds allotted to 2008 that have been used to date; and if she will make a statement on the matter. [16782/08]

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.

Hospital Services.

84. **Deputy Dara Calleary** asked the Minister for Health and Children the amount of investments made and the services they have been invested in, in a hospital (details supplied) in County Mayo in each of the years 2004, 2005, 2006, 2007 and to date in 2008. [16798/08]

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.

85. **Deputy Dara Calleary** asked the Minister for Health and Children the amount of investments made and the services they have been invested in, in facilities at a location (details supplied) in County Mayo in each of the years 2004, 2005, 2006, 2007 and to date in 2008. [16799/08]

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.

86. **Deputy Andrew Doyle** asked the Minister for Health and Children her policy regarding financial assistance under the primary care reimbursement scheme for the medical examination required for the driving licence application for people over 70 with a medical card; and if she will amend the primary care reimbursement scheme to take into account the payment of the medical examination required for the drivers licence by people over 70. [16806/08]

Minister for Health and Children (Deputy Mary Harney): The Primary Care Reimbursement Service (PCRS) is part of the Health Service Executive (HSE). It makes payments to Primary Care contractors (General Practitioners, Pharmacists, Dentists and Optometrists/Ophthalmologists) who have contracts with the HSE to provide services to members of the public. In addition, the PCRS also reimburses contractors for services provided to eligible recipients under a variety of community schemes, including the Drugs Payment Scheme, the Long Term Illness Scheme, the Dental Treatment Services Scheme, the Primary Childhood Immunisation Scheme, the High Tech Drugs Scheme, the Methadone Treatment Scheme and the Community Ophthalmic Services Scheme.

The contract between the HSE and General Practitioners for the General Medical Services (GMS) Scheme stipulates that the fees are not paid to GPs by the HSE in respect of certain medical certificates which may be required, for example, “under the Social Welfare Acts or for the purposes of insurance or assurance policies or for the issue of driving licences”. There are no proposals to alter this provision.

87. **Deputy Enda Kenny** asked the Minister for Health and Children the circumstances surrounding the death of a child (details supplied); if she or her representatives will meet with the family of the child; if counselling services will be made available to relatives affected by this death. [16813/08]

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. In January of this year the HSE forwarded a report on this particular case to a Deputy in response to a similar Parliamentary question. I will arrange to have a copy of this report forwarded to the Deputy as soon as possible.

Health Service Staff.

88. **Deputy Arthur Morgan** asked the Minister for Health and Children if her attention has been drawn to the fact that carers working in a nursing home (details supplied) in County Donegal have been asked to multitask as a result of financial constraints and that this requires them to work in the kitchen preparing food in addition to caring for the patients at the nursing home, two of whom have MRSA; her views on whether this practice is acceptable; and if she will make a statement on the matter. [16853/08]

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 case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Repayment Scheme.

89. **Deputy Paul Connaughton** asked the Minister for Health and Children the position of an application for a refund of nursing home charges by a person (details supplied) in County Galway; and if she will make a statement on the matter. [16901/08]

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.

Health Service Staff.

90. **Deputy Paul Connaughton** asked the Minister for Health and Children the position of an application for a transfer within the Health Service Executive to either Galway or Roscommon by a person (details supplied) in County Meath; and if she will make a statement on the matter. [16904/08]

Minister for Health and Children (Deputy Mary Harney): Almost 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.

Pharmacy Training.

91. **Deputy Mary Upton** asked the Minister for Health and Children if her attention has been drawn to the difficulties facing graduate pharmacists in securing pre-registration employment here; her plans to tackle this issue, particularly in view of the Government's decision to substantially increase the number of college places in pharmacy over the past number of years; and if she will make a statement on the matter. [16912/08]

Minister for Health and Children (Deputy Mary Harney): The Pharmaceutical Society of Ireland (PSI) has statutory responsibility for overseeing pharmacy education and training. Pharmacy graduates are obliged under national and EU law to undertake one year of post graduation practical training, of which a minimum of 6 months must be in the community or hospital sectors. This period of “pre-registration” training is supervised by a practising tutor pharmacist. The one year's pre-registration training must be completed prior to the PSI's “Registration” examinations in November, i.e. November 2009 for this year's pharmacy graduates.

I understand that certain difficulties have been experienced by pharmacy graduates this year in securing pre-registration training placements in the case of the community pharmacy sector. I understand that the primary reason for this is because of the withdrawal of such places by a large number of tutors/pharmacies operating in that sector.

The public hospital sector has traditionally provided up to 28 such training placements, each of one year's duration. I understand that a number of hospitals have notified pharmacy graduates that they will not be offering training placements in 2008/09. My Department has raised this issue with the HSE and is awaiting a response.

Health Service Reports.

92. **Deputy Fergus O'Dowd** asked the Minister for Health and Children if she received first or subsequent drafts of the recent report into the proposed new regional hospital for the Dublin north east area; and if she will make a statement on the matter. [16922/08]

Minister for Health and Children (Deputy Mary Harney): As I previously indicated to the Deputy I received a briefing recently from the Health Service Executive and the consultants who prepared the report on the key findings of the independent study which it commissioned on a possible location for the new Regional Hospital. My Department and I did not receive a draft copy of the report.

Health Repayment Scheme.

93. **Deputy Michael Ring** asked the Minister for Health and Children the amount of money being paid to private companies pursuant to an act (details supplied) giving details on an annual basis. [16923/08]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive (HSE) has responsibility for administering the health repayment scheme in conjunction with the appointed scheme administrator KPMG/McCann Fitzgerald. The HSE have informed my Department that the scheme administrator and other private companies were paid €2,030,802 in 2006, €2,760,513 in 2007 and €2,448,600 to 31 March 2008 totalling €7,239,915.

Health Services.

94. **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. [16928/08]

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.

Services for People with Disabilities.

95. **Deputy David Stanton** asked the Minister for Health and Children the progress that has been made by the Health Service Executive working group, which includes representatives from disability organisations, in developing a framework to support people with disabilities in developing and demonstrating vocational and employment skills; and if she will make a statement on the matter. [16930/08]

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 social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

96. **Deputy David Stanton** asked the Minister for Health and Children the number of applications for an assessment of need that have been received following the commencement of Part 2 of the Disability Act 2005 for children under five years; the number of same which have been carried out; if service statements have been issued for all those assessed; the number of liaison officers appointed to do same; and if she will make a statement on the matter. [16931/08]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Deputy's specific question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

State Bodies.

97. **Deputy Michael D. Higgins** asked the Minister for Transport the number of staff, and the operational cost of the taxi regulator's office. [16807/08]

Minister for Transport (Deputy Noel Dempsey): The Commission for Taxi Regulation was established under the Taxi Regulation Act 2003 and is an independent public body. The Commission has a current approved staff complement of 22 staff in addition to which, at 31 March 2008, the Commission employs 13 staff on a contract basis.

The operational cost of the Commission in 2007 was €8,812,838, which was funded primarily from small public service vehicle licence fee revenue. The Commission is financially independent of the Department and receives no Exchequer funding for its activities.

98. **Deputy Michael D. Higgins** asked the Minister for Transport his views on the fact that only three of the 16 strong advisory council established under Part 4 of the Taxi Regulations Act 2003 are drawn from the ranks of those who have taxi driving experience. [16808/08]

Minister for Transport (Deputy Noel Dempsey): The Advisory Council to the Commission for Taxi Regulation was established under section 54 of the Taxi Regulation Act 2003 with effect from 4 November 2003. The role of the Council is to advise the Commission for Taxi Regulation and the Minister for Transport, as appropriate, in relation to issues relevant to small public service vehicles and their drivers.

The Advisory Council consists of a chairperson and 17 ordinary members, appointed for a three year period, representing the taxi, hackney and limousine industry, local authorities, An Garda Síochána, consumer, disability, tourism and business interests and other relevant sectors, in accordance with the membership structure set out in the 2003 Act. Nominations from a range of interests were considered when decisions on the Council's membership were being made. The term of appointment of the current members of the Advisory Council will expire on 3 November 2009.

Five members of the Council were appointed to represent the interests of small public service vehicle operators and drivers. Of those, three are members of organisations that specifically represent the interests of taxi operators and drivers. I understand that five members of the Council have taxi driving experience. There is currently one ordinary member vacancy on the Council. I am satisfied that the current membership of the Advisory Council adequately reflects the representational structure envisaged under the Taxi Regulation Act 2003.

Taxi Regulations.

99. **Deputy Michael D. Higgins** asked the Minister for Transport if, in the powers delegated to the taxi regulator, it was understood that taxi driving would be a sustainable livelihood; if further such a livelihood was envisaged as being a full-time occupation for the majority of taxi drivers; and if it was envisaged that training in the skills necessary for a full-time occupation would be provided.. [16809/08]

Minister for Transport (Deputy Noel Dempsey): The Commission for Taxi Regulation was established under the Taxi Regulation Act 2003 and is the independent public body responsible for the development and maintenance of the regulatory framework for the control and operation of small public service vehicles, taxis, hackneys and limousines, and their drivers. In exercising its principal function, the Commission is guided by a range of objectives outlined in section 9 of the 2003 Act. In addition, under the Act, the Commission has specific regulatory powers in relation to a range of issues including issues of quality and level of service, driver knowledge, training and entry requirements for licence applicants generally. It is a matter for the Commission to decide the most appropriate manner in which to exercise its various regulatory powers under the Act. I understand from the Commission that it proposes to undertake an economic review of the small public service vehicle industry later in 2008.

100. **Deputy Michael D. Higgins** asked the Minister for Transport the results of a visit by an investigative group from the European Parliament some time ago which examined the impact and consequences of deregulation in the Irish case. [16810/08]

Minister for Transport (Deputy Noel Dempsey): The EU Committee on Petitions carried out a fact-finding mission in Ireland on 3 and 4 April 2003 in connection with the effects of taxi liberalisation. The then Minister for Transport met with the delegation from the Committee on 4 April 2003 and outlined the background to taxi liberalisation and the establishment of the Taxi Hardship Panel to them. It was also explained that based on legal precedent there can be no legal duty on the State to compensate taxi licence holders in relation to open market licence values that may have existed prior to liberalisation.

The EU Committee on Petitions did not provide any detailed analysis or study of the taxi situation in Ireland post-liberalisation but it made three recommendations arising from this fact-finding visit. The Committee recommended that:

1. The proposals of the Taxi Hardship Panel should be reviewed by the Oireachtas Joint Committee on Transport and by the Minister for Transport in the light of the Petitions Committee report findings, and new proposals made to Government;
2. Urgent consideration be given to providing redress to the families involved on a case by case basis which pays due respect to their individual rights and which relates to, and recognises, the full costs involved in the acquisition and payment of a taxi licence prior to November 2000;
3. The Commission for Taxi Regulation be established without further delay to uphold and safeguard the proper standards and licensing of taxis in the context of an integrated public transport system.

The Petitions Committee was advised of subsequent developments, including the establishment of the Taxi Hardship Payments Scheme. The Department also reiterated its position that there are no proposals for an independent review of the Taxi Hardship Panel Report and its findings, no proposals for hardship payments above those recommended by the Taxi Hardship Panel, and no proposals to re-open the terms of the Panel Report, the Taxi Hardship Payments Scheme, or the Government's decision in relation to the matter. In this regard, it might be noted that hardship payments totalling €17,449,000 were paid between December 2003 and September 2005 in respect of 1,517 qualifying persons under the Taxi Hardship Payments Scheme.

With regard to the third recommendation of the EU Committee Report, the Petitions Committee was also informed of the enactment of the Taxi Regulation Act 2003 which provided for the establishment of the independent Commission for Taxi Regulation and the Advisory Council to the Commission for Taxi Regulation.

Road Network.

101. **Deputy Arthur Morgan** asked the Minister for Transport if he has made applications for INTERREG III for funding for roads in County Donegal; and if so, the roads for which funding applications were made. [16863/08]

Minister for Transport (Deputy Noel Dempsey): I assume the question relates to the INTERREG IVA Programme 2007-2013. This Programme is managed by the Special EU Programmes Body (SEUPB). The submission of applications to the SEUPB is a matter for the National Roads Authority (NRA) in the case of national roads. My Department has not sub-

mitted any regional or local road projects in any of the Border counties for aid under the Programme.

International Agreements.

102. **Deputy Leo Varadkar** asked the Minister for Transport his views on an air transport agreement with Egypt; and if he will make a statement on the matter. [16889/08]

Minister for Transport (Deputy Noel Dempsey): It is Government policy is to facilitate and encourage as wide a range as possible of reliable, regular and competitive commercial air services for Irish tourism, trade and industry.

My Department is currently consulting with the relevant authorities in Egypt with a view to commencing formal negotiations on a bilateral Air Services Agreement between Ireland and Egypt in the coming months.

Accidents Overseas.

103. **Deputy Brian O'Shea** asked the Minister for Foreign Affairs the number of Irish citizens who have died while on holidays abroad in each of the past three years; the number who died from drowning; and if he will make a statement on the matter. [16792/08]

104. **Deputy Brian O'Shea** asked the Minister for Foreign Affairs the number of Irish citizens who have been injured while on holidays abroad and were brought home by air ambulance in each of the past three years; and if he will make a statement on the matter. [16793/08]

Minister for Foreign Affairs (Deputy Dermot Ahern): I propose to take Questions Nos. 103 and 104 together.

Over the past decade, the number of Irish citizens travelling and living abroad has increased dramatically. For instance, Irish residents made almost 8 million visits abroad in 2007. As a result, the number of requests to my Department for consular assistance and support has increased significantly. While the vast majority of visits abroad are trouble free, some, unfortunately, result in death or serious injury.

A review of statistics shows that so far in 2008, assistance has been sought from my Department in over 60 cases of deaths abroad. In 2007, the total figure was some 130. Figures for 2006 are not readily available. In many of these cases, deaths have occurred in very traumatic and difficult situations. The Department does not breakdown the fatalities by cause of death, including drowning, as the circumstances can sometimes be in dispute.

Our Missions also provide a wide range of practical assistance where Irish citizens experience serious injury abroad. This includes the provision of details of English speaking doctors and appropriate local medical facilities, transferring funds from family and friends and liaising with insurance or medical evacuation companies. Detailed statistics on the number of Irish citizens repatriated by air ambulance are not available as such transportation is usually organised directly between the family concerned and their travel insurance company.

We have recently completed a tendering process for a comprehensive new electronic consular database and, once fully operational, the new system will enable us to further enhance the service we provide to citizens and our capacity to provide detailed statistics.

I am very pleased also, 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.

Foreign Conflicts.

105. **Deputy Finian McGrath** asked the Minister for Foreign Affairs if he will clarify Ireland's position regarding recent revelations in relation to Colombian politicians being closely associated with right wing death squads; and if he will raise this with the Colombian Government and at the United Nations. [16803/08]

Minister for Foreign Affairs (Deputy Dermot Ahern): Together with our European Union partners, Ireland is closely monitoring developments in regard to Colombian Supreme Court investigations in connection with the alleged association of members of Congress and Government officials with paramilitary groups in Colombia. We respect the fact that the due process of law is being applied. 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. In conjunction with our European Union partners, we will continue to examine how we may, as appropriate, contribute to the peace process in Colombia.

Extraordinary Rendition.

106. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs if he has sought written assurances from the US Secretary or State to confirm that no unlawful combatants or prisoners of war have been transferred through an airport here; and if he will make a statement on the matter. [15310/08]

Minister for Foreign Affairs (Deputy Dermot Ahern): The issue of extraordinary rendition has been raised on numerous occasions in this House. As has been made repeatedly clear, the Government are completely opposed to the practice of the extraordinary rendition of prisoners. The Government has received specific assurances from the US authorities that such prisoners have not been transferred through Irish territory, nor would they be, without our permission. These assurances have been confirmed at the highest level, including by Secretary of State Rice to myself and by President Bush to the Taoiseach. The assurances are of a clear and categorical nature, relating to facts and circumstances within the full control of the US Government. I am satisfied that it is appropriate for the Government to rely fully on these assurances and that it is not necessary, in the context of the normal conduct of international relations, to seek them in written form from Secretary Rice.

Diplomatic Representation.

107. **Deputy Finian McGrath** asked the Minister for Foreign Affairs if persons (details supplied) will be assisted. [16907/08]

Minister for Foreign Affairs (Deputy Dermot Ahern): The Irish Embassy in Paris was first advised of the arrest of the person referred to by the Deputy by a member of his family on 10 April.

The person concerned was travelling on a British passport and, at his request, has been receiving considerable consular assistance from the British authorities. However, our Embassy in Paris is following the case closely. Officials from the Embassy are in regular contact with the British Consulate General in Lille and have also been liaising with the family concerned.

I can assure the Deputy that our Embassy will continue to engage in active and ongoing contact with the relevant officials in the British Consulate General in relation to this case, and, if requested, would be happy to provide additional assistance to the family.

Passport Applications.

108. **Deputy Pat Rabbitte** asked the Minister for Foreign Affairs when a passport was issued to a person (details supplied); if the passport was issued through the Passport Office in Dublin or an Irish embassy abroad; if the application was processed through the office of a Government Minister or Member of the Houses of the Oireachtas; the basis on which the person was entitled to an Irish passport; and if he will make a statement on the matter. [16914/08]

Minister for Foreign Affairs (Deputy Dermot Ahern): A passport was issued to the person in question on 11 August, 2006. The application for this passport was submitted by the applicant through the Irish Embassy in New Delhi. It was not processed through the office of any Government Minister or Member of the Houses of the Oireachtas. The applicant submitted a certificate of post-nuptial citizenship, as his evidence of his Irish citizenship.

Services for People with Disabilities.

109. **Deputy Finian McGrath** asked the Minister for Enterprise, Trade and Employment the position regarding employment opportunities for people with a physical disability. [16870/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Consistent with best practice internationally, labour market services for people with disabilities that are administered by FÁS on behalf of the Department of Enterprise Trade and Employment, are mainstreamed.

The objective of the Government's mainstreaming policy is the systematic integration of people with disabilities into the open labour market. FÁS seeks to create the conditions whereby people with disabilities can operate and compete in the labour market on the same basis as their non disabled peers.

All people with disabilities wishing to avail of work opportunities in the open labour market may call into their local FÁS Employment Service Office to meet with an Employment Services Officer who will provide them with full information, advice and guidance in relation to training and employment. The Employment Services Office is the access point to all FÁS training and employment services for job seekers.

To enhance employment opportunities for this cohort of its customers, every person with a disability registering with FÁS is case-loaded. This allows for the person to be assisted by a named Employment Services Officer to facilitate access and progression. Caseloading will also allow the person to access a series of employment supports that FÁS has in place specifically for people with disabilities.

All vacancies advertised by FÁS are open to people with disabilities to apply for, and they are encouraged to do so. Job-seekers with a disability who are finding it difficult to secure a job are encouraged to avail of the Supported Employment Programme.

FÁS provide a range of grants and schemes to enhance the employment opportunities of people with disabilities, namely:

- **Wage Subsidy Scheme** — this scheme provides financial incentives to employers outside the public sector, to employ people with disabilities who work more than 20 hours per week, up to a maximum of 39 hours.
- **Supported Employment Programme** — this is an open labour market initiative that works towards the placement, and support of people with different types and varying degrees of disability who need the initial support of a Job Coach to obtain, or maintain employment.

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- **Employee Retention Grant Scheme** — this scheme is available to private sector employers when an employee develops a disability whether occupational or not. It provides funding to identify accommodation or training to enable the employees to remain in their current position, or to re-train them to take up another position within the organisation.
- **Disability Awareness Training Support Scheme** — grants under this scheme are available for employers to cover the cost of disability awareness training for their organisation's staff and personnel.
- **Personal Reader Grant** — this grant is available to people who are blind or visually impaired and who may need assistance with job related reading.
- **Job Interview Interpreter Grant** — this grant is available to people with a hearing or speech impairment attending job interviews.
- **Work Equipment/Adaptation Grant** — this grant is available for employers who have to adapt their workplace or equipment for an employee with a disability.

People with disabilities may also avail of the Community Employment Programme (CE). CE is an employment and training programme to help long-term unemployed people to re-enter the active workforce by breaking their experience of unemployment through a return to work routine.

Economic Competitiveness.

110. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment his assessment on the way the strength of the euro is affecting Irish exports; and if he will make a statement on the matter. [16950/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): A total of 41% of Ireland's merchandise exports were to other Eurozone countries in 2007. The most significant non-Eurozone destinations are the United States and the UK. There has been a significant rise in the value of the Euro against many currencies over recent times and this has been particularly evident in relation to its exchange rate with the United States Dollar and the Pound Sterling.

The United States and Great Britain are very significant markets for Ireland's merchandise exports, accounting for about 18% and 17% of the total in 2007, respectively. Our merchandise exports to the United States have risen from €15.5bn in 2005 to €15.8bn last year. Our Merchandise exports to Britain have risen from €13.8bn in 2005 to €14.8bn last year.

In relation to Services Exports, while country-specific data for 2007 are not yet available, statistics show that our services exports to the United States have risen from €5.0bn in 2004 to €8.3bn in 2006. Our Services Exports to Britain fell somewhat, from €10.7bn to €9.6bn in the same period. Our overall exports, including both Merchandise and Services, to all countries, increased by 5% between 2005 and 2006 and by 8% between 2006 and 2007.

The annual Trade Surplus for all exports (Merchandise and Services) in 2007 was €22.4bn, an increase of 21% on the previous year. It is also notable that in the most recent data published by the Central Statistics Office just last week, the monthly merchandise trade surplus for February, 2008 at €2.5bn, is over €0.4bn higher than the surplus in January and almost double the surplus for December last.

It is obvious from these data that despite the significant change in the value of the Euro against these two currencies, Irish exporters have achieved a very impressive export performance. While we cannot be complacent regarding future challenges and although there is obvious uncertainty as to how exchange rates will fluctuate in the future, I am optimistic that our strong export performance of recent years will be maintained.

EU Funding.

111. **Deputy Mary Upton** asked the Minister for Enterprise, Trade and Employment his views on Ireland's contribution to funding EU embryonic stem cell research; and if he will make a statement on the matter. [16818/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The EU's 7th Framework Research Programme provides support for R&D across the whole spectrum of research. In the particular area of stem cell research, specific conditions and safeguards apply. In line with our support for ethical subsidiarity, we insist that no Community funding shall be allowed for embryonic stem cell research in Ireland. The corollary of this is that we have to respect the right of other Member States to follow their own ethical principles in this matter.

Ireland's contribution to the EU budget is disbursed on a wide range of EU funded activities. Community resources are collected and distributed under the legal Framework of the EU Treaties. National funds are not specifically linked with the funding of individual EU projects. A Member State cannot unilaterally decide to apply a principle of hypothecation to its contribution.

I am aware of the recent Opinion of the Irish Bioethics Council in area of stem cell research and also the earlier report of the Commission on Assisted Human Reproduction (CAHR). The CAHR report is currently being considered by the Joint Oireachtas Committee on Health and Children who will report in due course on its views of the recommendations of the Commission.

In the meantime, cognisant of the amount of work required, I understand that the Minister for Health and Children has instructed her Department to begin work on the development of an appropriate regulatory framework for the area of human assisted reproduction and related matters.

Industrial Development.

112. **Deputy Joe McHugh** asked the Minister for Enterprise, Trade and Employment if he has plans to tackle the growing unemployment rate in County Donegal; if he has investigated the possibility of attracting new businesses to the county in addition to providing extra incentives for new indigenous businesses; and if he will make a statement on the matter. [16925/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Donegal is a target location for the IDA with the County now competing for a different type of business to labour intensive manufacturing, which IDA so successfully won over the past four decades. The overseas investor is now seeking locations for more advanced manufacturing or office based solutions, to a great extent depending on high skill and high value work. While this has required a significant change of strategy by the IDA, progress has been made in securing new high value investments from Pacificare, Pramerica, SITA and Abbott Diabetes, with some 1,200 new jobs being added in the County by overseas firms over the last five years. These companies continue to recruit and are actively seeking new staff.

As regards Enterprise Ireland, which serves the indigenous sector, it provides a wide range of supports for high potential start up companies including financial supports, business and

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marketing advice, mentoring, product development etc. As part of its infrastructural support for start-up companies, Enterprise Ireland has approved some €3.5m in recent years for developments at Letterkenny Institute of Technology, which is an important aspect of supporting and attracting business to the region.

Enterprise Ireland's results for jobs created in client companies in County Donegal for 2007 show a net gain for the third year in a row with a net increase of over 440 jobs. A growth of 15% over the last three years reflects the investment Donegal companies are making in competing successfully both at home and abroad. During the 3 year period to December 2007, Enterprise Ireland approved over €14m to companies in County Donegal to support the development of new sales, exports and jobs.

Enterprise Ireland has also been very active in supporting the development of community enterprise centres in the North West Region, which are critical to continued enterprise development in rural areas and to the development of an entrepreneurial culture. Nine Community Enterprise Centres in County Donegal have received funding of approx. €2m under the Community Enterprise Centre Scheme to date.

The role of the Donegal County Enterprise Board, is to provide support to micro-enterprises in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate economic activity and entrepreneurship at local level. Through the provision of both financial and non-financial support, the Board supports individuals, firms and community groups, provided that the proposed projects have the capacity to achieve commercial viability. Financial support is available in the form of Capital Grants, Employment Grants and Feasibility Study grants. In relation to non-financial support, Donegal CEB engages in a range of activities to stimulate enterprise and to support small businesses.

Despite past difficulties in County Donegal, due to the demise of traditional industries such as agriculture, fishing and textiles, there is clear evidence that the county is successfully engaged in a transition to the new economy.

I can assure the Deputy that funding support and initiatives for enterprises in County Donegal is, and will remain, a priority for the State development agencies under the auspices of my Department.

113. **Deputy Joe McHugh** asked the Minister for Enterprise, Trade and Employment his views on setting up a cross-Border business park, between Counties Derry and Donegal; if he has contacted his Northern counterpart to discuss such a proposal; and if he will make a statement on the matter. [16926/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The potential of a cross border business and technology park to attract and grow high-value enterprise in the Letterkenny/Derry corridor was recognised by both IDA Ireland and Invest Northern Ireland. Discussion between the development agencies and relevant stakeholders concluded at the time that the most appropriate solution was the creation of a Virtual Cross Border Technology Park.

This has been one of the most significant developments in recent years and has been brought about by the close cooperation between IDA and INI. This process commenced in 2000 when both State agencies worked together to market the North West of Ireland, namely Donegal and Derry to prospective Foreign Direct Investment as a Cross Border Park. This cross border project was approved EU Structural funding of €10 million by the Interreg Steering Committee, under the Interreg IIIA Programme for Ireland and Northern Ireland, 2000 to 2006.

The fundamental concept of the virtual park is to capitalise on the combined strengths of Letterkenny and Derry as an economic corridor. The aim of the park initiative is to exploit the improved political environment in Northern Ireland to develop an economic corridor of scale in the Letterkenny — Derry area that would act as a catalyst for the economic development of the entire North-West region.

A key focus of the virtual park has been to generate an urban location of scale to by developing initiatives that allow Letterkenny and Derry to effectively operate, as much as is practical, as one economic entity. The corridor has a population of circa 120,000 with a hinterland of 300-400,000. In addition, it aims to build a substantial resource of new high quality property solutions on both sides of the border and to develop an integrated, high quality, high capacity and resilient telecoms network, capable of meeting the most demanding needs of both existing and new prospective FDI and indigenous industry companies. In Letterkenny the property solutions consist of 44 hectares Business Park together with a range of office and technology facilities. Equally there are an excellent range of office and related facilities in Derry.

The project also aims to develop a strong level of participation by the various Third Level Education and research Institutions within the Letterkenny-Derry Corridor, in initiatives and projects that form close collaborative links with industry and build R&D capability in targeted areas. Improvements to the road infrastructure connecting the properties are being conducted as part of the virtual park in both Letterkenny and Derry.

Some key elements of the virtual park initiative have yet to be completed, such as the completion of the property elements by both IDA Ireland and INI before the end 2008 Interreg deadline and the finalisation and implementation of a marketing and promotional strategy that maximises the image of the virtual park.

It is a common goal for IDA and INI that the ongoing development of the business environment is critical and that a common working agenda in the areas of skills enhancement and infrastructure provision should be pursued in the interests of attracting FDI to the island.

I am satisfied that the continued co-operation of the Agencies on the ground together with the continued co-operation of both Governments North and South will lead to renewed economic growth and development in the Donegal/Derry area.

Regulatory Functions.

114. Deputy Bernard J. Durkan asked the Minister for Enterprise, Trade and Employment the number of regulatory systems under the aegis of or in any way accountable to or created by legislation sponsored by his Department; the annual cost of such groups, bodies or agencies in 2008; the extent to which each are accountable to his Department and ultimately to the Houses of the Oireachtas; the future expected cost increases arising from such bodies; and if he will make a statement on the matter. [16935/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Under the Ministers and Secretaries Act 1924, my Department prepares and administers legislation in areas such as commerce, employment rights, occupational safety health and welfare, competition and consumer rights, chemicals and intellectual property. Naturally, in that regard, we exercise many regulatory functions.

The information requested by the Deputy, insofar as it relates to the ten Offices and Agencies which come within my Department's remit, and which have significant regulatory powers is as follows:

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The Irish National Accreditation Board (INAB) is Ireland's national body within a European network of accreditation bodies with responsibility for accreditation in accordance with the harmonised EN 45000 series of European standards and the relevant International Organisation for Standardisation (ISO) standards and guides.

INAB is the national body for the accreditation of certification bodies, laboratories and inspection bodies. It is the national statutory monitoring authority for Good Laboratory Practice (GLP) and the European Eco-Management and Audit Scheme (EMAS). INAB is a division of Forfás, the national policy and advisory board for enterprise, trade, science, technology and innovation. The Manager of INAB reports directly to the Chief Executive officer of Forfás. INAB has a staff of 13 and has an independent Board of 12 members, which is appointed by the Board of Forfás. Forfás itself is responsible to me, as Minister for Enterprise, Trade and Employment, and the Houses of the Oireachtas. The expenditure for INAB in 2008 is estimated at €1.747m.

Costs usually increase for INAB annually in line with inflation. However, demands for accreditation in the regulated area (for example, in support of implementation of SI 360, 2005 on the safety of blood and blood products; implementation of the Organic Farming Directive; implementation of the Carriage of Dangerous Goods by Road and Rail) have increased significantly. This, along with impending changes resulting from the European Parliament's recognition of the importance of accreditation in the European market makes it difficult to predict the extent of future demands. It is possible to recover costs for the increased demand through charging direct fees to the users of the service; however, in certain instances the cost of maintaining schemes with a low client base may need to be supported by State subvention.

The Legal Metrology Service (LMS) is a statutory body established under the Metrology Act 1996 whose functions were subsequently transferred to the National Standards Authority of Ireland. Under the Metrology Acts 1980 to 1998, the Director of the LMS exercises regulation making and control functions with regard to measurements, in particular those used for the purpose of trade. The estimated gross cost in 2008 is €4.191m. Gross operating costs for the LMS are expected to increase by approximately 2% in 2009 and 4% in 2010.

The Legal Metrology Service forms part of the functions of the National Standards Authority of Ireland. Under the National Standards Authority of Ireland Act 1996, the Authority is accountable to me, as Minister for Enterprise, Trade and Employment, and the Houses of the Oireachtas in accordance with the provisions of the First Schedule to that Act.

The Labour Court provides a comprehensive service for the resolution of disputes about industrial relations, equality, organisation of working time, national minimum wage, part-time work and fixed-term work matters. Some aspects of the Labour Court's responsibilities have a regulatory function, e.g. in relation to Employment Regulation Orders and Registered Employment Agreements. There are 30 staff assigned to the Labour Court, including four shared with the Labour Relations Commission.

The Court is independent of the Department in the performance of its functions. The Secretary General of my Department is the Accounting Officer for the Court.

The expenditure for in 2008 is estimated at €4.029m. There are no additional costs envisaged (other than standard increases to be provided for under annual estimates process).

The National Consumer Agency was established on a statutory basis under the Consumer Protection Act 2007 ('the Act') on the 1st May 2007. The Agency which incorporated the existing Office of the Director of Consumer Affairs, was given a wider statutory mandate with additional powers and functions in areas of consumer advocacy, research, education and

awareness, information and enforcement. The Agency enforces a wide range of consumer protection laws, including laws on deceptive trading practices (these include unfair, misleading and aggressive practices), consumer credit, package travel, unfair contract terms, timeshare, food labelling, textile labelling, unit pricing and price displays. The Agency has been allocated a budget of €10 million for 2008. The budget for the Agency in future years will be determined as part of the annual estimates exercise.

In terms of accountability, section 7(3) of the Act provides that the Agency shall be independent in the performance of its functions. Notwithstanding this, section 16 of the Act provides that the Chief Executive shall, when required, give evidence to the Committee of Dáil Éireann established to examine appropriation accounts and reports of the Comptroller and Auditor General. Section 17 provides for accountability of the Chief Executive to Oireachtas Committees other than the Public Accounts Committee and Committee on Members' Interests of Dáil and Seanad Éireann. Section 20 obliges the Agency to prepare and submit to me, as Minister for Enterprise, Trade and Employment, strategy statements every 3 years and annual work programmes at least 2 months before the commencement of the financial year. As Minister for Enterprise, Trade and Employment, I am obliged to lay the strategy statement before the Houses of the Oireachtas as soon as practicable after it has been submitted to me. Section 22 provides that the Agency shall present its annual report to me, as Minister for Enterprise, Trade and Employment, within six months of the end of the financial year. Section 23 provides that when audited, a copy of the accounts and a copy of the Comptroller's report shall be presented to me, as Minister for Enterprise, Trade and Employment, and I must lay copies of them before the Houses of the Oireachtas as soon as practicable but no later than 3 months after receiving them.

The Office of the Registrar of Friendly Societies is a statutory independent office responsible for the registration of Industrial and Provident Societies, Friendly Societies and Trade Unions, to ensure that various societies and trade unions comply with their statutory obligations under the Acts and the provision of accurate information to the public about registered societies and unions.

The annual report submitted by the Registrar of Friendly Societies to me, as the Minister for Enterprise, Trade and Employment, is laid before the Houses of the Oireachtas. The annual costs of the Registry are included in those of the Companies Registration Office.

The Companies Registration Office (CRO) is the statutory authority responsible for ensuring the filing of returns under the Companies Acts, provision of public access to accurate company information, the issue of certificates of incorporation for new companies, the maintenance of a register of mortgages and charges and the registration of business names and limited partnerships.

The Registrar of Companies is independent in the exercise of his Statutory functions under the Companies Acts. The Secretary General of my Department is the Accounting Officer for the Office. The total operating budget for the CRO for 2008 amounts to €10.091 million. This includes the 2008 provision for the Registry of Friendly Societies. The budget for the Registries in future years will be determined as part of the annual estimates exercise.

The Irish Auditing and Accounting Supervisory Authority (IAASA) was established pursuant to the provisions of Part 2 of the Companies (Auditing and Accounting) Act, 2003 to supervise the regulation by the accountancy bodies of their members. IAASA is independent in the discharge of the functions. The Act requires it to make an annual report, not later than 4 months after the end of each financial year, of its activities during that year. Furthermore, the Act provides that I, as Minister for Enterprise, Trade and Employment, shall ensure that

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a copy of the annual report is laid before each House of the Oireachtas not later than 6 months after the end of the financial year to which the report relates.

Total operating budget for 2008 is €2.555m of which 40% is by way of grant from the Exchequer and 60% by way of a levy on the prescribed accountancy bodies. The Exchequer element of the budget for future years will be determined as part of the annual estimates exercise.

The Office of the Director of Corporate Enforcement was established in 2001 and is responsible for encouraging compliance with the Companies Acts and investigating and enforcing suspected breaches of the legislation.

In accordance with the legislation establishing the Office, the Director is required to be independent in the performance of his functions. However, the Director is obliged to present a Report to me, as Minister for Enterprise, Trade and Employment, within 3 months of the end of each year, about the performance of his functions and other activities during the year. As Minister, I must lay this Report before the Houses of the Oireachtas. In addition, I am entitled to require the Director to provide information from time to time, provided the information is required for the performance of the my functions. Finally, the Director may be required to account for the performance of his functions directly to a Committee of either House of the Oireachtas. However, he is not obliged to provide information or answer any questions that could prejudice him in the performance of his functions.

The budget for the Office for 2008 is €4.957m. The budget for the Office in future years will be determined as part of the annual estimates exercise.

The Irish Takeover Panel, established by the Irish Takeover Panel Act 1997, is the statutory body responsible for monitoring and supervising takeovers and other relevant transactions in Ireland.

Under that Act, the Panel is required, as soon as may be, but not later than 4 months, after the end of each financial year, make a report in writing to me, as Minister for Enterprise, Trade and Employment, of its activities during that year and I shall cause copies of the report to be laid before each House of the Oireachtas not later than 6 months after the end of that year. The Panel does not receive funding from the Exchequer.

The Competition Authority is an independent statutory body responsible for enforcing competition law in the State. Its budget allocation for 2008 is €6.776 million. The Authority's budget for future years will be determined as part of the annual estimates exercise. Section 29(3) of the Competition Act 2002 states that the Authority shall be independent in the performance of its functions. Notwithstanding this the Act sets out the occasions on which the Authority is obliged to report to me, as Minister for Enterprise, Trade and Employment, and the Houses of the Oireachtas. The Authority is required to submit its accounts to the Comptroller and Auditor General. A copy of the accounts and the auditor's report are required to be presented to me, as Minister for Enterprise, Trade and Employment, and I must lay copies of them before the Houses of the Oireachtas. The Authority is required to submit an Annual Report both to both me, as Minister for Enterprise, Trade and Employment and to the Houses of the Oireachtas. The Authority is also required to present its Strategic Plan every three years to me, as Minister for Enterprise, Trade and Employment, and I am required to lay it before each House of the Oireachtas. The Authority must also submit a work programme for the following year to me, as Minister for Enterprise, Trade and Employment, at the end of each year. The Chairperson, whenever required to do so, shall attend before the Public Accounts Committee or any Oireachtas Committee to discuss the general activities of the Authority.

Decentralisation Programme.

115. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Employment the costs incurred to date by his Department arising from the Governments decentralisation proposals; the extent of further or expected costs in this regard; and if he will make a statement on the matter. [16936/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Office of Public Works (OPW) has primary responsibility for the procurement of suitable accommodation for both the advance and permanent re-location of decentralising Departments, including my Department's staff to Carlow. Officials of my Department, in consultation with the Department of Finance and the OPW, as well as decentralising staff and Business Units, opened an advance office in Carlow on July 30th 2007. It is my understanding from the OPW that the yearly rental costs for this office are in the region of €369,000 and the fit-out costs were approximately €2,068,000.

With regard to the property costs for the Department's permanent move to Carlow, the OPW completed the purchase of a site in Carlow town centre for the construction of my Department's permanent office. I understand from the OPW that the site acquisition costs were €1,440,000. My colleague, Minister of State Noel Ahern TD, announced on 13th December 2007 that the OPW has invited The Macquarie Partnership as the consortium to become the 'Successful Tenderer' in respect of this decentralisation project. This forms part of a major PPP project, which also involves the provision of office accommodation for the Department of Agriculture, Fisheries and Food in Portlaoise and the Department of Education and Science in Mullingar. The OPW is responsible for costs in relation to this entire project.

With regard to non-property decentralisation costs incurred to date, the most recent figure for such costs for my Department, as submitted to the Joint Oireachtas Committee on Finance and the Public Service, via the Department of Finance, relates to the period January 2004 to December 2007. These amount to €184,647, broken down as follows — (Travel and Subsistence €11,298, Incidental €1,247, Postal & Telecom €306, Office Machinery €129,854, Office Premises €15,322 and Consultancy €26,620). In respect of future costs, it is not possible to give any indication at this point in time.

Questions Nos. 116 and 117 answered with Question No. 23.

Job Losses.

118. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Employment the number of jobs in the service sector lost throughout County Kildare to more competitive economies in the past five years; the number of replacement jobs in the same period in the service sector; and if he will make a statement on the matter. [16940/08]

121. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Employment the number of jobs in the manufacturing sector lost throughout County Kildare to more competitive economies in the past five years; the number of replacement jobs in the same period in the manufacturing sector; and if he will make a statement on the matter. [16943/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): I propose to take Questions Nos. 118 and 121 together.

There are many factors that influence a firm's decision to relocate, therefore, it is not possible to determine the number of jobs which may have been lost to more competitive economies. Firms adjust their plant location and utilisation strategies to address matters such as accessing

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new markets, moving production nearer to customers, meeting firm or market specific customer relationship issues, accessing technology. These adjustments also include business takeovers and consolidations. The result is flows of investment and employment across borders. Ireland successfully manages this process, through our policies on enterprise and foreign direct investment. These policies have enabled us to win many prestigious and value added investments, and have also enabled us to replace lost jobs with others of equal or higher value in the economy.

In the five year period between 2003 and 2007, 3,858 new full time manufacturing jobs were created in Co Kildare by enterprise agency supported firms. In the same period 3,805 manufacturing jobs were lost giving a net increase in the period of 53 new jobs. In the services sector 857 new full time jobs were created by enterprise agency assisted firms in the period while 452 jobs were lost, giving a net increase of 405 new full time jobs in the services sector.

The enterprise development agencies are committed to promoting Kildare as a location for investment as part of an integrated East Region, with access to a population base of 1.5 million people, as well as supporting and developing businesses already present in the county. Through IDA Ireland, Kildare has in recent years attracted some world class manufacturing companies such as Intel, Braun Oral-B and Hewlett Packard. These companies continue to invest in the area, as evidenced by Hewlett-Packard Financial Services proposed expansion of their EMEA headquarters in Leixlip and Intel's plans to establish the Technology Research for Independent Living (TRIL) Centre in Ireland. Approximately \$30 million will be invested in the TRIL Centre over a period of three years and Intel will collaborate with several leading Irish universities, including UCD, TCD and NUI Galway to create one of the largest research efforts of this type in the world. IDA Ireland is also working to attract the International Services, Software, Financial Services and Pharmaceuticals sectors.

Enterprise Ireland activity is focussed on the creation of new jobs through supporting entrepreneurs in manufacturing and internationally traded services companies who are setting up new High Potential Start-Up Companies. Since the beginning of 2003, EI has approved over €12m in support to companies in Kildare to help them grow their sales and exports and improve innovation and new product development in order that they can compete on world markets. The consumer foods sector in particular, has shown rapid growth in recent years. Over the last two years we have seen significant investment by Green Isle Foods and Dawn Farm Foods Ltd, both supported by Enterprise Ireland, leading to significant employment increases in both of these state of the art facilities.

119. Deputy Bernard J. Durkan asked the Minister for Enterprise, Trade and Employment the number of jobs in the service sector lost throughout the country to more competitive economies in the past five years; the number of replacement jobs in the same period in the service sector; and if he will make a statement on the matter. [16941/08]

120. Deputy Bernard J. Durkan asked the Minister for Enterprise, Trade and Employment the number of jobs in the manufacturing sector lost throughout the country to more competitive economies in the past five years; the number of replacement jobs in the same period in the manufacturing sector; and if he will make a statement on the matter. [16942/08]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): I propose to take Questions Nos. 119 and 120 together.

There are a variety of differing and complex factors and not just cost related, which might influence a decision to relocate all or part of a firm's functions. Therefore, it is not possible to determine the number of jobs which may have been lost to more competitive economies. In

addition to relative wage rates and other cost factors, these may include business takeovers, consolidations and changes in product or market focus. The offshoring of lower value-added functions is, however, part of the reality of the modern global economy for a highly developed economy such as Ireland.

While off-shoring can contribute to job losses for firms in some sectors, productivity gains achieved through off-shoring some activities also represents an opportunity to develop higher-end manufacturing and related activities domestically. Where job losses have occurred, these have for the most part been in low cost manufacturing. Other sectors, especially the services sector, are providing significant new employment opportunities. Since 1997, over half a million new jobs were created in Ireland and the numbers in employment now exceeds 2 million.

In the five year period between 2003 and 2007, 74,553 new full-time manufacturing jobs were created in firms supported by the enterprise agencies while 90,162 manufacturing jobs were lost giving a net decrease in manufacturing employment over the period of 15,609. In the services sector 56,583 new full time jobs were created by enterprise agency assisted firms in the same period while 38,751 jobs were lost, giving a net increase of 17,832 new full time jobs in the services sector. Overall between Manufacturing and Services there was a net gain of 2,223 jobs.

Earlier this month I launched the “Report of the High Level Group on Manufacturing”, in response to the Towards 2016 agreement to review the challenges facing the manufacturing sector. The Group’s report contains some 27 recommendations directed at key areas of innovation and productivity leading to transformational change, reskilling and management development for the innovative firm, increasing awareness and take up of existing supports. Innovation and the productivity gains that flow from it are the new foundations for competitiveness.

In 2007 Forfás established a group to look at the challenges and opportunities faced by the services sector. From the work of this group we intend to prepare and position Irish enterprise to adapt to the globalisation of services with the aim of achieving sustainable and competitive services enterprise in Ireland. A report outlining how to maximise the future returns to Ireland from services activities in all enterprises, both current and potential, is due to be completed shortly.

The Government is fully committed to strengthening the competitiveness and productive capacity of the economy. Our economic policy is designed to be pro-business and pro-competitiveness. Doing this should allow us to maximise our economic potential.

Question No. 121 answered with Question No. 118.

National Aquatic Centre.

122. **Deputy Jimmy Deenihan** asked the Minister for Arts, Sport and Tourism if a subsidy has been paid to date in 2008 to the National Aquatic Centre for running costs and so on; and if he will make a statement on the matter. [16794/08]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): As the Deputy will be aware, the National Aquatic Centre reverted to the control of CSID (now the National Sports Campus Development Authority) on 1 December 2006 following High Court proceedings against the previous operators for failure to comply with the terms of their lease. As part of the contingency planning for the repossession of the Centre, the Authority established a subsidiary company, NSCDA (Operations) Ltd. to operate the Centre.

[Deputy Séamus Brennan.]

Notwithstanding the need to provide initial subsidies to the Centre to meet the costs of a comprehensive “health check” on the Centre and maintenance required to bring the facility back to standard, I have previously stated my view that the Centre should in time be able to operate on a self-financing basis. Following the first full year of operation under the new arrangements, a clearer picture of the operational needs of the Centre is emerging. However, I am encouraged by the significant increase in both visitor numbers and income which have already been achieved.

The National Sports Campus Development Authority have arranged for a financial assessment study which will benchmark the National Aquatic Centre against other equivalent facilities to be carried out. Work commenced in February and at present the contracted consultants are reviewing documentation on the operation of comparable facilities elsewhere. This exercise, together with the Centre’s performance since it reverted to the direct control of the Authority, will inform the need for an operating subsidy for 2008 as well as any longer-term funding structure which may be required. I look forward to receiving a report from the Authority on completion of the benchmarking review.

123. **Deputy Jimmy Deenihan** asked the Minister for Arts, Sport and Tourism if the final certificate in respect of the construction work at the National Aquatic Centre has been issued; if so, when; and if he will make a statement on the matter. [16795/08]

124. **Deputy Jimmy Deenihan** asked the Minister for Arts, Sport and Tourism if the final retention has been released to a company (details supplied) under the design and build project agreement of 7 February 2002; if so, when and the amount in relation to same; and if he will make a statement on the matter. [16796/08]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): I propose to take Questions Nos. 123 and 124 together.

As the Deputy will be aware, the National Aquatic Centre reverted to the control of CSID (now the National Sports Campus Development Authority) on 1 December 2006 following High Court proceedings against the previous operators for failure to comply with the terms of their lease. As part of the contingency planning for the repossession of the Centre, the Authority established a subsidiary company, NSCDA (Operations) Ltd. to operate the Centre.

Immediately on repossession of the Centre a full ‘health check’ was instituted covering all aspects of the facility — including maintenance, mechanical and electrical, and water quality issues. It also dealt with financial systems, human resources, marketing and sales. In parallel with these elements a comprehensive maintenance programme was undertaken throughout 2007 to bring the facility back to an acceptable standard.

As a consequence of the remedial works required at the facility after it reverted to the possession of the Authority, completion of the snagging process was delayed. However, I am advised that a contract administrator is at present working through all remaining items on the snagging list and hopes to have the process completed shortly. After the process is complete the final certificate will be issued and final retention will be paid over.

Sports Capital Programme.

125. **Deputy Dan Neville** asked the Minister for Arts, Sport and Tourism if he will look favourably on application for grant aid under the 2008 sports capital programme for a club (details supplied). [16924/08]

126. **Deputy Tom Hayes** asked the Minister for Arts, Sport and Tourism when a decision will be made on a national lottery grant to a sports club (details supplied) in County Tipperary. [16944/08]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): I propose to take Questions Nos. 125 and 126 together.

Under the Sports Capital Programme, which is administered by my Department, funding is allocated to sporting and community organisations at local, regional and national level throughout the country. The 2008 programme was advertised on 13th and 14th of January and the deadline for receipt of applications was 29th February for paper-based applications and 7th March for online applications.

All applications received before the deadline, including the ones in question, will be evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

Social Welfare Benefits.

127. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved and awarded child benefit; and if this payment will be backdated to the date their entitlement commenced. [16822/08]

Minister for Social and Family Affairs (Deputy Martin Cullen): A child benefit claim was received from the person concerned in February 2007 in respect of his children residing with their mother in Bulgaria. Additional information was requested and obtained from the person concerned in April 2007 and again in February 2008. Following receipt of the latest information, correspondence issued to the Bulgarian authorities in April concerning any entitlements to child benefit in Bulgaria. When all the necessary information has been received, the person's claim will be decided. If the claim is awarded, all arrears due from the date of entitlement will be paid.

128. **Deputy Michael Ring** asked the Minister for Social and Family Affairs if a person (details supplied) in County Mayo will be awarded their contributory pension backdated to their 66th birthday. [16874/08]

Minister for Social and Family Affairs (Deputy Martin Cullen): The person concerned applied for a State Pension (Contributory) on 12th January 1996, a period of 20 months after his 66th birthday, which was on 11th May 1994. In accordance with legislation in place at the time, his State Pension (Contributory) was backdated by 6 months to 14th July 1995.

Subsequently, revised guidelines were issued relating to late applications, and in 1998 a review of all claims received by my office prior to January 1st 1997 was carried out. This customer's date of award of State Pension (Contributory) was re-examined as part of this review and a revised date of award of 31st March 1995 was determined. The customer was paid arrears for this additional backdated period in October 1999.

The person concerned has received his full backdated pension entitlement and no further backdating can be considered.

Advocacy Services.

129. **Deputy David Stanton** asked the Minister for Social and Family Affairs if a director has been appointed to the new personal advocacy service provided for under the Citizens Infor-

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mation Act 2007; when this service will begin operating; if the staffing and structures are in place; the amount of money that has been allocated to Comhairle for the development of the service; and if he will make a statement on the matter. [16929/08]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Citizens Information Board began a process in 2004 of engaging the community and voluntary sector in the provision of advocacy services to people with disabilities and also produced advocacy guidelines to inform and guide organisations in the development of advocacy services. Funding of €1million was allocated to the Citizens Information Board in 2005 to enable the introduction of the new service, an additional €1.4 million was allocated in 2006 to develop the work further and additional funding of €1.9 million was allocated in 2007 for the development of a personal advocacy service and for the implementation of the Disability Sectoral Plan.

An organisational structure has been developed by the Citizens Information Board to meet the needs of the Personal Advocacy Service. Discussions between my Department, the Department of Finance and the Citizens Information Board are ongoing in relation to these structures and the additional staffing resources required for the provision of the service.

The post of Director of the Personal Advocacy Service was advertised in December 2007 and the Board is currently in the final phases of the recruitment process. It is envisaged that the new service will be up and running in 2008.

Community Development.

130. **Deputy Róisín Shortall** asked the Minister for Community, Rural and Gaeltacht Affairs the reason for the delay in providing local partnerships with formal approval to extend their boundaries; and when he expects the boundary changes to formally take effect. [16819/08]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): I refer the Deputy to my previous responses to questions on this issue, in particular Question Nos. 10 and 11 of 3rd of April 2008.

As indicated to the House, the core objective of the cohesion process is to simplify and improve local delivery of programmes through the integration and alignment of local delivery structures. The intention is that for the future there will be one company in any given area and fewer local development companies overall.

Following an extensive consultation phase, Government decided last year on the revised areas of coverage for local development groups. The realigned areas of coverage comprise 17 urban operational areas and 38 rural operational areas. Arrangements are being made at local level to establish working integrated delivery structures and urban partnership bodies in the new coverage areas. In some cases, arrangements have been finalised and funding has been made available through the local development programme to extend the coverage of services. I hope that arrangements in other areas will be concluded shortly.

131. **Deputy Róisín Shortall** asked the Minister for Community, Rural and Gaeltacht Affairs the extra resources that will be made available to local partnerships to allow them provide services and financial assistance to people and areas into which their boundaries will be extended; and if he will make a statement on the matter. [16820/08]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): The National Development Plan 2007-2013 commits €49.6 billion for social inclusion measures including some €417 million for the Local Development and Social Inclusion Programme (LDSIP). This

funding will be provided over the period of the Plan to support a range of locally based social inclusion actions.

The 2008 voted allocation for the LDSIP is €57.44m. To date, some €49m has been allocated to Partnerships. Transitional arrangements are being made for 2008 to enable the new integrated structures and partnerships to extend their areas of coverage and to embed their operations. Additional funds can be made available during 2008 from the voted allocation as the new integrated structures and partnerships become operational.

Foreshore Licences.

132. **Deputy Finian McGrath** asked the Minister for Agriculture, Fisheries and Food her views on a case (details supplied). [16906/08]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The proposal referred to by the Deputy would require an appropriate foreshore consent under the Foreshore Acts. In line with normal procedures, my Department requires that planning permission be obtained before consideration is given to an application for a foreshore consent. This requirement is of general application.

Grant Payments.

133. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food when a slatted shed grant will issue to a person (details supplied) in County Galway; and if she will make a statement on the matter. [16902/08]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The person concerned was paid grant-aid under the Farm Waste Management Scheme by my Department on 15 April 2008.

134. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food the entitlements of a person (details supplied) in County Galway; if her attention has been drawn to the fact that the person has been granted 10.52 entitlements despite the fact that the provisional entitlements were originally assessed at 25.09; and if she will make a statement on the matter. [16903/08]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): As advised in reply to previous questions from the Deputy, an application was received on 4 May 2007 requesting the transfer of 10.68 standard entitlements from the second person named to the first person named. While it was necessary to request clarification and additional documentation, the final application, signed by both parties and witnessed by a solicitor, clearly instructed my Department to transfer 10.68 entitlements from the second person named to the first person named.

The land that formed part of this transaction amounted to 10.52 hectares and consequently 10.52 entitlements were transferred with land while the remaining 0.16 of an entitlement was transferred without land. As the first person named declared 10.52 hectares on his Single Payment Scheme application for 2007, he received payment in full on 10.52 entitlements.

My Department has received no instruction from the second person named to transfer any other entitlements to the first person named.

Fisheries Protection.

135. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the number

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of verbal warnings and written warnings issued by the Sea Fisheries Protection Authority since 1 January 2008. [16909/08]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): This is a matter for the Sea-Fisheries Protection Authority (SFPA), an independent authority, which was established under Sea Fisheries and Maritime Jurisdiction Act 2006 on January 1st 2007. The Act clearly provides that the Authority is independent in the exercise of its functions and as such I have no remit as to its work programme or its strategic deployment of resources.

136. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the number of vessels detained since 1 January 2008; and the origins of each vessel. [16910/08]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): This is a matter for the Sea-Fisheries Protection Authority (SFPA), an independent authority, which was established under Sea Fisheries and Maritime Jurisdiction Act 2006 on January 1st 2007. The Act clearly provides that the Authority is independent in the exercise of its functions and as such I have no remit as to its work programme or its strategic deployment of resources.

Third Level Education.

137. **Deputy Paul Kehoe** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No.180 of 24 April 2008, if assistance is available for crew members of decommissioned boats to return to education in a recognised college and not just through Bord Iascaigh Mhara and FÁS training; and if she will make a statement on the matter. [16921/08]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The training provided by Bord Iascaigh Mhara (BIM) is for the delivery of further education and statutory training courses to the seafood industry. Funds are not allocated to cover fees for courses in Higher Education or Third Level institutions. There are several grant schemes available in this regard via the Department of Education and Science and further information is available from that Department.

Schools Building Projects.

138. **Deputy Eamon Scanlon** asked the Minister for Education and Science the position in relation to having work commence on two school building projects (details supplied) in County Donegal; if there is a time limit to commencing the works; if her attention has been drawn to the impediments to beginning the building; and if she will make a statement on the matter. [16784/08]

Minister for Education and Science (Deputy Mary Hanafin): The schools referred to by the Deputy were included in my announcement of 1st February 2008 which outlined details of large scale building projects that are authorised to proceed to construction. At the end of February the school authorities were instructed to proceed with the acceptance of a tender for the project and it is envisaged that construction on the project will commence shortly.

139. **Deputy Catherine Byrne** asked the Minister for Education and Science the stage a school building project at a school (details supplied) in Dublin 12 is currently at; if she will expedite the construction of new classrooms and a much needed sports hall, which have been promised since 2000; and if she will make a statement on the matter. [16797/08]

Minister for Education and Science (Deputy Mary Hanafin): The Department is in receipt of an application for major capital funding for general classroom accommodation and a PE hall, from the school referred to by the Deputy. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and has been assigned a band 2 rating. Progress on the project will be considered in the context of my Department's multi-annual School Building and Modernisation programme.

140. **Deputy Pat Breen** asked the Minister for Education and Science when a design team will be sanctioned for a school (details supplied) in County Clare; and if she will make a statement on the matter. [16801/08]

Minister for Education and Science (Deputy Mary Hanafin): The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered on an on-going basis in the context of my Department's Multi-Annual School Building and Modernisation Programme.

Grant Payments.

141. **Deputy Terence Flanagan** asked the Minister for Education and Science if she will respond to a query in relation to a school (details supplied) in Dublin 13; and if she will make a statement on the matter. [16817/08]

Minister for Education and Science (Deputy Mary Hanafin): I am pleased to inform the deputy that following the receipt of additional information requested a grant was sanctioned and paid to the school in question last December.

1916 Proclamation.

142. **Deputy Arthur Morgan** asked the Minister for Education and Science her views on making a framed copy of the 1916 Proclamation of the Irish Republic available to all primary and secondary schools here which are not already in possession of such an item. [16855/08]

Minister for Education and Science (Deputy Mary Hanafin): My Department has no plans to provide a framed copy of the 1916 Proclamation of the Irish Republic to all primary and secondary schools who are not already in possession of such an item. The provision of such an item for schools is entirely a matter for boards of management of individual schools.

Costs pressures on schools are taken into account by my Department in determining the levels of annual increases in the capitation grants paid to schools to meet their day to day running costs. Primary schools are now getting €178 per pupil to meet their day to day running costs — an increase of nearly 70% on the 2002 rate of €105 and €15 more per child than they got last year. Post-primary schools have also received this increase and now receive €331 per pupil. As the Deputy will be aware, we are committed to doubling the capitation grant for primary schools over the next five years.

School Staffing.

143. **Deputy Arthur Morgan** asked the Minister for Education and Science the number of additional teachers which would need to be employed in order to ensure that class sizes are reduced by one in primary schools in the 2008/2009 school year; and the costs associated with same. [16856/08]

Minister for Education and Science (Deputy Mary Hanafin): The information requested by the Deputy is not readily available. However, the reduction to the staffing schedule in the

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current school year resulted in the provision of circa 850 additional posts at an estimated annual cost of €49m.

School Accommodation.

144. **Deputy Arthur Morgan** asked the Minister for Education and Science the list, on a county basis, of all schools that are currently using prefabs as classrooms; and the age of these prefabs. [16857/08]

145. **Deputy Arthur Morgan** asked the Minister for Education and Science the number of schools currently using prefabs. [16858/08]

146. **Deputy Arthur Morgan** asked the Minister for Education and Science the annual cost associated with the rental of prefabs for both primary and secondary schools. [16859/08]

Minister for Education and Science (Deputy Mary Hanafin): I propose to take Questions Nos. 144 to 146, inclusive, together.

While comprehensive information is held on individual school files, my Department does not yet have these details available in a format that provides readily accessible cumulative information on the overall position regarding temporary accommodation. However, this issue is being addressed as a matter of urgency and work on compiling a comprehensive database of such information is well advanced. This work is part of a general review of rental policy being undertaken. Information is being collated on approximately 900 schools which have received approval from the Department for temporary accommodation, including but not limited to prefabs. This will be used to produce a database of information which will be maintained on an ongoing basis and will inform my Department's future decision-making in this area. I anticipate this work will be completed shortly.

The Deputy will be aware that demand for additional accommodation in schools has risen significantly over the last number of years, with the appointment of 6,000 extra teachers in the primary sector alone since 2002. In considering the need to provide extra resource and other teachers to schools in recent years, the Government could have decided to make children wait until permanent accommodation could be provided. However, we prioritised putting the extra teachers into schools as soon as possible.

Against this background, my Department has nonetheless managed to keep expenditure on temporary accommodation low. My Department spent €4.3m on the purchase and €35.5m on the rental of temporary accommodation in 2007. It should be noted that the amount spent on rental and purchased accommodation in 2007 was only 6.2% of the total investment in school buildings in 2007. This compares with 10.8% in 2003. It should also be noted that temporary accommodation is not limited to prefabs and can also involve the rental of high quality buildings.

Schools Building Projects.

147. **Deputy Arthur Morgan** asked the Minister for Education and Science the list of all schools, on a county basis, that have applied to her Department for extensions to their existing facilities. [16860/08]

Minister for Education and Science (Deputy Mary Hanafin): The Deputy will appreciate that the number of applications for building projects under consideration can change on a day to day basis as new applications are received and existing applications are progressed within my

Department. These projects are assessed and prioritised in accordance with the prioritisation criteria agreed with the Education Partners. A project's banding, or classification, can be subject to reassessment having regard to demographic developments in the area served by the school and also, for example, if on foot of a technical examination of the school it was found that the proposed project put forward by the school was not an appropriate design solution to meet the accommodation requirements.

My Department would have in the region of 1,300 applications for building works on the main building programme. Applications range from small scale projects in existing schools to new schools. A number of schools may have applications for more than one project.

The progression of all large scale building projects from initial design stage through to construction phase is considered on an on-going basis in the context of my Department's Multi-Annual School Building and Modernisation Programme in which the main focus at present is to deliver school places within rapidly developing areas.

For the past number of years, it has been my Department's practice to announce large scale building projects in phased groups. Details of these announcements are available on my Department's website at www.education.ie

148. **Deputy Arthur Morgan** asked the Minister for Education and Science the progress on the construction of a new school (details supplied) in County Donegal. [16861/08]

Minister for Education and Science (Deputy Mary Hanafin): The Office of Public Works (OPW) who acts on behalf of my Department generally in the acquisition of sites for schools has been asked to source a suitable site for the school in question. A suitable site has been identified and the acquisition of same is at an advanced stage. The purchase of the site and the proposed building project for this school will be considered in the context of my Department's multi-annual School Building and Modernisation Programme.

School Accommodation.

149. **Deputy Arthur Morgan** asked the Minister for Education and Science the measures being taken to address the serious issue of overcrowding at a school (details supplied) in County Donegal. [16862/08]

Minister for Education and Science (Deputy Mary Hanafin): The school in question submitted an application under the Small Schools Scheme 2007 for additional accommodation/ refurbishment. Due to the volume of applications received in my Department at the time it was not possible to allocate funding to all proposed projects and the application from this school was not successful. My Department recently approved the provision of temporary accommodation and the school has been informed accordingly.

Pre-School Services.

150. **Deputy Michael Ring** asked the Minister for Education and Science the position regarding the provision of a play-school on the grounds of a national school (details supplied) in County Mayo. [16875/08]

Minister for Education and Science (Deputy Mary Hanafin): The Chief State Solicitors Office have been instructed to draft a Deed of Partial Surrender for the portion of land on the grounds of the school referred to by the Deputy.

Site Acquisitions.

151. **Deputy Enda Kenny** asked the Minister for Education and Science the timeframe for the delivery of a secondary school (details supplied) in County Dublin; the status of the application for this school; and if she will make a statement on the matter. [16876/08]

Minister for Education and Science (Deputy Mary Hanafin): Based on current demographic trends, my Department anticipates that there will be a need for a further post-primary school in the area referred to by the Deputy in the medium term and it has asked the local County Council to identify a site for this development.

A timeframe for the delivery of the school will be known when a suitable site has been identified and acquired. The local authority has a number of Local Area Plans in train and it is likely that we will be able to secure a site under this process. My Department is conscious of the lead-in period for the delivery of a post-primary school and it would be anxious to conclude the site issue as soon as possible. It will continue to engage with the local authority until this matter is resolved.

Schools Building Projects.

152. **Deputy Paul Connaughton** asked the Minister for Education and Science if she will give consideration to an application by the board of management of a school (details supplied) in County Galway to build a permanent modular school building to the same specifications as would the plans for prefabricated buildings; if her attention has been drawn to the dilapidated and dangerous condition of the existing school, the fact that the manufacturer of the prefabricated buildings could and would supply modular school buildings to the same specifications as the prefabs at little extra cost, and that such buildings would be better value for money to her Department and space wise to the teachers and pupils; if she will give further consideration to providing a devolved grant to the school; the amount of the grant; and if she will make a statement on the matter. [16905/08]

Minister for Education and Science (Deputy Mary Hanafin): An application for capital funding towards the provision of a new school building has been received from the school authority referred to by the Deputy. The long term projected staffing assessment and the further progression of the proposed building project will be considered on an ongoing basis in the context of my Department's multi annual School Building and Modernisation programme.

In the interim, officials in my Department are in contact with the school management regarding the provision of temporary accommodation and additional information is expected from the management shortly. When this documentation is received the school authority will be notified of the position without delay.

153. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Science her proposals to deal with the accommodation needs of a school (details supplied) in County Kildare; and if she will make a statement on the matter. [16915/08]

Minister for Education and Science (Deputy Mary Hanafin): The project at the school referred to by the Deputy is at an advanced stage (Stage 2b — Detailed Design and Bill of Quantities) of the architectural planning process.

As part of the Programme for Government, a Developing Areas Unit was set up recently in my Department to focus on the school accommodation needs of rapidly developing areas, including Naas. The main emphasis in 2008 is on providing sufficient school places in these

developing areas, as well as delivering improvements in the quality of existing primary and post-primary school accommodation throughout the country.

In this context, the status of all schools in Naas is being assessed. The school referred to by the Deputy will be included in this assessment.

As is the case with all large capital projects currently on hand within the Unit, their progression will be considered in the context of the multi-annual School Building and Modernisation Programme.

154. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Science the envisaged timescale for the provision of a new school at a school (details supplied) in County Kildare in view of the recent appointment by her Department of a design team to this project; and if she will make a statement on the matter. [16916/08]

Minister for Education and Science (Deputy Mary Hanafin): The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, is considered on an on-going basis in the context of my Department's Multi-Annual School Building and Modernisation Programme.

The Deputy can be assured that my Department will continue to ensure that building projects such as the one in question will be commenced and delivered within the earliest possible timeframes.

155. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Science the progress that has been achieved to date in respect of the provision of the new post primary school for Kildare town, which is to be delivered under the public private partnership process; when an announcement will be made in respect of the bundle of schools which includes Kildare; the timescale envisaged for the delivery of this vital school project; and if she will make a statement on the matter. [16917/08]

Minister for Education and Science (Deputy Mary Hanafin): Kildare Town Community School is one of six schools that make up the Second Bundle of the Department's current Public Private Partnership Programme. This bundle consists of Bantry Community College, Abbeyfeale Community College, Athboy Community School, Wicklow Town Community College, Gaelscoil Bheanntraí and the school in question.

Pre-procurement work consisting of the preparation of Output Specifications, Public Services Benchmark (PSB) has been completed and Outline Planning Permission has been obtained for all six schools.

It is envisaged that this second bundle will be handed over to the National Development Finance Agency (NDFA) shortly to commence the procurement process. The estimated timescale for the delivery of this Bundle is mid 2011.

Schools Amalgamation.

156. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Science the progress that has been achieved to date towards the rationalisation of primary schools (details supplied); when she will approve the appointment of a design team for one of these schools in a situation where a design team is already in place in respect of the other school involved in the process; and if she will make a statement on the matter. [16918/08]

Minister for Education and Science (Deputy Mary Hanafin): The development of building projects to facilitate the rationalisation of the schools in question is at an early stage. Further

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progression will be considered on an ongoing basis in the context of my Department's School Building and Modernisation Programme.

Asylum Applications.

157. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform the response he gave to the mass application by Iraqi Chaldean Christians for asylum here; and if he will make a statement on the matter. [16871/08]

158. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform his views of the German Government's proposal to look favourably on Iraqi Christians applying for asylum; and if he will make a statement on the matter. [16872/08]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 157 and 158 together.

I am not aware of any mass application for asylum in this country, as suggested by the Deputy. However, the Deputy may wish to note that as at 31 March, 2008 there had been 61 applications for asylum received by the Office of the Refugee Applications Commissioner from Iraqi nationals in 2008.

While I am aware that the German Government is putting in place its own national programme for Iraqi refugees, I am not aware of any formal proposals at European level in this regard at this time. The Deputy might be aware that Ireland is one of 22 countries worldwide and one of 9 European countries that participate in the UNHCR Refugee Resettlement Programme. In 2005 the Government increased the number of such refugees accepted annually from 10 cases (approximately 40 persons) per year to 200 persons per year. The decision as to the nationalities and source countries of refugees accepted by Ireland for resettlement is taken following close consultation between the Minister for Justice, Equality and Law Reform, the Minister for Foreign Affairs and the United Nations High Commissioner for Refugees (UNHCR).

For the Deputy's information, under the 2007 quota, 97 Karen refugees from Thailand and 71 Sudanese refugees from Uganda were accepted for resettlement and 180 Iranian Kurds from Jordan were accepted for resettlement under the 2006 quota. Some 20% of the quota is reserved for countries where selection missions cannot take place and refugees are accepted on a dossier basis.

No decision has yet been made in relation to the nationalities to be accepted under the Government's 2008 resettlement quota.

Courts Service.

159. **Deputy Richard Bruton** asked the Minister for Justice, Equality and Law Reform if there are service sectors excluded from the remit of the Small Claims Court; if the rules operating in the Small Claims Court need to modify in respect of not handling the recovery of overpaid subscriptions in that a common source of complaint can be the failure of the service providers to properly terminate direct debit arrangements when instructions are made by customers; when it is proposed to increase the threshold for the Small Claims Court to the level promised in the consumer strategy; and if he will make a statement on the matter. [16891/08]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Small Claims procedure is an alternative method of dealing with a civil proceeding in respect of a small claim and is provided for under the District Court (Small Claims Procedure) Rules, 1997 and 1999.

It is a service provided in local District Court Offices and is designed to handle consumer claims cheaply without involving a solicitor.

In the small claims court, the following claims can be dealt with:

- A claim in respect of goods or services bought for private use from someone selling them in the course of a business (consumer claims);
- A claim in respect of minor damage to property (but excluding personal injuries) or
- A claim in respect of the non-return of a rent deposit, provided that a claim does not exceed €2,000.

The terms of an agreement between a service provider and a customer would be a factor in determining whether or not the circumstances described by the Deputy would come within the scope of the Small Claims procedure.

The Small Claims limit was increased from €1,269.74 to €2,000 with effect from 7th February 2006 (S.I. No. 4 of 2006). The rules governing the procedure, including the question of increasing the limit further, are being kept under review in my Department.

Asylum Support Services.

160. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to or if he will inquire, of the Reception and Integration Agency, the details of the case of a person (details supplied); the steps he will take to ensure that warning letters, when withdrawn, are deleted from a resident's file; when the person will be returned to the centre; and if he will make a statement on the matter. [16780/08]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Reception and Integration Agency (RIA) is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision and dispersal. The RIA's portfolio of accommodation comprises 63 centres across 22 counties with over 6,850 residents at present.

The day to day operation of centres is governed by House Rules and Procedures, incorporating a Complaints Procedure, which clearly outline the obligations placed both on residents and centre management. These rules were agreed in 2002 and are the subject of an ongoing review involving, inter alia, RIA, representatives of centre managers, the Refugee Information Services and the Irish Refugee Council. This review group is expected to conclude its deliberations within the next few months.

I am informed by RIA that this case has been, and is being, dealt with in the context of the aforementioned House Rules.

A distinction needs to be drawn between the withdrawn warning letter referred to in the question, and the decision made to transfer the individual concerned to another centre.

In relation to the first matter, following correspondence to the RIA from the relevant centre manager about the conduct of a party at the centre involving, inter alia, excessive late night noise, a warning letter issued from RIA to a number of residents, including the individual referred to by the Deputy. It was subsequently noted that a procedural error had taken place and the warning letters were withdrawn. The difficulty in physically deleting the correspondence from the file is that it is constantly referred to by the person himself and by various support groups acting on his behalf and, administratively, it would be impossible to deal properly with said representations in the absence of the correspondence. It is important to stress that the effect of the withdrawal is to negate the original warning letter and no adverse conclusions can be drawn in relation to any of the recipients of the warning letters.

[Deputy Brian Lenihan.]

The subsequent decision to transfer this person arose from an incident unrelated to the one referred to above and where RIA accepted that a clear and present requirement to effect the transfer arose. On the basis of the information to hand, RIA does not intend to send the person back to his original centre.

It should be noted that the above incidents have been the subject of many representations from the residents' committee in the centre, assisted by support groups such as Integrating Ireland. It is not in the interests of RIA, centre management or the residents themselves that any resident is treated unfairly and RIA is satisfied that fair procedures have been applied in this case.

Proposed Legislation.

161. **Deputy Dara Calleary** asked the Minister for Justice, Equality and Law Reform his plans to deal with the issues raised by the Mental Capacity and Guardianship Bill 2007. [16787/08]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Mental Capacity and Guardianship Bill 2007, a Private Member's Bill (Seanad), was withdrawn in response to a commitment by the Government to bring forward its own detailed legislative proposals to give effect to the Law Reform Commission's recommendations contained in its Report 'Vulnerable Adults and the Law'.

Proposals for a Mental Capacity Bill are at an advanced stage of preparation in my Department in line with a commitment in the Government's Legislative Programme. The proposed Bill will give effect to the Law Reform Commission's recommendations and will facilitate ratification of the UN Convention on the Rights of Persons with Disabilities insofar as requirements relating to legal capacity are concerned. I expect to be in a position to announce the details of the Bill in the near future, subject to the approval of Government.

Garda Deployment.

162. **Deputy Dara Calleary** asked the Minister for Justice, Equality and Law Reform the status of the review of Garda boundaries and divisions, as to the boundaries and divisions that will be considered for review in 2008; and if a public consultation process is planned. [16788/08]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): In accordance with the provisions of the Garda Síochána Acts 2005 to 2007 proposals, inter alia, to alter the boundaries of a divisional geographical area are a matter in the first instance for the Garda Commissioner in the context of the Annual Policing Plan. The 2008 Policing Plan, which I laid before the Houses of the Oireachtas, contains the Commissioner's proposals to realign Garda boundaries in a number of areas around the country to make them coterminous with the functional boundaries of local authorities.

The planned changes will bring about greater efficiencies and effectiveness in facilitating the establishment and functioning of Joint Policing Committees. I am advised by the Garda authorities that a detailed programme of work is currently being developed by the Garda Síochána to implement these planned changes for various Garda Divisions and this includes consultation with various stakeholders. This programme of work will also examine the geographical areas of district and sub-district stations arising from the boundary realignments set out in the plan and set out a timetable for the establishment of the new Divisions.

The Commissioner has also indicated in the Policing Plan that an examination of Divisions and Districts within the Dublin Metropolitan Region will be conducted in 2008 for the purposes of alignment with the local authority areas and in light of demographic and infrastructural changes in the region.

Citizenship Applications.

163. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform when an application for naturalisation will be processed for a person (details supplied); and if he will make a statement on the matter. [16814/08]

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 September 2007.

The average processing time for naturalisation is 30 months. However, I understand that the person concerned is married to an Irish national and every effort is made to ensure those applications are dealt with as quickly as possible, having regard to the general volume of applications on hand. It is likely, therefore, that further processing of the application will commence in the coming months.

I will inform the Deputy and the individual in question when I have reached a decision on the matter.

Garda Deployment.

164. **Deputy Emmet Stagg** asked the Minister for Justice, Equality and Law Reform the number of gardaí in each individual garda station in the Carlow-Kildare division who are assigned to normal policing duties and those assigned to the traffic corps duties. [16816/08]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I have been informed by the Garda Commissioner that the personnel strength of each Garda Station in the Carlow/Kildare Garda Division on 31 March, 2008, the latest date for which figures are readily available, was as set out in the following table:

District/Station	Strength
Naas	
Naas	103
Celbridge	21
Clane	7
Kill	3
Maynooth	16
Kildare	
Kildare	29
Robertstown	5
Kilcullen	4
Monasterevin	5
Newbridge	33
Rathangan	4
Carbury	4
Carlow	
Carlow	72
Leighlinbridge	1
Ballon	1
Myshall	1
Muinebheag	10
Athy	19
Castledermot	2

[Deputy Brian Lenihan.]

District/Station	Strength
Baltinglass	
Baltinglass	32
Blessington	15
Dunlavin	1
Hollywood	1
Donard	1
Shillelagh	1
Tinahely	2
Hacketstown	1
Rathvilly	1
Ballymore Eustace	1
Tullow	11
Ballytore	1
Total	408

The personnel strength of the Traffic Corps broken down by station on 31 March, 2008 was as set out in the following table:

Station	Strength
Naas	28
Carlow	19
Baltinglass	5
Total	52

The Deputy will appreciate that, as with any large organisation, on any given day, personnel strengths of individual divisions and stations may fluctuate due, for example, to promotions, retirements and transfers.

Garda personnel assigned throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources, and the best possible Garda service is provided to the public. The allocation of Garda personnel is determined by a number of factors including population, crime trends and the policing needs of each individual Division.

It is the responsibility of the Garda Commissioner to allocate personnel throughout the Force taking everything into account. In that regard, the needs of Garda Stations throughout Carlow/Kildare Division will be fully considered by the Commissioner within the overall context of the needs of Garda Stations and Divisions throughout the country.

Visa Applications.

165. **Deputy Beverley Flynn** asked the Minister for Justice, Equality and Law Reform the further documentation and verification of work experience required for the application to be granted for a visa application (details supplied). [16852/08]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Before a visa can issue the Visa Officer must be satisfied as to the source, authenticity and quality of any documentation submitted. Further any reference named should be contactable in the event that the

Visa Officer deems it necessary to do so. In this instance the Visa Officer had concerns surrounding the quality of the documentation and several attempts were made to contact the references without success.

Residency Permits.

166. **Deputy Seán Ó Fearghaíl** asked the Minister for Justice, Equality and Law Reform if he will give consideration to the application by a person (details supplied) for leave to remain in the State; and if he will make a statement on the matter. [16893/08]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The person concerned submitted an application for Subsidiary Protection under the European Communities (Eligibility for Protection) Regulations 2006, (S.I. 518 of 2006) to my Department on 1st November, 2007. Following consideration of the person's application, it was determined that he was not a person eligible for Subsidiary Protection, and he was informed of this decision by letter, dated 7th April, 2008.

The person concerned is the father of a child born in Ireland prior to 1st January, 2005. The revised arrangements for the processing of applications from the non-EEA parents of children born in Ireland prior to 1st January, 2005, commonly known as the IBC/05 scheme, ended on 31st March, 2005. The person did not make application under the scheme. There is no separate procedure or free-standing right of any person to apply for permission to remain on this basis and such applications can only be considered in accordance with section 3 of the Immigration Act 1999 (as amended).

Consideration is now being given to the representations made by the person concerned under section 3 of the Immigration Act, 1999 and he will be notified of any decisions made regarding his status in the State, in due course.

Good Friday Agreement.

167. **Deputy Tony Gregory** asked the Minister for Justice, Equality and Law Reform the number of prisoners currently in prison who have at any stage made an application for their release under the terms of the Good Friday Agreement; and the status of their applications. [16894/08]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): There are no persons remaining in custody who have been deemed to be qualifying prisoners under Section 3 (2) of the Criminal Justice (Release of Prisoners) Act, 1998. Other than the prisoners referred to by the Deputy, there are 4 prisoners who remain in custody who have applied and who are deemed as not being qualifying prisoners under Section 3 (2) of the Criminal Justice (Release of Prisoners) Act, 1998. There is also one prisoner in custody who applied during a previous sentence and was deemed not to qualify.

Asylum Applications.

168. **Deputy Paul Connaughton** asked the Minister for Justice, Equality and Law Reform the position of an application for asylum by a person (details supplied) in County Donegal; and if he will make a statement on the matter. [16897/08]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I refer the Deputy to Parliamentary Question No. 888 of Wednesday 2 April 2008 and the written Reply to that Question.

[Deputy Brian Lenihan.]

The person concerned arrived in the State on 16 February 2005 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal.

Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 8 August 2005, that the Minister proposed to make a deportation order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a deportation order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State. Representations have been submitted on behalf of the person concerned and will be fully considered, under Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement, before the file is passed to me for decision.

Citizenship Applications.

169. **Deputy Pat Breen** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 859 of 2 April 2008, when an application will be processed for persons (details supplied) in County Clare; and if he will make a statement on the matter. [16911/08]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am pleased to inform the Deputy that I have approved the applications of the persons in question.

The Citizenship Section of my Department has written to the persons concerned requesting certain documentation. When the documentation is received, certificates of naturalisation will issue to them as soon as possible thereafter.

Housing Aid for the Elderly.

170. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government the amount of funding allocated in budget 2008 to the housing aid for the elderly scheme in total and to each local authority; and if he will make a statement on the matter. [16781/08]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): Capital funding of €49.656 million is provided in the 2008 Revised Estimates for Public Services for the combined funding of the Adaptation Grant Schemes for Older People and People with a Disability. This represents the amount available for recoupment to local authorities in respect of individual grants paid under the Schemes. The Housing Aid for Older People Scheme is funded by 80% recoupment available from my Department together with 20% contribution from the resources of the local authority.

The Housing Aid for Older People Scheme will also, in due course, be funded from monies previously allocated to the Special Housing Aid for the Elderly Grant Scheme, following the transfer of the Scheme from the HSE to the local authorities. Notification of capital allocations for 2008 in respect of the Housing Adaptation Grants for Older People and People with a Disability will shortly issue to local authorities.

171. **Deputy Peter Power** asked the Minister for the Environment, Heritage and Local Government when he expects to release funds to Limerick County Council to award grants under the new housing aid for older persons scheme; and if he will make a statement on the matter. [16804/08]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): Notification of combined capital allocations for 2008 in respect of the Housing Adaptation Grants for Older People and People with a Disability Schemes will shortly issue to local authorities.

It is a matter for local authorities to decide on the level of funding to be provided for the Housing Aid for Older People Scheme in their area, from within the combined allocation notified to them by my Department for the Housing Adaptation Grants for Older People and People with a Disability Schemes, and to manage the operation of the scheme from within this allocation.

Proposed Legislation.

172. **Deputy Dan Neville** asked the Minister for the Environment, Heritage and Local Government the reason he is introducing new legislation on dog breeding establishments as secondary legislation when it was to be primary legislation. [16812/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): On foot of the recommendations of the Working Group on the Management of Dog Breeding Establishments, I propose shortly to introduce a set of regulations under the provisions of the Control of Dogs Acts 1986-1992 in respect of registration, inspection and minimum standards applying to such premises.

Turbary Rights.

173. **Deputy Paul Connaughton** asked the Minister for the Environment, Heritage and Local Government when a person (details supplied) in County Galway will receive payment for the sale of bog; and if he will make a statement on the matter. [16898/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I understand that the Chief State Solicitor’s Office is awaiting replies from the vendor’s solicitor on pre-contract queries in this case.

Alternative Energy Projects.

174. **Deputy Michael D’Arcy** asked the Minister for Communications, Energy and Natural Resources the reason Sustainable Energy Ireland is not renewing its contract with a partnership (details supplied) particularly as officers in SEI recognised the achievements of the project involved and recommended its application for renewal; and if he will make a statement on the matter. [16821/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Warmer Homes Scheme which is funded through Sustainable Energy Ireland (SEI), provides insulation and other energy efficiency solutions to low income homes across Ireland. The scheme is overseen and coordinated by SEI and is delivered principally through community based organisations.

I can advise the Deputy that Wexford Area Partnership was informed that their contract would be renewed on 16 April 2008.

Telecommunications Services.

175. **Deputy Dara Calleary** asked the Minister for Communications, Energy and Natural Resources the status of the proposed national broadband scheme. [16789/08]

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, where appropriate, 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 included the provision of grant-aid under the Group Broadband Scheme (GBS) and ongoing investment in Metropolitan Area Networks (MANs). Although broadband is now widely available in Ireland there are still some parts of the country where the private sector will be unable to justify the commercial provision of broadband services. These areas are being addressed by the National Broadband Scheme (NBS), which will provide broadband services to areas that are currently unserved and will ensure that all reasonable requests for broadband are met.

The first phase of the NBS procurement process (Pre-Qualification Questionnaire (PQQ)) is now complete, and four candidates pre-qualified to enter the next phase of the procurement process. Following the withdrawal of the IFA/Motorola Consortium as a candidate, the remaining three candidates are engaged in “Competitive Dialogue” with my Department and are finalising their proposed solutions to meet my Department’s requirements for the delivery of broadband to the unserved areas of the country. It is anticipated that a preferred bidder will be selected in July 2008, with roll-out to commence as soon as possible thereafter.

My Department has recently received notice of Judicial Review proceedings regarding certain elements of the NBS mapping process. These proceedings are currently before the Commercial Court and due for hearing on 10 June 2008. A speedy conclusion of the matter has been requested in order to advance the NBS as quickly as possible.

Fisheries Protection.

176. **Deputy Dara Calleary** asked the Minister for Communications, Energy and Natural Resources if it is envisaged that seafood processors will be eligible for compensation via the wild salmon community support scheme; and if so, the way they should apply. [16790/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Community Support Scheme, amounting to €5 million, details of which were published on 7 March 2008 and can be viewed on the Department’s website, will be made available to those affected by the cessation of the mixed stock salmon fishery.

The Scheme is directed at the development of additional economic opportunities for crews and employees in the processing and ancillary sectors in the communities where commercial salmon fishing has been a well-established activity and where its withdrawal demonstrably impacts on the economic and social fabric. It will focus on retraining of the affected labour force, diversification into non-salmon fishing activity and projects to promote the quality of the local environment.

The scheme is to be administered in 16 fishery districts through 15 LEADER companies and Comhdháil Oileáin na hÉireann, in respect of island communities and Meitheal Forbartha na Gaeltachta Teoranta, in respect of the Gaeltacht areas.

Regional Fisheries Boards.

177. **Deputy Arthur Morgan** asked the Minister for Communications, Energy and Natural Resources if the State, through the Northern Regional Fisheries Board, hold fishing rights on the Gweebarra River, County Donegal. [16854/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I am advised that the State through the Central Fisheries Board owns a large part of the Gweebarra fishery, which was acquired by the Land Commission. Other stretches are owned by the Department for Community, Rural and Gaeltacht Affairs and the National Parks and Wildlife Service of the Department of the Environment, Heritage and Local Government.

Under the Fisheries Acts, primary responsibility for the management, conservation, protection and development of the inland fisheries resource rests with the Central and Regional Fisheries Boards. The Northern Regional Fisheries Board manages the Gweebarra Fishery.

Ministerial Appointments.

178. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources the date on which each member of the board of the ESB was first appointed; when they were subsequently reappointed if applicable; the members of the board appointed by him; and if he will make a statement on the matter. [16873/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Chairman and Members of the Board of ESB are appointed by Government in accordance with Section 2 of the Electricity (Supply) Act, 1927. Elected Employee Members are appointed by the Minister for Communications, Energy and Natural Resources in accordance with the Worker Participation (State Enterprises) Acts, 1977 to 1993. The dates of appointment and reappointment of all members of the Board of ESB and the appointing authority in each case are set out in the following table.

Board Members	Appointment Date	Re-Appointment Date	Expiry Date	Appointing Authority
Lochlann Quinn (Chairman with effect from 22/01/08)	22/01/2008		22/01/2013	Government
Padraig McManus (Chief Executive)	17/07/2002	11/07/2007	01/05/2009	Government
Georgina Kenny	11/04/2000	18/05/2005 (2nd term)	17/05/2010	Government
Eoin Fahy	22/01/2001	21/02/2006 (2nd term)	20/02/2011	Government
Brendan Byrne	01/09/2004		31/08/2009	Government
Garry Keegan	06/06/2007		05/06/2012	Government
Seán Conlan	23/10/2007		22/10/2012	Government
Seamus Mallon	21/02/2006		20/02/2011	Government
<i>Elected Employee Members</i>				
John Coleman	01/01/2007		31/12/2010	Minister for Communications, Energy & Natural Resources
Tony Merriman	01/01/2007		31/12/2010	Minister for Communications, Energy & Natural Resources
John Nugent	01/01/2007		31/12/2010	Minister for Communications, Energy & Natural Resources
Bob Yeates	01/01/2007		31/12/2010	Minister for Communications, Energy & Natural Resources