



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Wednesday, 24 September 2008.

Leaders' Questions ... ..	1
Ceisteanna—Questions	
Taoiseach ... ..	5
Requests to move Adjournment of Dáil under Standing Order 32 ... ..	19
Order of Business ... ..	21
Message from Seanad ... ..	39
Double Taxation Relief Orders 2008: Referral to Select Committee ... ..	39
Electoral (Amendment) Bill 2008:	
Order for Second Stage ... ..	39
Second Stage ... ..	39
Ceisteanna—Questions ( <i>resumed</i> )	
Tánaiste and Minister for Enterprise, Trade and Employment	
Priority Questions ... ..	46
Other Questions ... ..	57
Private Notice Question:	
Cancer Screening Programme ... ..	69
Adjournment Debate Matters ... ..	84
Electoral (Amendment) Bill 2008: Second Stage ( <i>resumed</i> ) ... ..	85
Private Members' Business	
Irish Economy: Motion ... ..	109
Adjournment Debate	
Hospital Services ... ..	133
Departmental Agencies ... ..	136
County Kerry Bogslide ... ..	138
Farm Waste Management... ..	140
Questions: Written Answers ... ..	143

# DÁIL ÉIREANN

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## DÍOSPÓIREACHTAÍ PARLAIMINTE PARLIAMENTARY DEBATES

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### TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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*Dé Céadaoin, 24 Meán Fómhair 2008.*  
*Wednesday, 24 September 2008.*

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

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*Paidir.*  
*Prayer.*

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#### **Leaders' Questions.**

**Deputy Enda Kenny:** Ba mhaith liom buíochas a ghlacadh leis an Taoiseach as ucht teacht anseo inniu. In the three months since we last met circumstances in the country have changed utterly. There have been thousands of job losses. Unemployment has increased by 42% to more than 300,000. Jobs are not being protected and are being outsourced to other countries. The tax shortfall has increased from €3 billion in July to more than €5 billion in September. The stock market is down by 45%. The property market has collapsed. A major pension problem is about to surface. In our health services we are now faced with an undetermined number of other misdiagnoses in cancer cases from Cork to Donegal. A report states that the Dublin Port tunnel is not safe. There is potential lead poisoning in water pipes in some areas in Galway city. The cost of living has risen by 50%.

Do these matters not concern the Taoiseach to the point where he should agree that on the first day this House meets after its summer break it should discuss the economy and the circumstances that now affect every person in the country? Does he accept the premise outlined by the Minister for Finance two weeks ago when he said that the people collectively chose this course of action? Does he agree that his Government now blames the people for the circumstances in which we find ourselves? Does he blame the people for the musings of Ministers, where one wants to increase the top rate of income tax, another wants to introduce domestic water charges and another wants to introduce third level college fees? The reasons are that the Government failed to heed the warning signs outlined by this party and others in making

[Deputy Enda Kenny.]

arrangements to deal with the situation that applies. While it is not to blame for the international financial crisis, it is to blame for the wastage of hundreds of millions of euro of taxpayers' money. Is the Taoiseach prepared to allow a proper debate over two days in the House or does he accept the premise outlined by the Minister for Finance that the people collectively chose this course of action?

**The Taoiseach:** The Government is acting on this matter by bringing forward the date of the budget to 14 October, which is the most important decision that has been made. It is an indication of the seriousness of the intent of Government to take whatever decisions are necessary to meet, as Deputy Kenny has said, the new economic situation we now face. While I do not intend getting involved in a debate during Leaders' Questions this morning on the record of the Government, which we can defend, it is a question of facing up to the situation with which we are confronted. That is exactly what the Government is doing. I wish to make it clear that on budget day on 14 October we will have an opportunity to put forward a balanced and coherent plan which sets out the priorities for Government in the context of the new situation we face. We believe that is the responsible, right, appropriate and proper thing to do in the context of the challenges confronting us, quite apart from the international financial situation we face.

**Deputy Enda Kenny:** It is an act of gross political cowardice on behalf of the Government to refuse to debate the circumstances that apply in the economy of the country on the first day the House meets after its summer recess.

**Deputies:** Hear, hear.

**Deputy Enda Kenny:** The Taoiseach said the Government is facing up to the situation in which we find ourselves and that on budget day on 14 October it will have a balanced and coherent plan. The Government produced a balanced and coherent plan, or so he said, in July when its projections for the deficit were €3 billion and it projected a 3% reduction in payroll across every Department.

I saw the Taoiseach yesterday in Cuffesgrange but I did not get a chance to speak with him because he was busy. I was amused to hear him say that we have to buckle down and cut out waste of public money. The reason I was amused to hear the Taoiseach say that is because the Comptroller and Auditor General's report points to dysfunctional budgeting in the HSE, for the Minister for Health and Children, a situation where 200 new Garda cars were held in storage for 15 months because they could not be used, that the Irish Prison Service entered into 60 contracts worth €18 million without seeking competitive quotes and payments were made in respect of Border allowances for troops ten years after the peace process concluded. Who was the Minister for Finance who presided over all this waste?

**Deputies:** Hear, hear.

**Deputy Enda Kenny:** The Taoiseach has said the Government is facing up to the situation, yet he was the Minister for Finance who presided over this gross waste of public money. He had the temerity in Cuffesgrange yesterday to say we have to stop all this wastage of public money, bring in efficiencies and face up to the situation. In the first 120 days or so of his time as Taoiseach, can he name three actions he has taken to ensure his successor, who said he had the misfortune to be in the Department of Finance at this time, will not fall into the same financial slurry pit with further reports from the Committee of Public Accounts and the Comptroller and Auditor General of gross wastage of public money? Will he name three

actions he has instructed as Taoiseach, that he was not able to do as Minister for Finance, to protect taxpayers' money and ensure they get value for what they pay?

**The Taoiseach:** To answer the Deputy's question in regard of the Comptroller and Auditor General's report, to which he referred, and what I had to say about it yesterday, I made the point that the constitutional responsibility of every Comptroller and Auditor General under any Government is to point out where he feels there has been less than effective value for money or disposal of funds. It is in the context between raising revenue of €50 billion and expending over €50 billion the total expenditure and tax raising powers of the Government is almost €100 billion. Any €1 million or €100,000 spent unwisely or not to best effect is obviously €1 million or €100,000 too much but the context in which we are discussing this is that level of expenditure and of tax raised.

**Deputy Bernard Allen:** That is gross incompetence.

**The Taoiseach:** That is just to make that point. In no way does it take from the merit or demerits of any aspect of any Comptroller and Auditor General's report under any Government and that will continue in the years ahead. Any lessons to be learned from it have to be learned. That is the simple point I was making. Deputy Kenny continually contends that the record of this Government is something that did not exist at all and that suddenly that we now have the real situation.

**Deputy Bernard Allen:** Complacency.

**The Taoiseach:** The fact is that all forecasts made coming into this financial year were around the same as those made by the Department of Finance. We are in an unprecedented situation, much different from that envisaged by forecasters at the tail end of last year because of what has been happening, primarily in international markets. That is a fact.

**Deputy Seymour Crawford:** That is rubbish.

**Deputy Ruairí Quinn:** The Taoiseach is a slow learner.

**Deputy Brian Hayes:** What did the Taoiseach do?

**The Taoiseach:** The downturn is taking place in every economy. What we must do and are intent on doing is to bring to the Dáil within three weeks a budget proposal that will set out clearly what the expenditure issues must be. With less revenue coming in it is clear economies must be made. What we must contend with are what our priorities will be as they relate to the capital programme and what the issues will be regarding the protection of tax breaks. That work is ongoing within Government now and has been for the past number of weeks. The issue will crystallise on that day. In the meantime, if Deputy Kenny wishes to engage in a three-hour debate on the economy, today and tomorrow, which he is entitled to request and is his prerogative, we will engage with him in such a debate.

**Deputy Paul Connaughton:** The Taoiseach is great.

**The Taoiseach:** We have no problem in engaging with Deputy Kenny in that debate but the Government has a job to do.

*(Interruptions).*

**The Taoiseach:** The job of Government now is to prepare for the budget which we will bring forward on 14 October.

**Deputy Eamon Gilmore:** Since Deputy Cowen became Taoiseach, some 140 days ago, 45,628 people have lost their jobs in this country. That is, on average, approximately 300 a day. We are told that people are now losing their jobs so fast that the Department of Social and Family Affairs cannot keep up with applications for social welfare payments. More than 30,000 people who have lost their jobs are still waiting for their payments to be processed. What has the Taoiseach done since this House last met to find employment for those 45,000 people? Can he tell the House what new initiatives he and his Government have taken to put back to work those who have lost their jobs since he became Taoiseach? What measures have been taken to protect those who are at further risk of losing their jobs?

**The Taoiseach:** What we are doing, obviously, is using the training agencies to provide whatever opportunities they can to provide upskilling and reskilling of those who, unfortunately, have lost their jobs.

**Deputies:** FÁS.

**Deputy Róisín Shortall:** It is not doing too much.

**The Taoiseach:** FÁS is the training agency to which people go and of whose services they avail. Regarding the overall situation, if there is an international downturn it affects a small local economy such as ours. This is happening elsewhere and we are not immune from such developments. The downturn is having an impact.

It is also fair to say that there have been indications of investment from foreign direct investors during the period Deputy Gilmore mentioned. More than €1 billion has been received so far this year which is very welcome and this situation must continue. Part of our strategy is to ensure confirmation that Ireland remains open for business and that the country is aggressively seeking those opportunities from foreign direct investors.

We must also help those who are in work by ensuring that we run the finances of the State in such a way that the economy is more sustainable than would be the case if we operated on a no policy change basis. We will not have such a policy in the coming 12 months and beyond and must take account of the changed circumstances. Luckily we are working off a lower unemployment rate than was the case when we faced challenges such as this in the past. The economy is in a stronger position. I know that is no comfort for anyone who has lost his or her job, at any time, during good times or bad. The issue for us is to continue to work with the State agencies and to have an overall responsible budgetary position that will uphold confidence in the economy and ensure that those who are at work have the prospect of continuing in their jobs, with people trying to obtain more market share.

**Deputy Eamon Gilmore:** I asked what the Taoiseach has done, in the ten or 11 weeks since this Dáil last met, to find jobs for the 45,000 people who have lost their employment. What new initiatives has the Government taken in that period? I received a long answer that suggested the Government will carry on with FÁS and with its approach to the public finances. A case of “as you were”. It is clear from the Taoiseach’s reply that the answer to my question is that the Government has not taken a single new initiative, in the ten or 11 weeks since the Dáil rose, to address the problem of people losing their jobs. Some 45,000 people have lost jobs in places such as Cappoquin, Tipperary, Tullamore, Cork and all over the country. People are losing jobs and in the ten or 11 weeks since this Dáil last met the Taoiseach and Tánaiste and Minister for Enterprise, Trade and Employment have not taken a single new initiative. I have not heard the public announcement by the Government of a new initiative anywhere to help people who have lost their employment find new jobs. I asked the Taoiseach a simple, straightforward question this morning. Did I miss the announcement of something in the newspapers in the

past ten or 11 weeks? Has there been a new initiative? Has a new mandate been given to the IDA or the job creation agencies? Has a new initiative been taken by the Government to find employment for the 45,000 people who have lost their jobs since the Taoiseach took office? The clear answer is that the Government has not done a single thing to find employment for people who have lost their jobs.

**The Taoiseach:** That is not the situation. The Tánaiste and Minister for Enterprise, Trade and Employment will answer parliamentary questions today on what FÁS is doing to react to the increase in unemployment.

**Deputy Bernard Allen:** There will be more FÁS courses and more money wasted.

**The Taoiseach:** If the Deputy has no confidence in what FÁS has done to help reskill workers and provide unemployed people with opportunities and pathways to employment then I am afraid he does FÁS a disservice.

**Deputy Joan Burton:** Apprenticeships are being closed.

**The Taoiseach:** FÁS has had success in this area and I think it is only fair to say this.

**Deputy Willie Penrose:** Why was €37 million taken from the budget for apprenticeships? The Taoiseach is trying to cod us.

**The Taoiseach:** There may be other issues relating to audit matters, but they are being dealt with and this has been welcomed by the chairman and chief executive of FÁS, in the interest of maintaining confidence in the agency. I am glad that this is the approach they are taking to the issue. If the Deputy is suggesting FÁS is not helping people in any way he is doing the agency a disservice.

**Deputy Emmet Stagg:** What is the Taoiseach doing?

**Deputy Bernard Allen:** What is the Taoiseach doing?

**The Taoiseach:** In answer to Deputy Gilmore, the Government will continue to work with job creation agencies like Enterprise Ireland and the IDA. These agencies have had successes, although I notice Deputy Gilmore has not mentioned them and instead has mentioned only those people who, unfortunately, have lost jobs and who I acknowledge.

**Deputy Bernard Allen:** This is an insult to the unemployed.

**The Taoiseach:** The picture painted by Deputy Gilmore is unbalanced. It is a serious situation, which we intend to confront, but I do not expect any input from the Opposition other than the sort of political point scoring we have heard this morning.

**Deputy Bernard Allen:** The only answer is to send people to FÁS.

## Ceisteanna — Questions.

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### Departmental Staff.

1. **Deputy Enda Kenny** asked the Taoiseach the number of staff vacancies in his Department; and if he will make a statement on the matter. [17139/08]



2. **Deputy Eamon Gilmore** asked the Taoiseach the number of staff vacancies in his Department broken down by grade; the steps being taken to fill these; and if he will make a statement on the matter. [19445/08]

3. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the number of staff vacancies in his Department; and if he will make a statement on the matter. [20935/08]

4. **Deputy Eamon Gilmore** asked the Taoiseach the way in which he intends to achieve the reduction of 3% in payroll costs for his Department; and if he will make a statement on the matter. [29627/08]

**The Taoiseach:** I propose to take Questions Nos. 1 to 4, inclusive, together.

Vacancies arise in my Department from time to time for a variety of reasons, including staff transferring to other Departments, retirements, career breaks and resignations.

In accordance with the business needs of the Department and the relevant Civil Service rules and procedures, it has been the practice to fill vacancies through the appropriate deployment of existing staff within the Department, promotion competitions, lateral transfers or external recruitment through the Public Appointments Service.

At present, there are three vacancies in the Department and it is anticipated that three more staff will leave the Department in the coming months. The grades involved are cleaner, service officer, clerical officer, administrative officer, higher executive officer and assistant principal.

Further to the Government's recent decision to achieve a 3% saving in payroll costs, the senior management team has decided that the staffing needs of the Department will be managed from within the existing staff complement, having regard to the budgetary constraints and the overall priorities of the Department.

**Deputy Enda Kenny:** I refer to comments made in July by the Government making a commitment to reduce the public service bill by 3% by the end of 2009. I note the Taoiseach has employed a non-Civil Service economic adviser in his own Department at an obvious cost to the taxpayer. May I take it that the 3% reduction in payroll will apply to both Civil Service and non-Civil Service staff?

**The Taoiseach:** It applies to the Department's full payroll.

**Deputy Damien English:** Will it apply to both civil servants and non-civil servants?

**The Taoiseach:** The figure of 3% applies to the full payroll. The Department has been given an opportunity to reduce the payroll by 3% by the end of 2009 in respect of all employees, regardless of their status.

**Deputy Enda Kenny:** If this is to apply across the board, how will the decision be made between civil servants and non-civil servants? Who is to point the finger of redundancy, moving on or whatever within the Department of the Taoiseach?

**The Taoiseach:** The reduction in payroll is envisaged on the basis of taking 3% off the payroll costs. One achieves this by examining whether to recruit people as a result of vacancies arising, the position regarding overtime and a range of issues. Such flexibility must be given to management to achieve the payroll cut. I am simply saying the payroll cut applies to the full payroll costs of the Department, regardless of the status of those who work there.

**Deputy Eamon Gilmore:** Have any appointments been made in the Department of the Taoiseach since the announcement was made regarding the 3% cut in payroll costs? How does the Taoiseach propose to achieve the 3% cut in payroll costs in his Department?

**The Taoiseach:** The decision to manage staff resources within existing staff resources in effect means that staff vacancies arising will, in general, not be filled by means of external recruitment, which will result in a permanent reduction in the authorised staff complement for the Department. This will necessitate reviews of how staff are deployed within the Department to ensure that key areas of departmental activity are staffed adequately. The Department will endeavour to redeploy staff according to key business needs and levels of activity, to restructure workloads as appropriate and to achieve greater productivity through exploiting new technologies and availing of shared services arrangements. That is how it will work.

It is difficult to predict the numbers affected at this time as the budgetary effect will depend on the timing and grade of any vacancies that may arise due to staff leaving the Department, whether as a result of retirement, external promotion or any other reason. It is estimated, based on averages, that approximately ten posts will be affected.

**Deputy Eamon Gilmore:** I thank the Taoiseach for reading out that section of his brief and ask him to answer the two questions I asked of him. Have any appointments been made in the Department of the Taoiseach since the 3% payroll cut was announced in July? How will he achieve the 3% payroll cut in his Department?

**The Taoiseach:** The answer to the first question is not to my knowledge. Second, I have just explained how the payroll cut will be achieved in the Department.

**An Ceann Comhairle:** I will come back to Deputy Gilmore. I call Deputy Ó Caoláin.

**Deputy Caoimhghín Ó Caoláin:** In the context of staff vacancies, can the Taoiseach advise what is the employment policy regarding people with disabilities within the Department of the Taoiseach? Does that Department have a policy of affirmative action to ensure people with disabilities have a fair opportunity to compete and access vacancies as they present? I expect the Taoiseach will confirm his acknowledgement that people with disabilities are under-represented within the Civil Service and his acceptance that the Civil Service itself is in a unique position to take affirmative action measures to try to address such under-representation.

While I am open to correction as there was a lot of background noise at the time, in his initial reply did the Taoiseach indicate there are three vacancies within his Department at present? What are the prospects of any of those positions within the Department of the Taoiseach being taken up by someone with a disability? Can the Taoiseach advise the House what affirmative action measures are currently in place within his Department and what further steps does he propose to take to address this extremely important and pressing imbalance?

**The Taoiseach:** A census of staff serving in my Department as of 31 December 2007 was conducted in February of this year. Some 5% of the 79% who responded to the survey voluntarily disclosed a disability. My Department is an equal opportunities employer and staff are recruited solely on the basis of ability to fulfil specific roles. My Department exceeds the legislative requirement of employing a 3% level of people with disabilities in the public service and as I have stated, 5% of Department staff voluntarily disclosed disability.

Staff are recruited through the Public Appointments Service on the basis that they meet the requirements of the positions they are to fill. The issue of disability does not affect assignment to my Department and no exceptions are made in that regard. Recruitment, promotion, training



[The Taoiseach.]

and other benefits or opportunities are decided on objective criteria, including the qualifications and suitability of the applicant.

Our recruitment principles follow the Department of Finance code of practice for the employment of people with disabilities in the Civil Service and the Commission for Public Service Appointments code of practice for employment of persons with disabilities to positions in the Civil Service and certain public bodies.

**Deputy Caoimhghín Ó Caoláin:** The Taoiseach's reply invites a further question. He indicated that members of staff in the Taoiseach's Department voluntarily disclosed a disability of one sort or another. My understanding — the Taoiseach may correct me if I am wrong — is there is a requirement on Departments across the board to meet the 3% level in terms of recruiting people with disabilities. If the disclosures were voluntary, was this factor relating to disability taken into account with regard to access to employment in the first place?

This is a very important point which needs clarification as quotas are to be reached. These are currently inadequate and understate the present need. They should be increased to a 5% level — an argument I have made here before with the support of other voices currently in government.

Will the Taoiseach outline the current vacancies in his Department as I may not have picked him up correctly in his initial reply because of noise in the Chamber? I understand three vacancies were signalled but if this is not the case will the Taoiseach please let us know? Is there any prospect with regard to current affirmative action measures that the positions will be filled by someone with a clear disability if there are any vacancies in the Department?

We are talking about staff in the Taoiseach's Department and the Civil Service across the board. What is the Taoiseach's position on the contribution by the Minister of State, Deputy John McGuinness, in which he stated that the Civil Service is "a reactionary, inert mass at the centre of our economy" with too many square pegs in round holes throughout? The Taoiseach has not clarified to my satisfaction how he stands on that view, which must be a reflection on his Department also. Will the Taoiseach put on record how he stands on Deputy McGuinness's utterances and convey his view of the standard of people employed within our Civil Service?

**The Taoiseach:** I explained the various codes of practice employed within my Department and I have also indicated that based on a survey, we know approximately 5% of our employees meet the definition regarding disability. With regard to the specific query raised outside the ambit of this question on comments by the Minister of State, Deputy McGuinness, those were personal and do not reflect Government policy.

**Deputy Enda Kenny:** I will ask two further questions. The website of the Department of the Taoiseach shows the progress report, phase 3, of the public service modernisation programme, which was published in April 2007, or 18 months ago. In fairness, the first three reports were published within six months of each other. This modernisation programme, as the Taoiseach knows, details staff numbers and points out priorities for the Departments. Nothing further has been posted in the past 18 months so when can we expect the next progress report on public service modernisation in so far as it affects the Taoiseach's Department?

My second question — we have been around this mill a few times — relates to the communications unit established in the Department of the Taoiseach by the Taoiseach's predecessor for the purpose of providing news updates, transcripts and so forth. Recently, when the Minister for Education and Science, Deputy Batt O'Keeffe, was musing about the return of third level

fees, I noted he stated that his Department had built up a file of clippings to present to him in order that he could form a judgment on the issue.

**Deputy Joan Burton:** I thought it was a pile of beer mats.

**Deputy Enda Kenny:** This obviously means the Government Information Service is duplicating at a cost of €340,000 per annum what is being done in the Departments. In the context of the reduction in the public service pay bill, does this mean that either the units in the Departments or the communications unit will be the subject of some rationalisation?

**The Taoiseach:** I will have to check with the Deputy regarding the report on modernisation about which he inquires. I will get back to him on the issue which is outside the ambit of the questions in front of me.

On the communications unit, I have explained the situation regarding how it is envisaged that payroll costs would be cut in the Departments. It is not specific to individual units or members of staff. It is about how or whether one fills vacancies when they arise, where external promotions will be held, how one increases productivity and where one introduces information technology to assist productivity rather than increasing personnel. These issues form part of the management function to be managed in the course of the coming year to enable Departments to discharge their core function, while at the same time meeting the policy objective of reducing payroll costs.

11 o'clock

**Deputy Eamon Gilmore:** I will return to the 3% reduction in payroll costs and the comments made by the Minister of State at the Department of Enterprise, Trade and Employment, Deputy John McGuinness. I do not accept the line that his comments were personal. This was not a——

**An Ceann Comhairle:** As the Deputy is well aware, the issue is not relevant to the questions, which relate to the number of staff in the Taoiseach's Department.

**Deputy Eamon Gilmore:** I will explain the reason the issue is relevant. The Minister of State proposed a way by which payroll reductions could be achieved and said a vast programme of redundancies should be implemented immediately across the Civil Service and State sector. He identified where these redundancies would take place and stated that there are too many people in the Civil Service who have no function or do not know what their function is.

**Deputy Pádraic McCormack:** The same applies to the Government.

**Deputy Eamon Gilmore:** There were, he said, featherless but still plump State hens in the Civil Service and unhappy square pegs in round holes.

**An Ceann Comhairle:** Whatever about hens or ducks, the questions refer to staff vacancies in the Taoiseach's Department.

**Deputy Eamon Gilmore:** Are there any featherless but plump State hens in the Taoiseach's Department or square pegs in round holes who he believes should be made redundant? Is there anybody in his Department with no function who he may make redundant?

**The Taoiseach:** Having explained three times how the payroll costs are to be handled, I do not wish to repeat the explanation again. On the question of Civil Service and public service modernisation or public sector reform, as it has been described, I expect the task force, which I set up on obtaining the OECD report on the matter, will report to us very shortly. The task force will set out in a coherent and schematic way how to approach dealing with the

[The Taoiseach.]

recommendations in the OECD report, which refer to the fact that while overall we have a very good public service, there are clearly areas where we can try to improve. It is our objective to put in place the means by which we can achieve this based on the task force's recommendations. That is the most comprehensive and coherent way to approach these matters.

**Deputy Caoimhghín Ó Caoláin:** I have no assurance from the responses given so far by the Taoiseach that there is within his Department a policy of affirmative action in relation to people with disability. Does he accept that a statement of voluntary disclosure, which happens to show a level above the quotient applying with regard to the employment of people with disabilities, in no way assuages the fears of this Deputy or other people that there is not a proactive approach to facilitating people with disabilities accessing employment in Departments, specifically the Taoiseach's Department, and the broader Civil Service? I will not engage in a heated exchange with the Taoiseach on this matter. However, I invite him to put the record straight. Is there such a programme in place and, if so, does he project that people with disabilities will be considered for vacancies arising in his Department?

There must be certainty about this matter. It cannot be a case of adopting a hit and miss approach and inquiring after the fact, by means of voluntary disclosure, whether a person has a disability. There is a requirement on all Departments to ensure that a certain percentage of their staff have specified disabilities.

I welcome the Taoiseach's response, on the record, to the effect that remarks made by the Minister of State at the Department of Enterprise, Trade and Employment, Deputy McGuinness, were personal in nature and do not represent the views of the Government. When the Minister of State made his remarks, I was of the opinion that they reflected the usual confusion among members of Fianna Fáil who see the Civil Service as an appendage of their party. The Minister of State was clearly only referring to Fianna Fáil.

**The Taoiseach:** I cannot fathom the meaning of the second part of the Deputy's contribution.

**Deputy Caoimhghín Ó Caoláin:** I was referring to square pegs in round holes.

**Deputy Pádraic McCormack:** The Taoiseach is not that slow.

**The Taoiseach:** The survey to which I referred is evidence that a policy exists, that this policy is monitored, that the targets set down are being exceeded and that there is adherence to the codes of practice. The Deputy's contention seems to be that a survey was carried out, that people disclosed their views and that there is not a policy, but the position is quite the contrary.

**Deputy Eamon Gilmore:** The Minister of State at the Department of Enterprise, Trade and Employment, Deputy McGuinness, is one of a number of new junior Ministers appointed by the Government. He is one of four Ministers of State serving in that Department.

**Deputy Joan Burton:** They will need a big table.

**Deputy Eamon Gilmore:** When I asked the Taoiseach whether the Government had done anything to find jobs for people since the Dáil last met, he was not in a position to indicate a single action taken by the Tánaiste and Minister for Enterprise, Trade and Employment or any of her four Ministers of State in the past ten weeks in that regard. To quote the Minister of State, Deputy McGuinness—

**An Ceann Comhairle:** The Deputy knows as well as I do that quotations are not allowed on Question Time.

**Deputy Pádraic McCormack:** Yes, but they are good.

**An Ceann Comhairle:** They are not. It is not my fault they are not allowed; those are the rules of the House. In any event, and as Deputy Gilmore is probably well aware, the Minister for Finance has overall responsibility for the Civil Service. We must remain within the parameters of the original questions.

**Deputy Eamon Gilmore:** The question tabled in my name relates to the Government's objective to achieve a 3% reduction in payroll costs. Is the Taoiseach of the view that the Department of Enterprise, Trade and Employment, which has four Ministers of State, is somewhat over-staffed?

**Deputy Bernard Allen:** A few of them are square pegs.

**Deputy Fergus O'Dowd:** Or clucking hens.

**Deputy Eamon Gilmore:** Does he believe there might be scope for achieving a reduction in the payroll of that Department?

**The Taoiseach:** The Ministers of State in question have cross-cutting responsibilities which range beyond their work in the Department of Enterprise, Trade and Employment. They are doing their jobs. The reduction in payroll costs relates to staff. I have already outlined, on approximately six occasions since I began answering questions on this matter, how that reduction is to be made.

**Deputy Fergus O'Dowd:** Does the Taoiseach intend to introduce, if necessary, a voluntary redundancy scheme to bring about the cuts he proposes? Is such a scheme under consideration in any Department of State?

**The Taoiseach:** No decision has been made in respect of those matters. All we have done is outline how the 3% payroll cuts are to be achieved.

**Deputy Fergus O'Dowd:** Is such a scheme being considered?

**The Taoiseach:** We should await the outcome of the task force report and the OECD report before considering any of those matters.

**Deputy Joan Burton:** The Taoiseach referred to the OECD report. Is it true that senior civil servants felt inhibited in putting forward their views on areas of the Civil Service and Departments where an over-deployment of staff — possibly as many as 8,000 — occurred? Is it also true the Government nobbled or interfered with the OECD report to make it less trenchant in the context of being an honest and open evaluation?

Very detailed reports were carried in the *Irish Independent* around the time of the summer recess. The Taoiseach's Department is responsible for that report, so could he say what interaction there was? Was there discussion about overdeployment in some areas, particularly arising from the mess caused to Departments by decentralisation, the general uncertainty about to where people were going and from where they were coming and the duplication of offices arising from decentralisation? A number of senior civil servants were very disturbed and conveyed this quietly.

Is it true that in the Department of Social and Family Affairs, there was an open discussion at a management meeting that there was excessive deployment and confusion about what

[Deputy Joan Burton.]

people were doing in the context of all the moves in the Civil Service again arising from decentralisation?

**An Ceann Comhairle:** The Taoiseach can only answer for his Department. That is what the questions are about.

**The Taoiseach:** I am not aware of the identity of the civil servants who made those comments, if they exist at all. The OECD people stand over their report. I recall reading that article. I am not aware of those who felt so strongly or if they made themselves known.

#### **Data Protection.**

5. **Deputy Enda Kenny** asked the Taoiseach the procedures in place in his Department for the protection of personal data held by electronic means; and if he will make a statement on the matter. [18732/08]

6. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the procedures in his Department for protection of personal data retained electronically; and if he will make a statement on the matter. [20936/08]

7. **Deputy Eamon Gilmore** asked the Taoiseach if any computers, disks, laptops or memory storage devices containing personal information about members of the public have been lost or stolen from his Department; if any of these contained personal information; the frequency with which an audit of such equipment is done; and if he will make a statement on the matter. [21762/08]

8. **Deputy Eamon Gilmore** asked the Taoiseach the procedures in place within his Department to ensure the security of data held by electronic means; and if he will make a statement on the matter. [21763/08]

**The Taoiseach:** I propose to take Questions Nos. 5 to 8, inclusive, together.

My Department applies best practice and uses industry standard information security protection devices and software to protect all data within its systems. The Department regularly reviews and updates these security procedures and products as a matter of course.

No computers, disks, laptops or memory storage devices containing personal information about members of the public have been lost or stolen from my Department. Although sensitive information belonging to members of the public is not generally collected by, or stored, in the Department's electronic systems, a number of specific measures are in place in my Department to protect all data which is held electronically.

Access to personal information held on databases within my Department is controlled by application security and confined to relevant authorised personnel only. Access by users to these systems is granted on a "needs only" basis. The Department's computer networks themselves are secured against cyber attacks through the use of security products such as multiple firewalls, anti-virus software and e-mail security tools. Staff supplied with mobile equipment are issued with guidance to ensure devices are secured properly. The hard drives of all laptops are encrypted and do not store departmental data physically on them. Strong authentication methods, in addition to username and password, are in place to prevent unauthorised access to the Department's network from mobile devices.

My Department also evaluates and reviews advanced information security products and technologies as they come to market and implements them where appropriate. The Depart-



ment's IT assets are audited by the IT unit on an annual basis. The IT unit is currently carrying out an asset audit. Audits are also carried out on an *ad hoc* basis by the Department's internal audit unit. My Department is also subject to annual audit inspections by the Comptroller and Auditor General.

**Deputy Enda Kenny:** I thank the Taoiseach for that reply. If I understood him correctly, he clarified that no laptops, as far as is known, have been stolen from his Department.

The Taoiseach will be aware that personal information on 380,000 people on the social welfare register went missing in April 2007. It took until August 2008 — 16 months — before the Minister for Social and Family Affairs was made aware of the extent of the loss. I understand that the data was only password protected instead of being encryption protected. Am I correct that sensitive data in the Taoiseach's Department are encryption protected and not only password protected?

The Taoiseach will be aware that personal data on 580,000 people has been lost in the past 18 months and that the reporting of that seems to be inadequate. As he is aware, there are procedures in place but there are no specific legal obligations on a body which loses personal data to notify a person that private information on him or her has been lost. Also, there is no legal obligation on a body to notify the Data Protection Commissioner of any such loss. Does the Taoiseach agree that it is only right and proper that if a person's information is lost, he or she should be notified and there should be a legal requirement in that regard? Does he also agree that if a body loses similar relevant information, it should be obliged to inform the Data Protection Commissioner? The Taoiseach is aware that the reports of the Data Protection Commissioner are only made public if the body being investigated agrees to their publication. The Irish Blood Transfusion Board agreed to publication, but the Bank of Ireland did not.

**An Ceann Comhairle:** The Taoiseach can only comment on his Department.

**Deputy Enda Kenny:** The question is in respect of his Department, but I have given examples from others.

**The Taoiseach:** With regard to the Department of Social and Family Affairs, I understand there is no evidence to suggest the information was used. The Minister provided a full and frank disclosure upon being notified of what had happened so the people concerned could take whatever precautions they wished to ensure their personal information would not be used by anybody in an unauthorised way. It is regrettable that theft happened, but I am sure whatever lessons are to be learned in terms of encryption arrangements will be learned.

On the issue of data protection legislation and the Data Protection Commission, perhaps a question directed to the Minister concerned would elicit the accurate information. One must balance the need to let people know of any infringement of their rights or privacy with the efficacy of being able to do so in terms of the number of people who may be affected. One may need to use other means to bring the matter to their attention so they can take whatever proactive steps they wish to ensure they are unaffected. This may provide the more practical means of assessing any damage or otherwise that arises as a result of these events happening.

**Deputy Caoimhghín Ó Caoláin:** In light of the recent series of laptop theft, will the Taoiseach indicate what steps are being taken within his Department and across all Departments to assess the security of personal data on citizens? Does the Taoiseach accept the theft of a laptop with the social welfare records of some 380,000 citizens and significant other material on their personal circumstances, including details of marriages, births etc., is very distressing? There is an undoubted confidence deficit in the public arena that must be addressed. Does the Taoiseach



[Deputy Caoimhghín Ó Caoláin.]

accept the call of the Data Protection Commissioner for all major holders of information on clients or citizens, be it in the public or private sector, to employ every care to ensure that information is not put at risk?

Does the Taoiseach accept that, in most instances, it appears the laptops stolen were not in an office environment at the time of the theft? They were stolen in transit between home and work or from public transport. The need for the removal of sensitive data transported in that manner must be examined. Will the Taoiseach assure us there is a review under way and that steps are being employed to ensure the security of information held on citizens by all Departments?

**An Ceann Comhairle:** The Taoiseach can only answer for his Department.

**The Taoiseach:** It is important that the person responsible for equipment lost or stolen notifies authorities as quickly as possible, and immediately if possible. The procedures in place to deal with equipment reported as lost or stolen in my Department is that, where a device is reported missing or stolen, the user account associated with that device is immediately disabled. BlackBerries are centrally disabled from the server, a procedure which also wipes the memory of the machine. The network provider is notified so that the SIM card can be disabled, which renders the device inaccessible to unauthorised users. The Department's asset register is updated and, in the case of theft, the user is asked to report the matter to the Garda. Where personal or sensitive data are compromised, the Data Protection Commissioner is also informed.

These procedures satisfy us that best practice is followed to ensure Departments' databases are safe from hackers, for example. Industry standard information security protection devices and software are used to protect all data within systems. These procedures, products and devices are regularly reviewed and, in the case of a breach of security, would have to be reviewed and updated to ensure they are capable of providing the best security appropriate to a Department's needs at all times.

In regard to whether any incidents have occurred whereby personal data held by the Department of the Taoiseach or its agencies were compromised in any way, no personal data held electronically by my Department has been compromised in any way.

Obviously, every Department has to be vigilant in this area and employ good people in the relevant units so that they have the most up-to-date means of ensuring data are not accessible by other than authorised users and, immediately upon notification of theft, the ability to disable that information and render it useless to anyone else. Wiping the information held on a server or whatever is also an important part of the process of protection.

**Deputy Eamon Gilmore:** With regard to the laptops which were already stolen and the information they contained, including the social welfare information which affected 380,000 people and the blood bank details of 170,000 people, is there any evidence to suggest this information has been accessed?

**An Ceann Comhairle:** We have a problem because the Taoiseach can only address questions for his own Department. Questions for the Department of Social and Family Affairs would have to be addressed to that Department's Minister.

**Deputy Eamon Gilmore:** The matter that has to be addressed is the public's concern about personal and sensitive information being accessed by somebody who should not have it. We now have a situation whereby certain medical tests in hospitals have been outsourced. There

are clearly concerns about where that information might end up and it would help to reassure people if information could be provided as to whether material contained on laptops which have already been stolen has been accessed in any way.

**An Ceann Comhairle:** The Taoiseach is not responsible for that.

**The Taoiseach:** The answer to that is not in my knowledge. I have not been notified of any adverse subsequent development beyond the fact that the events took place. The Ministers concerned have brought the events to public notice and have indicated what the people who may have been affected would need to do to reassure themselves that their information was not improperly accessed or used in a way that was adverse to their interests. I have not heard anything since then.

**Deputy Fergus O'Dowd:** I ask the Taoiseach to investigate Departments and agencies, including his own, which publish on their websites personal information pertaining to inquiries they conduct. I refer specifically to the Private Residential Tenancies Board when it holds hearings into disputes over tenancies or whether a tenant is causing serious social problems in an area. The law requires that such hearings are held in public but, if members of the press do not attend and if nobody is present other than those involved in the hearing, the PRTB puts the name, address and all the details of the complaints and the responses to them on its public website. This compromises the people concerned in respect of their neighbours, so this issue needs to be addressed. The Data Protection Commissioner is trying to resolve the issue by having the town in which Mr. X or Ms. Y lives posted rather than his or her personal details. This is an important issue because it leads to the continuation of serious social problems.

**An Ceann Comhairle:** The Taoiseach can only answer for his own Department.

**The Taoiseach:** This is a matter for the line Minister concerned. I can only observe that, unlike family law proceedings, these are not held *in camera*. There is not a requirement for privacy, so the question arises of how one can transparently communicate the outcome of these arrangements.

**Deputy Fergus O'Dowd:** That is fine, but the detail is the issue with which I am concerned.

**The Taoiseach:** The question of the level of personal information and the extent to which this infringes privacy issues is a matter that can be taken up by the competent authorities and resolved in a practical manner.

**An Ceann Comhairle:** There is very little time for the next question.

### **Regulatory Reform.**

9. **Deputy Enda Kenny** asked the Taoiseach if he will report on the implementation of the OECD report on regulatory reform; and if he will make a statement on the matter. [19680/08]

10. **Deputy Leo Varadkar** asked the Taoiseach the achievements to date of the better regulation project; if he will keep control of the project within his Department; and if he will make a statement on the matter. [20599/08]

11. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the practical or beneficial outcome for citizens from the OECD report on regulatory reform; and if he will make a statement on the matter. [20938/08]

12. **Deputy Eamon Gilmore** asked the Taoiseach the progress made to date with regard to implementation of the OECD report on regulatory reform; and if he will make a statement on the matter. [21764/08]

13. **Deputy Enda Kenny** asked the Taoiseach if he will report on the implementation of the recommendations of the OECD report on regulatory reform; and if he will make a statement on the matter. [29469/08]

**The Taoiseach:** I propose to take Questions Nos. 9 to 13, inclusive, together.

Since the publication of the OECD report, Regulatory Reform in Ireland in 2001, significant progress has been made in the area of regulatory reform. In 2004, the Government published the White Paper, *Regulating Better*, in response to the OECD's report. The White Paper provides the basis for work on the better regulation agenda. Some of the key areas outlined in the White Paper relate to specific sectoral issues on which the responsible Ministers report directly to the House.

The better regulation unit in my Department is tasked with the overall promotion of the better regulation agenda across the Government system. Clearly, individual Ministers and their Departments and Offices are responsible for implementing the various elements of this agenda within their own Departments and agencies under their aegis. There are no plans to alter these arrangements. In the context of the ongoing work of the better regulation unit, I would like to outline briefly for the House progress, in particular, in the three areas of regulatory impact analysis, modernisation of the Statute Book and reviewing the economic regulatory environment.

Following a Government decision in June 2005, regulatory impact analysis, RIA, must be applied to all proposals for primary legislation, significant statutory instruments, draft EU directives and significant EU regulations. RIA is a tool which is used to assess the likely effects of a proposed new regulation or regulatory change in a structured and transparent way. In line with the terms of *Towards 2016*, an independent review of the operation of RIA was published in July of this year and is available on the better regulation website. It indicates that, overall, good progress has been made in relation to the implementation of regulatory impact analysis across Departments, with some 74 produced in the period between June 2005 and February 2008. The report also finds that the supports which have been made available to officials conducting RIAs are well regarded. More than 800 officials have been trained in the use of RIA. This training has resulted in a significant increase in analytical skill sets across the Civil Service. These skills help to ensure that all impacts, including unintended ones, are assessed through the RIA process, resulting in better quality legislation. The Government has agreed to implement the recommendations made in the report.

The better regulation unit of my Department has, together with the Office of the Attorney General, steered and focused work in the area of modernisation of the Statute Book. This work is designed to increase the transparency and accessibility of the Statute Book for the citizen. The statute law revision project is helping to clear away thousands of redundant and obsolete Acts so we can see what needs to be repealed and re-enacted in modern, consolidated form. Almost 3,500 obsolete pre-1922 Acts have already been repealed by the Statute Law Revision Acts 2005 and 2007.

The current phase of the statute law revision project is focusing on local, personal and private Acts. The aim is to provide a complete list of pre-1922 primary legislation which remains in force. The heads of a new statute law revision Bill were approved by the Government on 29 April 2008.

In addition, the Law Reform Commission is undertaking a programme of statute law restatement which will make legislation more accessible by providing, in the case of selected Acts, a single, up-to-date text, including all amendments. The Acts to be restated as part of the programme were selected following an extensive consultation process and reflect Government priorities. This process of restatement will also facilitate future consolidation and modernisation of legislation.

The programme for Government includes a commitment to instigate a review of the economic regulatory environment which fits well with elements of the action programme for better regulation contained in the White Paper. An interdepartmental group chaired by my Department has been tasked with advancing work in this area, for which the Economist Intelligence Unit in a partnership with Compecon Limited is undertaking an independent review to compare key economic regulators with their counterparts in the EU and the OECD and thereby address the need for stronger international benchmarks in regard to the comparative efficiency, effectiveness and accountability of regulators. It is expected this review will be completed by the end of the year.

**An Ceann Comhairle:** There is only time for brief supplementary questions.

**Deputy Enda Kenny:** That is very exciting stuff from the Taoiseach. I have three brief questions. The Government is committed to a 25% reduction in red tape, which is a very large cost for business. An employer with eight employees recently told me that one of his staff must spend half a day each week filling Government forms. Is it planned to carry out a baseline assessment of the cost of red tape for Irish business that would apply across the board so people would know what the target is on a comparative level?

Second, an independent benchmarking report has been commissioned to address the need for stronger international data and benchmarks to assess the comparative efficiency and effectiveness of key Irish economic regulators. When is that expected to be published? Third, the report on regulatory impact analysis by an independent review was published recently. Some of the stakeholders involved in this were disappointed at the apparent lack of consultation about it. In any event, given the time put into it and its considerable cost of €108,000, when does the Taoiseach expect the review's recommendations to be implemented? Is there a programme through which that will take place and is there a target date for implementation of the recommendations?

**Deputy Leo Varadkar:** With regard to the 25% target for reducing the administrative cost of regulation by 2012, which was agreed by the Government in February last, more than six months ago, are there any figures available on how much of that 25% target has been achieved? When does the Taoiseach intend to give some interim update on how much the cost of regulation has been reduced since that target was announced?

**The Taoiseach:** The 25% target for the reduction of administrative burdens arising from national legislation by 2012 is under the aegis of the Tánaiste and Minister for Enterprise, Trade and Employment, who has overall responsibility for achieving that target. In this context the Department is leading a cross-departmental project to measure the administrative burdens arising from all national legislation. The approach and methodology to be used are currently being devised and work across Departments will be co-ordinated and reported on annually by the Tánaiste.

Parallel with that, the high level group on business regulation, which consists of business representatives and officials, has been examining ways of reducing unnecessary administrative burdens in five priority areas identified by Irish business as being the most burdensome. These

[The Taoiseach.]

are taxation, health and safety, environment law, statistical returns and employment and company law. That is in line with the commitment in the programme to ensure direct feedback from business on regulatory burdens. The first report of the high level group on business regulation was published in August. A number of individual administrative burdens were measured, identifying over €20 million of savings for business. Furthermore, the group is working to support co-operation between Departments and agencies across Government with a view to simplifying procedures and reducing duplication. That work will continue to result in the reduction of costs for business as well as identifying opportunities for meaningful efficiency improvements in the public sector.

The twin processes outlined above provide for a cross-Government target-driven process while at the same time allowing a forum for specific issues to be tabled and dealt with as they are identified by the business community. The regulatory impact analysis process will be used to measure the cost of any potential administrative burdens arising from future regulations.

**Deputy Caoimhghín Ó Caoláin:** The Government's website page on better regulation states that the State liberalised telecommunications and describes this as a wise move that has placed the communications market on a par with many OECD countries. Does the Taoiseach not accept that the facts belie this claim? The latest European Commission survey on communications shows that Ireland lags far behind other countries. A total of 49% of homes here have an Internet connection but we rely on narrow band technology or dial-up access. This is the only EU state where more households access the Internet by narrow band than by broadband technology. What is the Government doing about this? This is one of the most important areas that must be addressed, particularly now when there are ever-growing difficulties in the employment sector and a straitened economy. There is a need for real investment in opening up opportunities for the future and broadband is one of the areas that have been critically neglected. What steps does the Government propose to take? Will the Taoiseach assure the House that such critical investment will not be set aside as part of the Government's so-called addressing of the challenging fiscal circumstances that now confront us?

**Deputy Joan Burton:** With regard to the administrative burden faced by small businesses, many people who run small businesses spend their weekends at their dining room tables filling in the various survey forms that are sent out by Government offices. Not only is this a significant cost, but for many people who are new to the experience of running their own business it is an emotional and stressful burden. The Government has been talking about reducing this for some time and has spoken about putting as many as possible of the forms on-line and allowing them to be filled in on-line. The Taoiseach must be aware, from people in his constituency and the business people he knows, that our level of regulation is very old fashioned in that it still involves a great deal of form filling. We accept it is for the collection of statistical data, but small businesses are receiving a tsunami of paper. Does the Minister propose to lift that burden?

While the Taoiseach is lightening the burden of regulation for small business, what does he propose to do about the banks? During the debate on the Finance Act this year, the Taoiseach, who was then Minister for Finance, said he favoured regulation with a light hand. He spoke philosophically about it for some time. Now that regulation with a light hand has brought the international economy almost to its knees, particularly in the United States, does he intend to revisit his approach to regulation of large institutions such as banks? In particular, does he propose to examine how the Central Bank and the Financial Regulator have been able to respond to the current crisis brought about by delinquent capitalism in the United States banks and, indeed, in some European banks?



**An Ceann Comhairle:** The Taoiseach can only answer in so far as the questions are related to the main questions.

**The Taoiseach:** The questions relate to the OECD report on regulatory reform. In response to Deputy Ó Caoláin, there has been a large expansion in broadband usage and more competition in the sector. There has also been a big reduction in the cost of using broadband. The Minister, Deputy Eamon Ryan, in recent months produced a further paper setting out how he envisages the sector developing in the future, how we can meet the competitive challenge we have set ourselves in terms of trying to devise a knowledge economy and where broadband fits into that in the context of the information and communications technology sector. There has been a great deal of effort in that area. If the suggestion is that rather than having that type of environment we should have a State environment where it would be publicly provided, I doubt that we would have reached the current level of usage given the capital intensive nature of that type of investment. The market and competition in the market have helped to drive down costs and spread usage. Obviously, there is more to be done in that area.

With regard to Deputy Burton's question, we are working with our EU colleagues on improving regulation generally in the financial services area as a result of what has arisen. There are continuing challenges and these are being monitored and evaluated both nationally and at a European level as far as Ireland is concerned.

### **Requests to move Adjournment of Dáil under Standing Order 32.**

**An Ceann Comhairle:** Anois, iarratas chun tairiscint a dhéanamh an Dáil a chur ar athló faoi Bhuan-Ordú 32. We will now deal with requests to move the adjournment of the Dáil under Standing Order 32.

**Deputy Jan O'Sullivan:** I seek the adjournment of the Dáil under Standing Order 32 to discuss a matter of specific and important public interest requiring urgent attention, namely, the need for the Minister for Health and Children to request the Health Information and Quality Authority to carry out a full inquiry into the circumstances of the deaths of Ann Moriarty and Edel Kelly and allegations that there was a failure to diagnose breast cancer particularly in view of the fact that early diagnosis and treatment could have saved the lives of the two women concerned. Given the importance of this matter I hope the Ceann Comhairle will agree to my request.

**Deputy Olivia Mitchell:** I seek the adjournment of the Dáil under Standing Order 32 to discuss a matter of urgent importance, namely, the failure of the Minister for Education and Science to provide, as promised at two elections, the urgently required permanent Holy Trinity school in Leopardstown, mindful of the fact that more than €1 million has been already spent on prefabs, that the school has run out of space for further prefabs without encroaching on the building site, and that the school has been deprived of priority Band 1 status despite its entitlement to same as a rapidly expanding area resulting in the unforgivable situation whereby the school is unable to cater for the thousands of children baptised in this area in recent years and now awaiting school places.

**Deputy Pat Breen:** I seek the adjournment of the Dáil under Standing Order 32 to discuss a matter of extreme importance, namely, the recent reports of cancer misdiagnosis at Ennis General Hospital and the need for the Minister for Health and Children to immediately order the Health Information and Quality Authority to undertake a full independent investigation in this regard in the interests of the bereaved families and of restoring public confidence to the hospital in Ennis.



**Deputy James Reilly:** I seek the adjournment of the Dáil under Standing Order 32 to discuss a matter of urgent and national importance, namely, recent misdiagnoses of breast cancer at Ennis General Hospital and testing at St. James's Hospital and Limerick Regional Hospital. I call on the Minister for Health and Children to immediately establish an independent inquiry to ensure public confidence in our medical services is restored and to bring transparency and accountability to this issue so we can learn from the mistakes made and put in place systems to avoid further recurrence of these tragedies.

**Deputy Arthur Morgan:** I seek the adjournment of the Dáil under Standing Order 32 to discuss the following matter of urgent national importance, namely, the imminent savage cut-backs in health services in the north-east region adding to the chaos already created by the stripping away of services by successive Fianna Fáil-led Governments and the need for a proper health service capable of meeting the needs of those requiring health care.

**Deputy Terence Flanagan:** I seek the adjournment of the Dáil under Standing Order 32 to discuss the following matter of local and national importance, namely, the need for the Minister for Education and Science to include urgently Springdale national school, Raheny in his Department's schools building programme. The Department of Education and Science sanctioned a rebuild of the school in March 2001, some seven years ago. Despite many promises by various Fianna Fáil Ministers and the project having been assessed as a priority no school has been built. The walls are damp, the roof is leaking and there are major health and safety risks with mouse-traps having to be set every evening. I urgently request that the Minister for Education and Science, Deputy Batt O'Keeffe, intervene and ensure Springdale national school is rebuilt immediately.

**Deputy Michael D. Higgins:** I seek the adjournment of the Dáil under Standing Order 32 to discuss the following specific and important matter of public interest requiring urgent attention, namely, the need for the Minister for the Environment, Heritage and Local Government to meet with Galway City Council to address issues that have arisen in regard to the safety of the water supply system in certain areas of Galway city and in particular the needs of elderly residents of the 5,000 houses affected. I hope given the urgency of the issue that the Ceann Comhairle will agree to this request.

**Deputy Caoimhghín Ó Caoláin:** I seek the adjournment of the Dáil under Standing Order 32 to discuss the following matter of national importance, namely, the escalating crisis in our public health and personal social services with continuing cutbacks adversely affecting patient care across the State including the disgraceful cutting of home help hours for older people, the removal of services from local hospitals, the undermining of public confidence in cancer services, the unpreparedness and inadequacy of the general medical services scheme to cope with the growing number of unemployed people and their families now entitled to the medical card and the gross inequality in the health care system because of Government policy which results in people on lower incomes suffering a far higher rate of chronic illnesses than the rest of the population as highlighted by the report of the Institute of Public Health published in August 2008.

**Deputy Tom Hayes:** I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of urgent and national importance, namely, the need for the Minister for Agriculture, Fisheries and Food to extend the date of 31 December in respect of the control of farm waste scheme. The projects have been already approved for funding, the money is desperately needed in this sector and farmers were unable to commence building owing to the horrendous weather this summer. It is imperative that the Minister allows many projects at farm level to be com-

pleted. The control of farm waste scheme is vital for the industry which is currently struggling following a difficult year made worse by the terrible weather. The current deadline is damaging both to the agricultural building sector and agricultural sector. It will be dreadful if funding applied for, approved and desperately needed is not sanctioned. This will have a major impact on our rural environment. I ask that the Minister, as a matter of urgency, extend the deadline as soon as possible so people can get on with work under this essential scheme.

**Deputy Aengus Ó Snodaigh:** I seek the adjournment of the Dáil under Standing Order 32 to discuss the following matter of public interest requiring urgent consideration, namely, the need to debate Government proposals to merge five equality and human rights agencies, the effect of which would be to diminish the ability of these agencies to do the jobs they have been doing so well, to silence important independent watchdogs and to breach this State's commitment under the British-Irish Agreement and the need for the Government to clearly detail how any significant cost savings would be achieved in this regard given the agencies in question receive only a restrictive total budget of €18 million or less than 4% of the Department's budget.

**Deputy Fergus O'Dowd:** I seek the adjournment of the Dáil under Standing Order 32 to raise the following issue of urgent and national importance, namely, the need to discuss the recent report from Egis consultants which raised serious concerns about safety systems in Dublin Port tunnel.

**Deputy James Reilly:** Hear, hear.

**Deputy Richard Bruton:** I seek the adjournment of the Dáil under Standing Order 32 to discuss the following matter of urgent national importance, namely, the huge acceleration in job losses, the collapse in public finances, the crisis in the financial system with massive write-down in the value of pension funds, the lack of any strategy from Government to tackle the huge economic challenges and the lack of any pre-budget economic statement from the Government to inform the Dáil of the challenges and choices.

**Deputy Bernard J. Durkan:** Hear, hear.

**An Ceann Comhairle:** Tar éis breithniú 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.

**Deputy Pádraic McCormack:** What about getting the lead out?

### **Order of Business.**

**The Taoiseach:** It is proposed to take No. 10, motion re referral to select committee of proposed approval by Dáil Éireann of the Double Taxation Relief Orders 2008, Socialist Republic of Vietnam and Republic of Macedonia and Exchange of Information relating to tax matters, Isle of Man; and No. 3, Electoral Amendment Bill 2008 — Order for Second Stage and Second Stage. It is proposed, notwithstanding anything in Standing Orders, that No. 10 shall be decided without debate, Private Members' Business shall be No. 43, motion regarding the Irish economy, which shall take place tomorrow after the Order of Business and which shall be brought to a conclusion after 90 minutes.

**An Ceann Comhairle:** There are two proposals before the House. Is the proposal for dealing with No. 10 agreed?

**Deputy Enda Kenny:** It is not agreed. The Ceann Comhairle's decision not to adjourn the House under Standing Order 32 to discuss the financial crisis affecting many of our people is a strange one. I am constrained by the rules of the House in this regard.

In not agreeing to the proposal regarding No. 10, I am putting forward the view that as this is the first Dáil sitting day following the summer recess and given circumstances have changed utterly in this country in the past three months, the Government should have provided for a full scale debate in this regard during the next two days in order to inform Members on all sides of what is happening around the country in respect of the proposed 3% cutbacks prior to the budget. The Taoiseach and quite a number of Ministers have been publicly seeking a bipartisan approach from this party in areas such as health. Here is an opportunity for the Government to state that this is an important matter, that it will not shy away from it, and that it will be debated in the House in the interest of the people. This is what people are talking about, because it affects every one of them in their daily lives. Jobs are being lost or transferred to other countries. The cost of living is increasing. There is no protection for jobs and no training for the 50,000 workers in the construction industry who will be out of work by the end of the year. There has been no initiative from the Government to deal with this. The public finances have deteriorated so that we will have gone from a budgetary surplus to a deficit of €5 billion by the end of the year. It is probably the worst financial crisis that has developed in this country over such a short time. Yet the Government wants to talk about boundary extensions and changes to constituencies, although there is no election coming up that I know of.

**Deputy Tom Hayes:** One never knows. It is getting shaky.

**Deputy Enda Kenny:** Perhaps one never knows.

**Deputy Tom Hayes:** We know it is coming.

**Deputy Enda Kenny:** The Government may decide to move the writ for the by-election for the late lamented Séamus Brennan.

I suggest to the Taoiseach that we get down to reality. This is not posturing. There is a serious issue facing every single citizen of this country. The Taoiseach is the Leader of the Government. He should be willing to instruct the Whip to change the Order of Business to allow a two-day debate on the economy. We will facilitate the Government where we feel it is appropriate. The Government is seeking a bipartisan approach. Here is its opportunity. I call on the Taoiseach to suspend the business of the House and forget the Second Stage of the Electoral Amendment Bill for today and tomorrow. Let us have a discussion about the economy. Let us hear Deputies from all sides—

**Deputies:** Hear, hear.

**Deputy Enda Kenny:** —paint pictures of the stories that are streaming into their offices and clinics on a daily basis, all because the Government has failed to show any kind of competency in saving public money and implementing initiatives that would protect our economy for the future. The Government is not responsible for Lehman Brothers or Merrill Lynch, but it is responsible for wasting hundreds of millions of euro over the last number of years. It continues to preside over this but its members do not want to speak about it in the House. My suggestion to the Taoiseach is that he back up his own words and accept a bipartisan approach. Let us have a debate over the next two days on the economic problems facing the country. We will happy to return to normal pairing arrangements if that applies.

**Deputies:** Hear, hear.

**Deputy Eamon Gilmore:** It is the Government's responsibility to propose the legislative programme for the House. In my time here I have never seen such a pathetic legislative programme as we have for this week's business. What we have before us for these two days shows us that this Government is now so long in office that it has lost touch with reality and with the people that sent us here. The Cabinet is suffering from a bad dose of burn-out. The Taoiseach cannot be seriously suggesting that we come in here and talk about Dáil constituency boundaries——

**Deputy Enda Kenny:** After 12 weeks.

**Deputy Eamon Gilmore:** ——which might have to be changed anyway based on the next census, at a time when the people of the country have many other concerns. The head of the HSE told us yesterday there might be further cases of cancer misdiagnosis. People are losing their jobs. There are people whose homes and businesses were flooded during the month of August in bizarre weather. There is no end to the things the House could and should be debating.

If it is the Government's view that the House should talk about legislation, where is the nursing homes legislation? There are families out there who are driven demented by the fact that they cannot get subventions and they do not know how they will pay the nursing home bills, yet no nursing home legislation is ordered. People living in apartments are waiting for legislation, promised by the Taoiseach some time ago, to regulate the management companies that govern them. The Civil Partnership Bill was promised but has not appeared. There is the employment regulation legislation that we have asked for so many times. More than a year after the formation of the Government, it is surely not too soon to expect legislation on carbon emissions to be brought before the House for debate. There is no end of legislative initiatives that the House could be debating. The programme for this week is the product of a Government that is burnt out and that has become lazy and incompetent. It has nothing to offer the House and nothing to offer the people of this country.

**Deputies:** Hear, hear.

**Deputy Caoimhghín Ó Caoláin:** The Sinn Féin Deputies cannot accept the Order of Business as presented. As a schedule it represents a total lack of realism on the part of the Government. It is not a case of returning here for business as usual, in the way things finished up in the earlier period of the year, at which time the Government was clearly bankrupt in terms of legislative proposals. Yet here we are starting off again. What is the Government offering Members to address on the first day of the second year of the 30th Dáil? It is an absolute disgrace.

It is not business as usual. There is nothing usual about the circumstances in which we find ourselves. The country has been plunged into a sharp economic decline. Tens of thousands of people are being placed on the dole queue. Health cuts are continuing to hurt right across the board, despite all the assurances given by the Minister for Health and Children and Professor Drumm of the HSE. On the ground, these cuts are biting and they are hurting gravely. We need an opportunity to articulate these problems and to bring them to Government notice in this Chamber. That opportunity must be presented by Government.

We must make no mistake about the programme for Government. It was put together by a Taoiseach who is no longer Taoiseach and a party that has almost hung up its cap and coat. There is no programme for Government. What the Government has cobbled together, presumably over the period since last we sat in this Chamber, is a programme for cuts. Its members must come clean before this Chamber. They must outline the reality that they know from

[Deputy Caoimhghín Ó Caoláin.]

within their Departments and their proposals to address the realities facing our citizenry today. As Opposition voices, we need the opportunity to hear clearly the Government's intentions, to analyse them, give our views, offer what further guidance and opinion we can to try to improve on the Government's proposals and to point out where they are clearly going to fail. That is our role and responsibility, yet the Government is asking us to proceed on matters such as electoral boundaries. For God's sake, that is not what the people out there want us to address today. They want us to address the matters that are most affecting their daily lives, that is, the current recession — we should call it what it is and not be afraid to use the R-word — the further contraction of job opportunities in the State, the ongoing cuts that are hurting people in the health services and the failure of Government to provide for the needs of our children through the education system. These are the issues we should address. It is an absolute disgrace that this is the best the Government can present, through the office of the Chief Whip, as a proposal for the work of this House today and tomorrow. It is absolutely not good enough.

**Deputies:** Hear, hear.

**The Taoiseach:** We will be having a debate, at the prerogative of the Opposition, on the economy. We will have questions to the Tánaiste and Minister for Enterprise, Trade and Employment, and this legislative proposal will be brought forward for Second Stage today and tomorrow. With regard to the charge that the Government is not prepared to do anything about the economy, we have brought the date of the budget forward to 14 October, which means that in three weeks' time we can have a full, balanced and comprehensive debate which will go on for some time thereafter.

**Deputy Paul Kehoe:** It will be guillotined.

**The Taoiseach:** The important job of Government is to focus on the need to address this issue now and in the next couple of weeks.

**Deputy Paul Kehoe:** Let us have the debate now — today and tomorrow.

**The Taoiseach:** The Opposition will put it to the test when it comes forward.

**Deputy Alan Shatter:** Let us address it in this House.

**An Ceann Comhairle:** I must put the question.

**Deputy Alan Shatter:** On a point of order——

**An Ceann Comhairle:** The question is that the proposal for dealing with No. 10, motion re referral to select committee of proposed approval by Dáil Éireann of the Double Taxation Relief — my apologies, that is the wrong question.

**Deputy Alan Shatter:** On a point of order——

**An Ceann Comhairle:** Deputy Shatter is on the wrong track. Nobody can make a contribution other than one spokesperson from each party.

**Deputy Alan Shatter:** Very well.

**An Ceann Comhairle:** I will put the question again.

Question put: "That the proposal for dealing with No. 10 be agreed to."

## The Dáil divided: Tá, 78; Níl, 68.

## Tá

Ahern, Dermot.  
 Ahern, Michael.  
 Ahern, Noel.  
 Andrews, Chris.  
 Ardagh, Seán.  
 Aylward, Bobby.  
 Behan, Joe.  
 Blaney, Niall.  
 Brady, Áine.  
 Brady, Cyprian.  
 Brady, Johnny.  
 Browne, John.  
 Byrne, Thomas.  
 Calleary, Dara.  
 Carey, Pat.  
 Collins, Niall.  
 Conlon, Margaret.  
 Connick, Seán.  
 Coughlan, Mary.  
 Cowen, Brian.  
 Cuffe, Ciarán.  
 Curran, John.  
 Dempsey, Noel.  
 Devins, Jimmy.  
 Dooley, Timmy.  
 Fahey, Frank.  
 Finneran, Michael.  
 Fitzpatrick, Michael.  
 Fleming, Seán.  
 Flynn, Beverley.  
 Gallagher, Pat The Cope.  
 Gogarty, Paul.  
 Gormley, John.  
 Grealish, Noel.  
 Harney, Mary.  
 Haughey, Seán.  
 Healy-Rae, Jackie.  
 Hoctor, Máire.  
 Kelleher, Billy.

Kelly, Peter.  
 Kenneally, Brendan.  
 Kennedy, Michael.  
 Killeen, Tony.  
 Kirk, Seamus.  
 Kitt, Michael P.  
 Kitt, Tom.  
 Lenihan, Brian.  
 Lowry, Michael.  
 Mansergh, Martin.  
 McDaid, James.  
 McEllistrim, Thomas.  
 McGrath, Finian.  
 McGrath, Mattie.  
 McGrath, Michael.  
 McGuinness, John.  
 Moloney, John.  
 Mulcahy, Michael.  
 Nolan, M. J.  
 Ó Cuív, Éamon.  
 Ó Fearghail, Seán.  
 O'Brien, Darragh.  
 O'Connor, Charlie.  
 O'Dea, Willie.  
 O'Flynn, Noel.  
 O'Hanlon, Rory.  
 O'Keefe, Batt.  
 O'Keefe, Edward.  
 O'Rourke, Mary.  
 O'Sullivan, Christy.  
 Power, Seán.  
 Roche, Dick.  
 Ryan, Eamon.  
 Sargent, Trevor.  
 Scanlon, Eamon.  
 Smith, Brendan.  
 Treacy, Noel.  
 Wallace, Mary.  
 White, Mary Alexandra.

## Níl

Allen, Bernard.  
 Barrett, Seán.  
 Breen, Pat.  
 Bruton, Richard.  
 Burke, Ulick.  
 Burton, Joan.  
 Byrne, Catherine.  
 Clune, Deirdre.  
 Connaughton, Paul.  
 Costello, Joe.  
 Coveney, Simon.  
 Crawford, Seymour.  
 Creed, Michael.  
 Creighton, Lucinda.  
 D'Arcy, Michael.  
 Deasy, John.  
 Deenihan, Jimmy.  
 Doyle, Andrew.  
 Durkan, Bernard J.  
 English, Damien.  
 Enright, Olwyn.

Feighan, Frank.  
 Flanagan, Charles.  
 Flanagan, Terence.  
 Gilmore, Eamon.  
 Hayes, Brian.  
 Hayes, Tom.  
 Higgins, Michael D.  
 Hogan, Phil.  
 Howlin, Brendan.  
 Kehoe, Paul.  
 Kenny, Enda.  
 Lynch, Ciarán.  
 Lynch, Kathleen.  
 McCormack, Pádraic.  
 McEntee, Shane.  
 McGinley, Dinny.  
 McHugh, Joe.  
 McManus, Liz.  
 Mitchell, Olivia.  
 Morgan, Arthur.  
 Naughten, Denis.



Níl—*continued*

Neville, Dan.	Rabbitte, Pat.
Noonan, Michael.	Reilly, James.
Ó Caoláin, Caoimhghín.	Ring, Michael.
Ó Snodaigh, Aengus.	Shatter, Alan.
O'Donnell, Kieran.	Sheahan, Tom.
O'Dowd, Fergus.	Sherlock, Seán.
O'Keeffe, Jim.	Shortall, Róisín.
O'Mahony, John.	Stagg, Emmet.
O'Shea, Brian.	Stanton, David.
O'Sullivan, Jan.	Timmins, Billy.
Penrose, Willie.	Tuffy, Joanna.
Perry, John.	Varadkar, Leo.
Quinn, Ruairí.	Wall, Jack.

Tellers: Tá, Deputies Pat Carey and John Curran; Níl, Deputies Paul Kehoe and Emmet Stagg.

Question declared carried.

**An Ceann Comhairle:** Is the proposal for dealing with Private Members' business agreed?

**Deputy Enda Kenny:** I made my protest and the Taoiseach has declined to have a debate on the economy. In the case of No. 2, Private Members' business, I propose that it be extended by a further three hours to allow for a proper debate on the economy.

**Deputies:** Hear, hear.

**Deputy Eamon Gilmore:** I support that proposal. As I said earlier, there is something unreal about the fact that the Dáil will spend two days debating constituency boundaries, changes to which may never be made, in circumstances where the public is discussing the state of the economy, the health service and the day to day problems being experienced. If this House is to have any relevance, we need to discuss issues that are relevant to people's lives and to what is happening in the real world. If the Government is not in a position to bring forward legislative proposals that have meaning outside the walls of this building, it should make Government time available to the Opposition so that we can discuss the issues that affect the people.

*12 o'clock*

**Deputies:** Hear, hear.

**Caoimhghín Ó Caoláin:** I wish to speak not only in relation to not providing legislation but not providing the opportunity to properly discuss the real issues that are important to people today. That is a major failure on the part of Government this morning. Clearly if Government is not prepared to do that, then the Opposition must. I fully support Deputy Kenny's proposal and I appeal to the Taoiseach that whatever his initial reaction to the proposition, he should give it serious consideration because Deputies in this House, of all opinion, have the right to articulate the difficulties they know first hand are affecting their constituents across the length and breadth of this State today and these need to be aired on the floor of this Chamber.

**An Ceann Comhairle:** The difficulty, of course, is that the Standing Order provides that Private Members' business shall be three hours overall. That is a Standing Order of the House and it cannot be amended across the floor of the House in a manner such as this. In those circumstances, I am not in a position to allow—

**Deputy Charles Flanagan:** Suspend it by agreement.

**Deputy Paul Kehoe:** On a point of order, the importance of Private Members' business, with the agreement of both sides of the House——

**An Ceann Comhairle:** I am sorry Deputy Kehoe, I am calling the Taoiseach because only one speaker from each party is allowed to speak on matters such as this, and it is not a point of order.

**Deputy Paul Kehoe:** It is a point of order

**An Ceann Comhairle:** It is not a point of order.

**Deputy Paul Kehoe:** If the Government agrees, we can extend the time for Private Members' business, even though it is not provided for in Standing Orders. This is a very important motion and, given that a two-day debate has been disallowed, there is an opportunity to extend Private Members' business to allow for this very important debate.

**An Ceann Comhairle:** That is not a point of order.

**The Taoiseach:** As I said, I am ready to engage with the Opposition in regard to its Private Members' motion. Given that it has tabled the motion — we have tabled a counter motion, as has the Labour Party — we would like to debate it within the time allocated. Obviously, the Government is getting on with the business of preparing for the budget and Ministers are involved in bilateral meetings this week also.

**Deputy Alan Shatter:** Were it not for the Opposition there would be no debate on the economy. It is bizarre.

Question put: "That the proposal for dealing with Private Members' business be agreed to."

The Dáil divided: Tá, 78; Níl, 68.

Tá

Ahern, Dermot.  
 Ahern, Michael.  
 Ahern, Noel.  
 Andrews, Chris.  
 Ardagh, Seán.  
 Aylward, Bobby.  
 Behan, Joe.  
 Blaney, Niall.  
 Brady, Áine.  
 Brady, Cyprian.  
 Brady, Johnny.  
 Browne, John.  
 Byrne, Thomas.  
 Calleary, Dara.  
 Carey, Pat.  
 Collins, Niall.  
 Conlon, Margaret.  
 Connick, Seán.  
 Coughlan, Mary.  
 Cowen, Brian.  
 Cuffe, Ciarán.  
 Curran, John.  
 Dempsey, Noel.  
 Devins, Jimmy.  
 Dooley, Timmy.  
 Fahey, Frank.  
 Finneran, Michael.  
 Fitzpatrick, Michael.

Fleming, Seán.  
 Flynn, Beverley.  
 Gallagher, Pat The Cope.  
 Gogarty, Paul.  
 Gormley, John.  
 Grealish, Noel.  
 Harney, Mary.  
 Haughey, Seán.  
 Healy-Rae, Jackie.  
 Hootor, Máire.  
 Kelleher, Billy.  
 Kelly, Peter.  
 Kenneally, Brendan.  
 Kennedy, Michael.  
 Killeen, Tony.  
 Kirk, Seamus.  
 Kitt, Michael P.  
 Kitt, Tom.  
 Lenihan, Brian.  
 Lowry, Michael.  
 Mansergh, Martin.  
 McDaid, James.  
 McEllistrim, Thomas.  
 McGrath, Finian.  
 McGrath, Mattie.  
 McGrath, Michael.  
 McGuinness, John.  
 Moloney, John.

Tá—*continued*

Mulcahy, Michael.  
 Nolan, M. J.  
 Ó Cuív, Éamon.  
 Ó Fearghaíl, Seán.  
 O'Brien, Darragh.  
 O'Connor, Charlie.  
 O'Dea, Willie.  
 O'Flynn, Noel.  
 O'Hanlon, Rory.  
 O'Keefe, Batt.  
 O'Keefe, Edward.

O'Rourke, Mary.  
 O'Sullivan, Christy.  
 Power, Seán.  
 Roche, Dick.  
 Ryan, Eamon.  
 Sargent, Trevor.  
 Scanlon, Eamon.  
 Smith, Brendan.  
 Treacy, Noel.  
 Wallace, Mary.  
 White, Mary Alexandra.

## Níl

Allen, Bernard.  
 Barrett, Seán.  
 Breen, Pat.  
 Bruton, Richard.  
 Burke, Ulick.  
 Burton, Joan.  
 Byrne, Catherine.  
 Clune, Deirdre.  
 Connaughton, Paul.  
 Costello, Joe.  
 Coveney, Simon.  
 Crawford, Seymour.  
 Creed, Michael.  
 Creighton, Lucinda.  
 D'Arcy, Michael.  
 Deasy, John.  
 Deenihan, Jimmy.  
 Doyle, Andrew.  
 Durkan, Bernard J.  
 English, Damien.  
 Enright, Olwyn.  
 Feighan, Frank.  
 Flanagan, Charles.  
 Flanagan, Terence.  
 Gilmore, Eamon.  
 Hayes, Brian.  
 Hayes, Tom.  
 Higgins, Michael D.  
 Hogan, Phil.  
 Howlin, Brendan.  
 Kehoe, Paul.  
 Kenny, Enda.  
 Lynch, Ciarán.  
 Lynch, Kathleen.

McCormack, Pádraic.  
 McEntee, Shane.  
 McGinley, Dinny.  
 McHugh, Joe.  
 McManus, Liz.  
 Mitchell, Olivia.  
 Morgan, Arthur.  
 Naughten, Denis.  
 Neville, Dan.  
 Noonan, Michael.  
 Ó Caoláin, Caoimhghín.  
 Ó Snodaigh, Aengus.  
 O'Donnell, Kieran.  
 O'Dowd, Fergus.  
 O'Keefe, Jim.  
 O'Mahony, John.  
 O'Shea, Brian.  
 O'Sullivan, Jan.  
 Penrose, Willie.  
 Perry, John.  
 Quinn, Ruairí.  
 Rabbitte, Pat.  
 Reilly, James.  
 Ring, Michael.  
 Shatter, Alan.  
 Sheahan, Tom.  
 Sherlock, Seán.  
 Shortall, Róisín.  
 Stagg, Emmet.  
 Stanton, David.  
 Timmins, Billy.  
 Tuffy, Joanna.  
 Varadkar, Leo.  
 Wall, Jack.

Tellers: Tá, Deputies Pat Carey and John Curran; Níl, Deputies Paul Kehoe and Emmet Stagg.

Question declared carried.

**Deputy Enda Kenny:** When can we expect to see the legislation dealing with repayments to persons in long-stay institutions?

**The Taoiseach:** That was the subject of intensive work between the Attorney General's office and the Department of Health and Children over the summer period. It is not yet finalised but is almost so and it is intended to bring it to the Houses during this session.

**An Ceann Comhairle:** We must have silence during the Order of Business when Members are on their feet.

**Deputy Enda Kenny:** Arising from the Taoiseach's reply, can I take it that whether the nature of the problem was constitutional or otherwise, it has now been sorted out by the Attorney General? Can I assume also that there will be no further delay in having the details of this Bill put together so that it can be published, brought into the House and debated? Will the Taoiseach put a timescale on the matter? Can we have the Bill in three or four weeks?

**The Taoiseach:** We had this question before. Progress was made over the course of the summer regarding issues that in certain respects were delaying the drafting of the Bill. It is being finalised at present and is expected to come before the House during this session. That is my information.

**Deputy Enda Kenny:** I suppose it will be after the budget.

**Deputy Eamon Gilmore:** I wish to raise two matters. First, I understand there will be some changes in employment legislation arising from the conclusion of an agreement between the Government and the social partners. Which pieces of legislation in the Government programme will incorporate the changes in employment legislation agreed with the social partners? Will separate legislation be introduced?

Second, I noted reports during the summer that the Combat Poverty Agency is to be withdrawn back to the Department of Social and Family Affairs. Is it intended to introduce legislation to amend the Combat Poverty Agency Bill of 1986 in order to allow this to happen?

**The Taoiseach:** There will be separate legislation for some of the new aspects that were agreed in partnership. With regard to the Combat Poverty agency issue, obviously there are no plans to do anything at the moment. The matter is under review.

**Deputy Bernard Allen:** I know that the Comptroller and Auditor General holds office independently of Government. In the past two months the Minister for Education and Science, Deputy Batt O'Keeffe, and the Tánaiste, Deputy Coughlan, have called on the Comptroller and Auditor General to carry out investigations into universities and into FÁS.

Does the Taoiseach propose to bring forward a motion asking this House to direct the Comptroller and Auditor General to carry out these investigations or were these statements to serve merely as crutches because the Ministers did not act within their own Departments on these issues? The Taoiseach could introduce a motion to this end if the Government is serious about the matter.

**The Taoiseach:** I understand that such a motion is not necessary. The Comptroller and Auditor General has the relevant constitutional responsibility and discharges it very well. Indeed his reports are often referred to and lauded in this House in terms of the issues they raise and the forensic examination they undertake in various aspects of public expenditure. The use of the existing mechanisms one expects to find in the Comptroller and Auditor General's office for such a purpose should instil public confidence. I do not see why one should question that vehicle.

**Deputy Bernard Allen:** I believe that the only legal way is to involve the Dáil——

**An Ceann Comhairle:** Deputy Allen has made his point.

**Deputy Róisín Shortall:** Further to the Taoiseach's comments regarding the Combat Poverty Agency and the fact that there are now no proposals to amend the Combat Poverty Agency Act, will he take this opportunity to assure the House that he will maintain the independence of that agency? It is obviously critically important to the work it does.

**An Ceann Comhairle:** We cannot go into the details of any legislation.

**Deputy Ciarán Lynch:** I see under the Order of Business that the Housing (Miscellaneous Provisions) Bill is to come before the House. In section 36 of the Bill the incremental tenant purchase scheme is mentioned. In particular, it is stated that residents of flats and apartments will be prohibited from availing of this scheme. Does this mean also that the long-standing issue of the sale of council flats under the tenant purchase scheme legislative framework is not going to happen? This issue has been before the House and the Minister in whose brief it lies has indicated that the Bill would resolve this matter. However, having read the Bill this morning, it appears this issue will not be dealt with. Can the Taoiseach say whether this option has been ruled out entirely? People outside this House have been waiting for this Bill and felt it would resolve the issue but it now appears that this will not happen.

**The Taoiseach:** I understand that the issue is still under consideration and whether an amendment may be required on Committee Stage to see whether it can be encompassed.

**Deputy Ciarán Lynch:** So it is not in the Bill.

**The Taoiseach:** It is not included in the Bill at present.

**Deputy Kathleen Lynch:** This is a new Bill and the Taoiseach is already talking about amendments. How ridiculous can one get?

**Deputy Bernard Allen:** This has been going on for five years.

**Deputy Joanna Tuffy:** I want to ask the Taoiseach about the Property Services Regulatory Bill. It is listed to be published before the beginning of the next session, which could be up to February 2009. Is there a timescale for this Bill? As of next month the Government will have spent €600,000 on keeping open the offices of the National Property Services Regulatory Authority but the authority has no legal powers. It is doing its best but it cannot do the job it was created to do in terms of, for example, dealing with the problems of young apartment owners who are being sued for exorbitant management fees for poor services.

**The Taoiseach:** The publication of that Bill is subject to the resolution of certain legal issues that arose during the completion of the drafting process. Every effort is being made to have it published as soon as possible.

**Deputy Emmet Stagg:** We have heard that answer for the past four years.

**Deputy Ruairí Quinn:** Just over three weeks a cohort of junior infants started school in north County Dublin. The patron of the school has no legal entitlement to act in that capacity, thus unnecessarily exposing the parents, teachers and children to risk. On the Order Paper there is a requirement, under the Department of Education and Science, to bring forward the education (patronage) Bill. I read with some concern that publication of that Bill is expected in 2009. It is a one line amendment Bill. I can give the Taoiseach a copy of one this afternoon, if he so wishes and is so bereft of legislation. It is extraordinary that the Bill is expected in 2009 when it was understood for over a year that the north Dublin County Council VEC would be the patron for the school. Can we bring forward this legislation?

**The Taoiseach:** The latest information I have is that the heads of the Bill are expected later this year. I will raise with the Minister for Education and Science the matter of whether this issue is as simple as the Deputy indicated.

**Deputy Joan Burton:** I am disappointed that we could not discuss the tax affairs of the Isle of Man and the island of Ireland on the floor of the House. I think the Taoiseach's party would have much to tell us about our tax affairs with the Isle of Man.

**An Ceann Comhairle:** We must discuss matters relevant to the Order of Business.

**Deputy Ruairí Quinn:** The additional revenue could be very welcome.

**Deputy Joan Burton:** Absolutely. A lot of money could be raised if we discussed affairs in the Isle of Man and how they could affect our tax revenues.

The Government has indicated that it will not publish a pre-budget outlook or Estimates regarding what it proposes on services. Everything is to be announced on budget day. This goes back to the stroke pulled by the former Minister for Finance, Mr. Charlie McCreevy, regarding decentralisation, which was announced on the floor of the House. Last year, the Taoiseach said that the development of pre-budget—

**An Ceann Comhairle:** This is not in order. There is another way to raise this matter.

**Deputy Joan Burton:** I am referring to the budget.

**An Ceann Comhairle:** The Order of Business is not about the budget.

**Deputy Joan Burton:** Last year, the Government committed to the development and publication of a pre-budget outlook. We have now been told that the Government is to abandon this to do what Charlie McCreevy did with decentralisation — announce it all in the House.

**An Ceann Comhairle:** I cannot allow this to be raised on the Order of Business, unless the Taoiseach has something to say about publishing a pre-budget outlook.

**Deputy Joan Burton:** The Taoiseach announced the publication of a pre-budget outlook as a great improvement in transparency in public services. Can he tell us what he proposes to do?

**An Ceann Comhairle:** The Deputy is not in order. I call Deputy Jan O'Sullivan.

**Deputy Joan Burton:** My question is perfectly legitimate as the Opposition will have no information in this House on what the Government proposes in the budget.

**An Ceann Comhairle:** If the Taoiseach wishes to be helpful on this matter that is fine, but he need not because this is not in order.

**Deputy Joan Burton:** The pre-budget outlook—

**An Ceann Comhairle:** Deputy Burton, please. I do not want to have to ask you to leave the House.

**Deputy Joan Burton:** —is part of the promised framework of the budget.

**Deputy Ruairí Quinn:** The Taoiseach wants to be helpful.

**An Ceann Comhairle:** If the Taoiseach wishes to be helpful on the pre-budget outlook that is a matter for him—

**The Taoiseach:** I was going to respond.

**An Ceann Comhairle:** —but it is out of order.



**The Taoiseach:** The fact that we are bringing forward the budget by six or seven weeks this year means arrangements must be adapted to the circumstances in which we find ourselves. We need to bring forward the budget quickly and provide clarity and certainty regarding the direction of the economy, in light of the situation in which we find ourselves. For this reason, pre-eminence must be given to holding the budget on 14 October. The question of the end of third quarter returns and so on will be provided in due course. It is important to point out that this process allows us to bring forward the budget on 14 October. This is the overriding requirement, quite apart from arrangements that may have prevailed in the past and would have applied to a December budget.

**An Ceann Comhairle:** I call Deputy O'Sullivan, who hopefully will get us back on track.

**Deputy Jan O'Sullivan:** My party leader said the Cabinet appears to be burnt out, but if that is the case then the Minister for Health and Children seems to have given herself her redundancy papers. She is washing her hands of what is happening in the realm of health.

**An Ceann Comhairle:** The Deputy knows this is out of order.

**Deputy Jan O'Sullivan:** I am raising this in the context of promised legislation. We were told that three pieces of legislation would be published last term and the same three pieces of legislation are in the list for this term. None of them has been dealt with. The Minister introduced no legislation last term, despite three being on the priority list. One, the nursing home support scheme Bill, has already been raised, while the adoption Bill and the child care Bill are the others. When will these pieces of legislation be introduced?

On the nursing home support scheme Bill, families are being crucified with regard to the means test for subvention and the family home. These people can no longer afford to pay for their relatives and we need a date for this legislation. In the meantime the HSE must be ordered to relax the methods that are being used at the moment in terms of assessing families for subvention.

**Deputy James Reilly:** On the same issue, the Taoiseach's response has not clarified whether the legal issues have been resolved regarding the nursing home support scheme Bill. I know people who have lodged appeals that have not been dealt with and the refund issue has not been addressed.

**Deputy Bernard J. Durkan:** Hear, hear.

**Deputy James Reilly:** It seems that KPMG has finished its work. A person who came to me during the week was offered €20,000 but his mother paid out €120,000.

Is this legislation going to come through? We were accused of doublespeak by various Ministers but I will define doublespeak. Doublespeak is being told last Christmas that we would have this Bill by January, being told in January that we would have it before Easter and being told before Easter that we would have it during the summer. We have been told again that we may have it. Can we have a straight answer? Will this Bill come before this Chamber before Christmas? Have the legal issues been resolved?

Regarding the health information Bill, will the Health Information and Quality Authority, HIQA, be given teeth to censure hospitals that do not meet standards?

**Deputy Alan Shatter:** On the adoption Bill, families and children across the country have difficulties because of the Government's failure to reform our adoption legislation. Prior to the summer recess, on the Taoiseach's final day in this House, a promise was made by him, along

with the Minister of State at the Department of Health and Children with responsibility for children, that the adoption Bill would be published during the summer. This Bill has been promised for approximately nine and a half years, which I think is a national record. I have lost count of the number of legislative programmes on which we have seen it. Can the Taoiseach tell us whether it will be published this week or next week? What happened to the promise that guaranteed its publication during the summer recess period?

**Deputy Caoimhghín Ó Caoláin:** On health issues and the failure to bring forward health legislation——

**An Ceann Comhairle:** Stick to the legislation and do not go into the issues.

**Deputy Caoimhghín Ó Caoláin:** I wish to speak on health legislation and if I am out of order in terms of grouping, I will take the Ceann Comhairle's guidance.

Regarding the raft of health legislation that has not been brought forward and in the context of the fact that it is estimated some 5,000 people die prematurely in Ireland each year as a result of social deprivation, including health inequality, how is it that a Bill that was on the last legislative programme for publication this year, which first appeared on the Government's legislative programme in January 2006 for publication that year, has now been deferred once again? I speak of the eligibility for health and personal social services Bill. This is crucial legislation that, once again, now appears next to the message "not possible to indicate". That was not the case last January and it has not been the position since January 2006. I have gone back through each of the legislative programmes since it first appeared on the Government's proposals.

**An Ceann Comhairle:** We cannot go any further. The Deputy has made his point.

**Deputy Caoimhghín Ó Caoláin:** Why is it that at a time of ever-growing concern in our society in respect of citizens' eligibility for health and personal social services——

**An Ceann Comhairle:** The Taoiseach, on the legislation.

**Deputy Caoimhghín Ó Caoláin:** ——the Government is unable to bring forward that legislation——

**An Ceann Comhairle:** I said previously that we cannot have a debate on legislation. The Taoiseach, on the legislation.

**Deputy Caoimhghín Ó Caoláin:** ——at least in this current year?

**An Ceann Comhairle:** The Taoiseach, on the legislation.

**The Taoiseach:** On the legislation, as for the adoption Bill, a significant policy issue was raised during the summer months that was brought to a conclusion last week and technical amendments to the Bill are ongoing. One hopes this Bill will be published this term.

I made the point that the nursing homes support scheme Bill is nearly finalised. It is intended to be brought before the Houses in the current Dáil session. As for the child care Bill, during the summer recess work continued on drafting of the Bill to resolve points arising from significant legal and technical issues that had emerged during the drafting and accompanying consultation processes. Further consultation took place to assist that process and, in addition, legal advice on specific complex issues were formulated, sought and obtained. As a result, several significant sets of instructions were sent to the Attorney General's office and new draft versions

[The Taoiseach.]

of the Bill were produced, resolving many of those issues. It is expected that having resolved some of those issues, the Government will be able to proceed with publication in the next term.

**Deputy Caoimhghín Ó Caoláin:** I asked about the eligibility for health and personal social services Bill.

**An Ceann Comhairle:** I call Deputy Olivia Mitchell.

**Deputy Jan O'Sullivan:** Members have been getting the same answers on legislation for months.

**The Taoiseach:** To answer Deputy Ó Caoláin, it is not possible to give a date for that Bill because as I stated, other priorities in health legislation are being spoken about, namely, the adoption Bill, the nursing homes support scheme Bill and the child care Bill, which are substantive Bills.

**Deputy Caoimhghín Ó Caoláin:** Is the Taoiseach now telling the House it is not a priority?

**An Ceann Comhairle:** I call Deputy Olivia Mitchell.

**The Taoiseach:** I am saying these take priority——

**Deputy Caoimhghín Ó Caoláin:** They take priority over one's eligibility to have health.

**The Taoiseach:** ——in view of their readiness to come before the House for consideration.

**Deputy Caoimhghín Ó Caoláin:** With respect, that does not stand up.

**An Ceann Comhairle:** The Taoiseach has answered the question. I call Deputy Olivia Mitchell.

**Deputy Olivia Mitchell:** During the summer, the State took over the assets of certain public sector pensions and consequently also took over the liabilities. While this was carried out as an emergency measure through ministerial order, at the time a Government spokesperson stated it would have to be confirmed by the Dáil. Will such confirmation come by way of legislation? Will there be an opportunity to debate it in the House, given there is a great lack of clarity regarding the extent of the liabilities that have been taken on on behalf of the taxpayer?

**The Taoiseach:** I must check that with the Minister concerned.

**Deputy Olivia Mitchell:** I thank the Taoiseach.

**An Ceann Comhairle:** That is secondary legislation.

**Deputy Bernard J. Durkan:** I draw the Taoiseach's attention to section B of the legislative programme, the Bills in respect of which heads have been agreed and texts are being drafted. Very similar Bills were published at the beginning of the life of the present Dáil and the current rate of progress has been painfully slow to date. Incidentally, I note the inclusion of the Curragh of Kildare Bill, which I believe first appeared on the Order Paper when I was first elected to the House. However, the major problem pertains to section C, which consists of 50 Bills in respect of which heads have yet to be approved by the Government. Many of the Bills are important and at the present rate of progress will not have passed through the House by the end of the life of the present Dáil. I ask the Taoiseach whether it is intended to draw up a

priority list whereby such urgent legislation can be speeded up and brought through the House at an early stage?

**The Taoiseach:** The entire purpose of the A, B and C lists was to give an indication to Members, as they requested, as to what priorities were likely to come before the House in the immediate term and so forth. If the purpose of producing the C list is to ask the reason the Bills are not on the A or B list, and the House goes through this *seriatim* every week, what is the purpose of producing the C list, if the Opposition or individual Members thereof suggest they should be on the B or A list? This goes on in every term.

**Deputy Bernard J. Durkan:** No.

**The Taoiseach:** The whole idea of bringing forward these lists in the present form is to indicate from the outset, in fairness to Opposition spokespersons and everyone else who wishes to contribute to the House, what Bills are likely to be brought forward and what ones are not. Questions about policy issues should be tabled before the relevant Ministers during Question Time. However, if the House is to have Orders of Business in which Members spend at least an hour talking about Bills, which the C list already indicates clearly will not be taken this term, and if Members wish to have a debate on the reason they are not being taken in this term and if that is the best use of Members' time, I will stay here for that.

**An Ceann Comhairle:** I call Deputy Ó Snodaigh.

**Deputy Bernard J. Durkan:** I have one related point.

**An Ceann Comhairle:** The Taoiseach has answered the Deputy.

**Deputy Bernard J. Durkan:** To where has the pharmacy No. 2 Bill gone since the last session? What happened to it?

**An Ceann Comhairle:** The Taoiseach, on the pharmacy No. 2 Bill.

**The Taoiseach:** The purpose of the pharmacy No. 2 Bill was twofold, first to follow on from the Pharmacy Act 2007 and deal with other changes in the regulatory framework for pharmacy and pharmacy services not addressed in that Act and, second, to deal with any remaining recommendations of the pharmacy review group, including matters relating to a new pharmacy contract. Work was progressing on commencing the Pharmacy Act 2007. However, due to the complex nature of the modernisation of the regulatory framework for the sector, including the putting in place of procedures and rules in areas not previously regulated, such as the registration of pharmacy businesses and a fitness to practice regime, the Act is not expected to be fully commenced until some time in 2009.

Until the Act is fully commenced and its provisions are operational, it will not be possible to prepare proposals for any new pharmacy Bill. In addition, work on the remaining issues in the pharmacy review group's recommendations for the Bill is dependent on progress and developments in the area of pharmacy services and contractual matters. While the Department and the HSE have been engaging with the pharmacy sector on these issues, they are not sufficiently advanced at this time to permit the preparation of proposals that might be included in any new pharmacy Bill. With these considerations in mind, it is considered that the pharmacy No. 2 Bill cannot be progressed for the foreseeable future.

**Deputy Bernard J. Durkan:** That is my point.

**Deputy Aengus Ó Snodaigh:** I refer to a Bill that appears to have disappeared from sight. Given the current climate of trying to save money, effect cost savings and so on, it is interesting that it is gone because its intention was to end imprisonment, where practicable, for inability to pay fines. I refer to the enforcement of fines Bill, which has disappeared, despite having been promised.

**An Ceann Comhairle:** The Taoiseach, on the enforcement of fines Bill.

**The Taoiseach:** Work on that Bill is at a preliminary stage of examination. Consultations are ongoing with the Department's financial management unit, courts policy and the Courts Service. Until that is completed, we cannot deal with it.

**Deputy Lucinda Creighton:** I wish to raise an issue that is connected to that raised by Deputy Ciarán Lynch, at which time I tried to get in but could not. I refer to the tenant purchase scheme for council flats. Specifically, a policy document was published by the Department of the Environment, Heritage and Local Government in February 2007 and it certainly was expounded by the Taoiseach's party in advance of the general election that provision would be made in legislation during this Dáil term for council flat owners to purchase their flats from local authorities. However, the legislation published during the summer makes no reference to this. Is Government policy still as was set out in February 2007? Does the Government intend to implement some scheme in the future and, if so, how does it propose to do so? Will it be by ministerial order or through further legislation? Why can it not be included in the Bill that is to be brought before the House? That appears to be bizarre.

I wish to make a relevant point. In the late 1980s such a scheme was successfully implemented by Cork City Council. It was discontinued in the early 1990s, in 1992, I believe——

**An Ceann Comhairle:** We cannot go into that now.

**Deputy Lucinda Creighton:** ——on the basis that legislation would be introduced.

**An Ceann Comhairle:** The Taoiseach, on the legislation.

**Deputy Lucinda Creighton:** Sixteen years later, we are still waiting for it. This is particularly disconcerting for those who are trying to get on the property ladder and to better their circumstances in life——

**An Ceann Comhairle:** We cannot go into that now. Is legislation promised?

**Deputy Lucinda Creighton:** The Government is providing them with virtually no hope.

**An Ceann Comhairle:** Is legislation promised in that area?

**The Taoiseach:** As I stated in an earlier reply, consideration can be and is being given to that issue in the context of a possible amendment on Committee Stage.

**Deputy Terence Flanagan:** I refer to No. 16 on the legislative programme, the property services regulatory Bill. While this matter has been raised earlier, will the Taoiseach confirm this legislation definitely will be dealt with during this session? It certainly has gone on for long enough. Many apartment owners are being fleeced. They already face negative equity on their properties, which were massively overpriced.

**An Ceann Comhairle:** We cannot go into that now. On the legislation——

**Deputy Terence Flanagan:** Will this legislation and the report of the auctioneering review group include the regulation——

**An Ceann Comhairle:** On the legislation——

**Deputy Terence Flanagan:** ——of property management companies or will it only deal with the regulation of auctioneers?

**An Ceann Comhairle:** We cannot deal with the content, but is legislation promised?

**Deputy Leo Varadkar:** On the same point——

**An Ceann Comhairle:** On the same legislation.

**Deputy Leo Varadkar:** Perhaps it is. Maybe the Ceann Comhairle can clarify that for me. On that legislation, which the legislative programme indicates is to give effect to the recommendations of the auctioneering review group, my understanding is the property services regulation Bill would really only deal with management agents and auctioneers.

**An Ceann Comhairle:** We cannot deal with the content of the legislation.

**Deputy Leo Varadkar:** I am asking if it is intended that it will be the Bill to properly govern the management of residential management companies, which has been promised for a long time.

**An Ceann Comhairle:** We cannot go into the content of the legislation. It would be impossible.

**Deputy Leo Varadkar:** It is promised in the programme for Government. Is that the Bill intended for that purpose or does a different Bill exist? May I understand from what has been published today that we will not, in this session, see published legislation that will govern the regulation and management of residential management companies?

**An Ceann Comhairle:** I ask the Taoiseach to deal with the legislation only and not the content. We cannot go into that.

**The Taoiseach:** On the multi-unit developments, an interdepartmental and inter-ministerial group has been working on this. The Minister for Justice, Equality and Law Reform is in discussion with the Law Society with regard to some aspects and contractual issues in preparation for proposed provisions for that aspect of the problem. That meeting is imminent, which I know having spoken to the Minister about it.

What we are trying to do is prepare provisions from various Departments affected by this issue. The Attorney General will then make a decision as to whether we will have an omnibus Bill which would take all those provisions together or if they will be part of enactments of statutes from within Departments which are already on the way or being prepared. The idea is to find the quickest and surest way of doing that, whether by omnibus Bill or to proceed in other various ways.

Legislation is required to empower the Circuit Court to resolve disputes arising with regard to the operation and control of multi-unit developments, including existing developments. There is the property services regulation Bill, which will be published during the autumn to



[The Taoiseach.]

establish that regulatory authority. It will, among other things, regulate property managing agents and set standards for the provision of property management services.

Legislation is also required to specify the obligations of developers to protect the interests of purchasers of units in multi-unit developments and ensure compliance with such obligations. There is also the making of a ministerial order to extend compulsory registration of title to multi-unit developments and the question of legislation to amend the planning and development Acts to require planning authorities to “adhere to” or “substantially comply with” relevant ministerial guidelines, rather than simply having regard to them, for example guidelines concerning the size and quality of design of new multi-unit developments.

There are also statutory requirements to ensure that where property, including units in multi-unit developments, are being sold from plans, scalable drawings and measurements must be given, and the development of appropriate standard covenants for inclusion in the title deeds and conveyances of units in multi-unit developments. I presume that will be one of the issues to be addressed in the meeting to be held between the relevant Minister and the Law Society.

It is a question of pulling all those together. Various Departments are involved, including those dealing with the environment, planning and development, as well as justice and other issues. If the quickest way to do this is to pull this together into an omnibus Bill, it is the way we will proceed.

**Deputy Leo Varadkar:** Will that omnibus Bill be published in this session?

**Deputy Terence Flanagan:** That is the question.

**The Taoiseach:** We will work through the processes I have outlined and have the Attorney General certify and validate what is being proposed as being legally sound. We will make a decision at that stage as to the best way to proceed. That is the up to date position.

**Deputy Joe Costello:** I will introduce the dreaded “L” word and add to the woes of the Government by mentioning the Lisbon treaty. In three weeks the Taoiseach will attend a plenary session and make a presentation on the way forward to heads of state in Brussels. What steps are being taken at present or what proposals are in train?

**An Ceann Comhairle:** It is impossible to have a debate on it now, as the Deputy knows well.

**Deputy Joe Costello:** I am not looking for a debate. I would like those in the Chamber to be informed of what the Government is proposing in terms of any legislation, the formation of any committees or any practical or pragmatic proposals to deal with the matter.

**An Ceann Comhairle:** Is legislation promised in this area?

**The Taoiseach:** The Deputy will be aware we have been in discussion with parties of the Opposition about the matter. I understand it is intended to bring forward a motion tomorrow for the establishment of a committee as discussed.

**Deputy Dan Neville:** Some three weeks ago statistics relating to suicide indicated a 12% increase over last year. There is much concern regarding the underreporting of suicide and that some coroners will not bring in a verdict of suicide. The Coroners Bill is before the Seanad but is it planned to have it enacted before Christmas?

**The Taoiseach:** We will await its progress in the Seanad in the first instance.

**Message from Seanad.**

**An Ceann Comhairle:** Seanad Éireann has passed the Intoxicating Liquor Bill 2008, without amendment.

**Double Taxation Relief Orders 2008: Referral to Select Committee.**

**Minister of State at the Department of the Taoiseach (Deputy Pat Carey):** I move:

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

(i) Double Taxation Relief (Taxes on Income) (Socialist Republic of Vietnam) Order 2008,

(ii) Double Taxation Relief (Taxes on Income) (Republic of Macedonia) Order 2008, and

(iii) Exchange of Information relating to tax matters and Double Taxation Relief (Taxes on Income) (Isle of Man) Order 2008,

copies of which were laid before Dáil Éireann on 15th September, 2008 be referred to the Select Committee on Finance and the Public Service in accordance with paragraph (1) of the Orders of Reference of that Committee, which, not later than 15th October, 2008, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

**Electoral (Amendment) Bill 2008: Order for Second Stage.**

Bill entitled an Act to revise Dáil and European Parliament constituencies, to provide for the number of members to be elected for such constituencies, to amend the law relating to the Constituency Commission, and for those and other purposes to amend the European Parliament Elections Act 1997, the Local Elections Regulations 1995 and certain other enactments and to provide for related matters.

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I move: "That Second Stage be taken now."

Question put and agreed to.

**Electoral (Amendment) Bill 2008: Second Stage.**

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I move: "That the Bill be now read a Second Time."

The main purpose of this Bill is to implement the recommendations in the report of the independent Constituency Commission published in October 2007 on revisions to Dáil and European Parliament constituencies. In addition, the Bill amends the law relating to the constituency revision process and provides for the introduction of alternative procedures for the nomination of non-party candidates at European Parliament and local elections.

Parts 2 and 3 of the Bill provide for implementation of the recommendations of the Constituency Commission's report on Dáil and European Parliament constituencies. In considering these parts of the Bill, it might be helpful for Members if I outline the principal constitutional and legal requirements in these matters.

[Deputy John Gormley.]

Article 16.2.3<sup>o</sup> of the Constitution provides that “The ratio between the number of members to be elected at any time for each constituency and the population of each constituency, as ascertained at the last preceding census, shall, so far as it is practicable, be the same throughout the country.” This provision was considered by the courts in two cases in 1961 — the High Court case of John O’Donovan versus the Attorney General, and the Supreme Court reference case relating to the Electoral (Amendment) Bill 1961. It was again considered in a High Court case last year taken by Deputies McGrath and Murphy where it was argued that the constituencies on which the general election was being fought did not comply with the constitutional requirement contained in that Article. In none of these cases did the courts quantify the precise degree of equality of representation required by the Constitution.

Examples of significant disparities in terms of population to seat ratio, which exist at present based on census 2006, include: 21% above the national average in Dublin West; 18% above the national average in Dublin North; 14% above the national average in Meath East; and 10% below the national average in Dún Laoghaire.

Article 16.2.4<sup>o</sup> of the Constitution provides that “The Oireachtas shall revise the constituencies at least once in every twelve years, with due regard to changes in distribution of the population”. This, in effect, requires that the constituencies be revised whenever population changes, as shown in a census, lead to population to Deputy ratios in individual constituencies that are significantly out of line with the national average. That is the case at present and the Oireachtas must respond accordingly.

Section 5 of the Electoral Act 1997 provides that on publication of the relevant CSO report on a census, the Minister for the Environment, Heritage and Local Government must set up a commission to report on Dáil and European constituencies. The terms of reference of the commission are specified in the Act, which are, of course, subordinate to the relevant constitutional provisions.

As Deputies will be aware, for more than half a century after the founding of the State, changes in constituencies were formulated and advanced by the Government of the day. The first Constituency Commission was established in 1977 to report on constituencies for the direct elections to the European Parliament in 1979. The first Dáil Constituency Commission was established in 1980 on a non-statutory basis and such commissions continued to report on constituency revisions until the enactment of the Electoral Act 1997. The commission which reported in October 2007 is the third statutory commission established under the Act.

Volume 1 of the 2006 census reports was published in April 2007. This showed an increase in total population from 2002 of more than 322,000, giving a total 2006 population in the State of 4.24 million. In 2006, therefore, each of the 166 Deputies represented an average of 25,541 persons.

As I indicated, the detailed population figures for each constituency showed there were serious variances from the national average population per Deputy in a number of constituencies. Nineteen constituencies had variances from national average representation in excess of 5% and 11 had deviations in excess of 8%. The most under-represented constituencies were Dublin West and Dublin North with variances of +21% and +18% respectively. The most over-represented constituencies were Dún Laoghaire and Cork North-Central with variances of -10% each. Clearly, significant changes have become necessary in some areas to secure equality of representation between constituencies based on the 2006 census.

In accordance with section 5 of the 1997 Act, a Constituency Commission was established in April 2007, chaired by Mr. Justice Iarfhlaith O’Neill. The other members of the commission

were Mr. Kieran Coughlan, Clerk of the Dáil, Ms Deirdre Lane, Clerk of the Seanad, Ms Geraldine Tallon, Secretary General of the Department of the Environment, Heritage and Local Government and Ms Emily O'Reilly, the Ombudsman. I thank the commission members for the conscientious and impartial manner in which they carried out their work.

The main features of the Constituency Commission's report in relation to Dáil constituencies are as follows. First, there is to be no change in the current level of Dáil membership, that is, 166 seats. Second, the total number of constituencies is to remain at 43 and no change should be made in 19 constituencies. Third, the Louth and Dublin West constituencies are to increase by one seat and changes are to be made in the areas covered by the constituencies. Fourth, the Dún Laoghaire and Limerick East constituencies are to be reduced by one seat, with the latter constituency to be renamed as Limerick City, and there are to be changes in the areas covered by the constituencies. Fifth, the area and name of two constituencies, Kerry North and Limerick West, should be amended to Kerry North-West Limerick and Limerick, respectively. Finally, changes, many of them small, should be made to the area of 18 other constituencies.

The main features of the Constituency Commission's report in relation to European Parliament constituencies are, in the context of 12 Irish members of the Parliament, a reduction of a seat in the Dublin constituency and the transfer of the population of counties Longford and Westmeath from the East to the North-West constituency.

The Government has accepted the Constituency Commission's recommendations as a single package of interlinked measures bringing Dáil and European Parliament constituencies into line with prevailing population patterns, in accordance with constitutional imperatives and other legal requirements. We all recognise that it may have been possible for the Constituency Commission to suggest solutions other than those recommended in the report and I appreciate fully the concerns that arise, including those relating to breaches of county boundaries. However, the commission has completed its work in accordance with its statutory terms of reference and its independent determination of the issues should now be respected. By cherry-picking individual recommendations, we would undermine the reasons for establishing an independent commission in the first place. It is the Government's firm view that the precedent of adhering to the Constituency Commission's advice should be followed.

Part 4 of the Bill revises the procedures to be followed by Constituency Commissions. In terms of the form of this element of the Bill, I decided that in view of the importance of these procedures, the amendments should be made by way of repeal and re-enactment with amendment of the full part of the Electoral Act 1997 dealing with the constituency revision process. In this way, Members, in considering the Bill and other subsequent Bills, will be able to see in one place the full text of the law relating to a Constituency Commission.

As regards substance, most of the existing law in this area is being retained. The main change is that future commissions will be established on publication by the Central Statistics Office, following a census of population, of the census report setting out the preliminary result of the census in respect of the total population of the State. In addition, a commission will have to report as soon as may be after publication by the CSO of the census report setting out the final result of the census in respect of the total population of the State, in any event not later than three months after such publication. Previously, commissions had to await final results before starting work and then had six months to complete their task.

This change responds fully to the High Court judgment in the Murphy and McGrath case in June 2007 in which the court concluded that, having regard to the constitutional requirements and high quality of CSO preliminary population data, consideration should be given to initiation of constituency revisions on publication of the CSO preliminary report on a census,

[Deputy John Gormley.]

with the revision work being completed when the final data are available. This is an important new provision and I hope it will be welcomed on all sides.

I am also taking the opportunity to update and improve the consultation processes followed by a Constituency Commission in the course of its work. The Bill requires a commission to allow at least three months for the making of submissions to it. At present, a commission has discretion as to the length of time allowed and this is inevitably influenced by the six months' time limit on a commission to produce its report. With future commissions commencing work on the basis of preliminary data, greater time can be now made available for consultation with interested organisations and individuals. I have made specific provision for this in the Bill to ensure a fuller opportunity for political and wider public input to the revision process.

The Bill also expressly provides that background information statements prepared by the Constituency Commission are to be made available free of charge. Previous provision that fees had to be paid to obtain copies of submissions made to a commission has been replaced by a requirement that they also are to be made available free of charge. A requirement in the existing law regarding physical inspection of submissions at specified times and places has been revised to allow the commission to decide on the detailed arrangements for making these publicly available. In this way, best use can be made, for example, of the Internet to give people access to submissions.

Taken together, these are significant and worthwhile improvements to the consultation processes followed by Constituency Commissions during the course of their work. However, the essential features of commission procedures which have operated effectively over many years are retained.

This Part also updates both fines provisions in sections 14 and 15 of the 1997 Act and references in the law to specific offices and other legislation which have changed in the decade since the Act came into operation.

The final elements of the Bill, Parts 5 and 6, provide alternative procedures for nomination of non-party candidates at European Parliament and local elections. The need for alternative procedures for nomination of such candidates arises from a judgment of the Supreme Court in November 2006 in the cases of King, Cooney and Riordan *v.* the Minister for the Environment, Heritage and Local Government, the Attorney General and others.

The judgment in question deals with the assentor requirements for the nomination of Dáil candidates who are not members of registered political parties. In particular, the court upheld the main requirement for obtaining assentors to help ensure the proper regulation of elections but struck down the provision requiring personal attendance by all assentors at a single location in a constituency on the basis that it can involve excessive demands on the time of such assentors. The court found that the provision is disproportionate to the objective to be achieved, namely, the due authentication of nomination papers, and declared the relevant section of the Electoral Act 1992 to be unconstitutional.

The implications of the Supreme Court judgment were dealt with by the enactment of the Electoral (Amendment) Act 2007. Due, however, to the limited time then available and the urgent need for enactment and implementation before the 2007 general election, the text of the Act provided for alternative nomination procedures — deposits or assents — for non-party candidates at Dáil elections only. Corresponding procedures for European Parliament and local elections are now required in advance of the elections next year and are included in the Bill on that basis. The procedures proposed follow those enacted in 2007 in respect of Dáil elections.

Parts 5 and 6 provide for two alternative mechanisms to regulate the nomination of candidates at European Parliament and local elections who are not in possession of certificates of



political affiliation. These are: by way of assents, requiring the completion of statutory declarations — 60 in the case of European Parliament elections and 15 in respect of local elections — by assentors in the constituency or local electoral area, as appropriate, which may be witnessed by a commissioner for oaths, a peace commissioner, a notary public, a garda or a local authority official; or by way of the candidate, or someone on his or her behalf, lodging a deposit with the returning officer — €1,800 for European Parliament elections, €100 in the case of the election of members of a county or city council or €50 in the case of any other local election.

The nomination procedures for candidates not in possession of certificates of political affiliation standing at European Parliament and local elections are being brought into line with the procedures in place for such candidates at Dáil elections. This alignment of the nomination procedure represents a necessary improvement on the previous arrangements and fully meets the relevant constitutional requirements.

Part 6 makes the required amendments to nomination procedures by way of substituting new articles in the local election regulations. Since the publication of the Bill, I have been advised by the Attorney General that, consistent with developments in the law relating to the use of primary and secondary legislation, it is desirable to supplement these proposed regulations with corresponding principles and policies in the parent primary legislation — in this instance, the Local Government Act 2001. I will, therefore, be bringing forward a limited number of amendments on Committee Stage for this purpose. It is important to emphasise that these additions to the Bill will not change the substance of the new nomination procedures at local elections and are designed solely to give fuller legal effect to the proposals already contained in the Bill.

Members will recall that when I made a statement regarding the Constituency Commission report in the House on 28 May last, I stressed the importance of maintaining the long-established practice of implementing the recommendations of constituency commissions in full. The Bill before the House does this. The Government and I believe that this is the correct approach. The Bill also brings forward significant and worthwhile improvements to the processes followed by constituency commissions in their work, as well as putting in place measures to facilitate the holding of the upcoming European and local elections.

I commend the Bill to the House.

**Deputy Terence Flanagan:** I welcome the opportunity to contribute to the debate on the Electoral (Amendment) Bill 2008 on behalf of the Fine Gael Party. However, I am somewhat disappointed that we are not engaging in a debate on the economy. I am of the view that it would have been a great deal more appropriate to discuss the state of the economy rather than this Bill.

The Electoral (Amendment) Bill 2008 aims to bring into law the Constituency Commission's report on how Dáil and European Parliament election constituencies should be drawn for the immediate future. The commission's report — an 84-page document — was compiled by people who are apolitical and who went about their work in a clearly defined manner set down by the Oireachtas. The commission was led by Mr. Justice O'Neill, a judge of the High Court, and included among its membership the Clerk of the Dáil and his counterpart in the Seanad. These individuals should be commended on going about their work in a professional manner and completing it within the defined guidelines set down for them. The Constituency Commission should always remain independent. Politicians should refrain from making public comments in respect of its report.

We were obliged to wait an unnecessarily long time between the Bill's publication and the commencement of the debate on it. The Constituency Commission's report was published in October 2007 but it is only at this late stage that we are debating the Bill. As Deputy Hogan



[Deputy Terence Flanagan.]

stated on previous occasions, there has been an unjustifiable delay on the part of the Government and the Minister for the Environment, Heritage and Local Government — who has direct responsibility for this matter — in giving effect to the recommendations of the commission. The Minister may be in breach of constitutional law and open to challenge as a result of this delay.

The Government ignored the report for almost a year. This is despite a High Court judgment in 2007 to the effect that the Government would be obliged to implement the recommendations of the commission with minimum delay. The latter has not happened and that is not acceptable.

I made representations to the Constituency Commission in respect of my constituency, which, I am delighted to say, remains intact. There were rumours in the media in the run up to the publication of the commission's report that the Dublin North-East and Dublin North-Central constituencies would be merged but this proved not to be the case. That is a good result for public representatives and their constituents, who desire continuity and who want to enjoy the same level of service to which they have become accustomed.

The constituency of Dublin North-East has been in existence since the foundation of the State and it would have been a shame if it had disappeared. It has, however, been altered, with Edenmore, which, according to the 2006 census, has a population of 2,758 people transferring to the Dublin North-Central constituency. However, the areas of Portmarnock, north and south, and Balgriffin, with a combined population of 9,201, have been transferred to Dublin North-East. I welcome this development, which means that my constituency has enjoyed a net gain of 6,443 people. The Deputies who represent Dublin North-East will be obliged to listen to the concerns of these individuals. The people to whom I refer will expect a first-class service and will want their views to be represented in Dáil Éireann. I will be obliged to face greater challenges because I have a much larger constituency to represent and this will give rise to an increase in the number of queries and issues of concern with which I will be asked to deal.

As a result of the Constituency Commission's report, Dublin West and Louth will gain seats. That is fair and is in line with the increases in population in both constituencies. However, matters will be more difficult for those Members who represent Limerick East and Dún Laoghaire because each constituency will lose a seat. Members of the public in the latter constituencies will also encounter difficulties because their level of representation will decrease.

Some 20 other constituencies have been revised in this report, with 19 Dáil constituencies remaining unchanged. Eleven five-seat, 15 four-seat and 17 three-seat constituencies are proposed. Of the 20 constituencies that have changed, there is controversy, particularly in respect of County Leitrim which is unable to directly elect a Deputy because the county is divided in two. Of the 300 submissions received by the Constituency Commission, the vast majority of the objections came from individuals in County Leitrim.

There is also controversy in some other constituencies where county boundaries have been breached by the Constituency Commission in its review of constituencies. As the Minister stated, county boundaries have been breached in Kerry-Limerick, Offaly-Tipperary and Louth-Meath. The commission has tried to avoid this but it is inevitable due to population changes. The national average is 25,541 people per Deputy.

In regard to the European Parliament elections, the main change proposed is that the Dublin constituency will lose one seat. That will make next year's election a lot more competitive. Dublin currently has four seats but that will be reduced to three. A transfer of population from counties Longford and Westmeath from Ireland East to Ireland North-West has been proposed in the report.

Sadly, I was surprised to note that only eight public submissions were made to the Constituency Commission in advance of its report regarding the European Parliament elections. There is a disconnect between the people and what goes on in Europe, and that was demonstrated by the result of the referendum on the Lisbon treaty. Parties on both sides of the House need to address that in advance of next year's European Parliament elections.

The Electoral (Amendment) Bill also includes the procedures to be followed by future Constituency Commissions. In future, their work will begin once the census data are published, which is very welcome. Currently, it does not happen until a much later stage in the process. In any event, the work of the Constituency Commission must be completed within three months of the publication of the data. This will ensure the commission report is available much sooner and that constituencies are revised on a much more regular basis. I hope that when the next census data are published, the Government will act in a more timely manner than has happened.

The Bill will also revise the procedures that were adopted in the general election in respect of the nomination of non-party candidates in European Parliament and local elections. An independent person who is not a member of a political party needs his or her nomination paper signed by 30 people, excluding the candidate and any proposer, who are registered as Dáil electors in the constituency concerned before going forward as a candidate in the general election. European Parliament elections will now require 60 people to sign the nomination papers while 15 people will be needed to sign the papers in local elections.

In lieu of obtaining assents, a candidate may choose the alternative of making a deposit which will be returned if the person receives in excess of one quarter of the quota, otherwise he or she will have to forfeit his or her deposit.

Fine Gael supports the work of the Constituency Commission. It is an independent group of people which goes about its work in a very professional manner. It has produced this report which should be respected by all Members of Dáil Éireann. Our party will bring forward some amendments on Committee Stage. We were disappointed that the Minister did not act in a much more timely manner and that the Bill was not published almost immediately after the publication of the Constituency Commission report. We commend the Bill to the House and look forward to debating it further on Committee Stage.

**Deputy Ciarán Lynch:** Having listened to the Minister and Deputy Terence Flanagan speak about this Bill and considering the Dáil has been in recess for a number of months, I wondered what would I expect to hear debated in the Chamber today if I was a visitor in the Visitors Gallery. If I was a school boy leaving the Visitors Gallery today and I asked my teacher what Members were talking about, the response would be that politicians were talking about themselves again.

We are discussing an important issue but given the day that it is in it and what has happened over several months, serious questions must be asked about the priority issues for the Government. This Bill has been doing the rounds for quite a while and the issue does not need to be resolved before Christmas. According to everyone's calculations, the next general election will not take place for another four years and there may well be another census before then which will make the facts and figures over which we are deliberating today obsolete. A school boy leaving the Visitors Gallery today would be of the impression that most of the time what happens in Leinster House has little connection to what is happening outside it.

Having said that, important points need to be made about this Bill. The Labour Party fully supports the decisions on constituency boundaries made by the commission which my Labour Party colleague, Deputy Brendan Howlin, provided for in the Electoral Act 1997. The Govern-

[Deputy Ciarán Lynch.]

ment and the Oireachtas should accept the final report of the commission and enact legislation to provide for the changes recommended. The key aspect of this is the independence of the commission, to which I will refer later.

I have full confidence in the independence and integrity of the members of the commission. However, like the rest of us, they are not infallible, which, unfortunately, some of the recommendations made in the most recent report seem to indicate. We do not know how the commission reaches its conclusions as, quite properly, it conducts its business in private. The current procedure is that the commission is established and given its terms of reference by the Minister. This is based on provisions in section 6 of the Electoral Act 1997. The commission then invites submissions from the public and interested groups and in due course it issues its final report. There is a sequence in place that needs serious examination. The Minister indicated the re-timing of the commission in regard to the publication of the register but there are outstanding matters there.

In reviewing the way in which the current system is scheduled, I strongly believe the law should be changed to allow for a two-stage process prior to finalisation of the report. This could be done by the commission, having considered initial submissions, publishing a draft report and inviting further submissions from the public and interested parties. That is not provided for in the Bill.

There is a problem in respect of the sequence in that a *fait accompli* is being commented on by Members and the public. I am sure the people of North Kerry and Limerick West have opinions on this. However, there is no facility for them to give their views because the process has moved on. If such a provision was in place, it would at least allow people, who believe a particular recommendation is illogical, as the North Kerry-Limerick West case may well be, irrational or inconsistent with the commission's terms of reference, to make their point.

Debate adjourned.

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

## **Ceisteanna — Questions (Resumed).**

### **Priority Questions.**

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#### **FÁS Internal Audits.**

111. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the action she is taking to respond to financial mismanagement within FÁS as revealed by recent internal audit reports; and if she will make a statement on the matter. [31354/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Regular internal audits are part of the normal governance process of any organisation and I am aware that, of the many internal audits carried out into both FÁS activities and projects funded by FÁS, some have shown up irregularities and possible occasions of fraud. FÁS has referred two cases of possible fraudulent activity to the Garda Síochána. Some internal audits have also indicated areas where management or financial controls could be improved. In my view, the process of internal audit is an important, appropriate and normal activity in any organisation.

The Comptroller and Auditor General in his report on non-commercial semi-State bodies, published in May 2008, reviewed the issues raised in a specific FÁS internal audit report. I discussed this matter with the director general of FÁS and expressed my concerns about the issues raised by both the Comptroller and Auditor General and the internal audit reports and, in particular, the need to secure value for money in public expenditure.

On my instruction, the Secretary General of my Department wrote to FÁS on 30 June 2008 seeking the formal assurance of the director general of FÁS that the practices outlined in the FÁS internal and Comptroller and Auditor General audit reports had ceased; that adequate systems and controls are in place to prevent any recurrence; and requesting details of the remedial actions taken by FÁS in respect of the issues raised by the audit reports, with quarterly progress reports on the implementation of the audit reports' recommendations. The FÁS director general replied on 1 July 2008 confirming that the unacceptable practices referred to in the audit reports had ceased and that adequate systems and controls are now in place to prevent any recurrence. The next quarterly report is due at the end of September.

In order to address wider continuing concerns about the management and control systems in place in FÁS generally, and following further discussions with the chairman and director general of FÁS, I have also decided that there should be an external investigation into the effectiveness of the agency's financial management and control systems. This examination is to ensure that appropriate public procurement procedures exist to prevent or detect irregularities or wrongdoing and, in particular, examine and report on the activities of the FÁS corporate affairs area since 2000. The Comptroller and Auditor General has agreed to carry out such an investigation with a view to producing a special report on the matter. The report of the Comptroller and Auditor General will be furnished to me by him and will be presented by me to the Dáil in accordance with standard operating procedures.

**Deputy Leo Varadkar:** I thank the Minister for her reply. I welcome the fact that this investigation has been requested by her and that it will occur. The response was slow, but a slow response is better than none. At a time of rising unemployment when we have a skills mismatch between the jobs available and those without jobs, it is important we have a functioning training agency. While many employees of FÁS do a good job and much good community work is done through the community employment, CE, schemes, it is clear that FÁS is failing as an organisation and the situation with regard to those at the top of the organisation is unsatisfactory.

I have two crucial questions on the issue. Will the Minister publish the terms of reference of the inquiry and will she assure me that it will not be limited to the corporate affairs section of FÁS? It appears that the irregularities, problems and mismanagement of FÁS go much further than corporate affairs and I would not like to see one department of the organisation hung or scapegoated. Will the Minister ask the Comptroller and Auditor General to look at the in-company training and services to business department of FÁS in particular? Both Deputy Kenny and I warned the Government about the issues in FÁS a year ago, but it did not listen properly at the time. Perhaps the Minister will listen to us now and ensure the Comptroller and Auditor General looks at that area also.

**Deputy Mary Coughlan:** I have initiated an overall review of FÁS and that process has commenced. This overall project is outside the specific remit I have asked the Comptroller and Auditor General to consider. The Deputy is aware that matter will also be discussed at the beginning of October in the context of public accounts. If the Comptroller and Auditor General is of the view then that there is a need to examine something further, I am sure he will take that into consideration. There are, therefore, two processes taking place currently, one an overall review which had been considered by the previous Minister and is now under way and the other the specific inquiry on the issue mentioned.

[Deputy Mary Coughlan.]

No more than all of my colleagues, I am anxious for the betterment of FÁS. As the Deputy said, FÁS will be pivotal in supporting people who need upskilling and new employment opportunities. Therefore, I am anxious to ensure the corporate governance issues are addressed. Equally, I wish to ensure FÁS is given the support it requires to allow it do its work. For that reason, my preferred option is to have a specific investigation by the Comptroller and Auditor General and until we receive the outcome of that inquiry, I prefer not to impose any restrictions on the matter.

**Deputy Leo Varadkar:** I am disappointed the investigation will be limited to corporate affairs. The Minister can be assured that Fine Gael will continue to pursue the irregularities that are occurring in all departments of FÁS, not just that one.

When we discussed the issue previously at Question Time, the Minister told us she was satisfied with the assurances given to her by the director general of FÁS and by senior management. Is she still satisfied with the assurances she was given by them in June or, in light of her recent announcement, has her view changed? What caused that change of view?

**Deputy Mary Coughlan:** There is nothing to lead me to believe the situation is otherwise. The overall review of the activities of FÁS is very important and commenced in the summer of this year. I am very anxious that review takes place in the context of deciding what the priorities of such a large organisation should be. Our view is the priorities must be on upskilling and supporting those who have found themselves out of work. However, in the overall context, the review of the workings of FÁS is taking place currently.

On the other issue, it is important that if the Deputy has particular concerns he discusses them with me and I am available in this regard. Neither I nor any of my colleagues will stand over the misappropriation of funds in any organisation and will work to the best of our ability to ensure this does not happen. When issues are raised, they will be investigated thoroughly. I do not want to pre-empt the outcome of the Comptroller and Auditor General's report, but if there are issues to be addressed, I will wholeheartedly address them. FÁS has indicated it will do the same.

**Deputy Leo Varadkar:** What are the terms of reference for the inquiry?

**Deputy Mary Coughlan:** I have not decided on the terms of reference. The Comptroller and Auditor General is anxious to await the discussions in the House. He would like to consider the discussions of the Committee of Public Accounts before we bring the terms of reference to a finality.

### **Job Losses.**

112. **Deputy Willie Penrose** asked the Tánaiste and Minister for Enterprise, Trade and Employment the steps she is taking to stem the number of job losses, in view of the fact that the numbers on the live register have increased by more than 70,000 in little more than 12 months; if she will provide new training opportunities for those who have lost their jobs; if she will encourage the creation of new employment opportunities; and if she will make a statement on the matter. [31094/08]

113. **Deputy Denis Naughten** asked the Tánaiste and Minister for Enterprise, Trade and Employment the steps she is taking to address the challenges within the labour market as highlighted by the quarterly national household survey; and if she will make a statement on the matter. [31355/08]



**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** I propose to take Questions Nos. 112 and 113 together.

The live register is not designed to measure unemployment. It includes part-time, seasonal and casual workers entitled to unemployment benefit. The total number of people recorded on the live register for August 2008 is 247,384, showing an increase of about 73,000 in the 12-month period.

Employment and unemployment are measured by the quarterly national household survey, QNHS, and published by the Central Statistics Office. In the second quarter of 2008, the most recent quarter for which data is available, employment has increased by 6,900 over 12 months to a current total of 2,108,500. Unemployment increased by 15,200 in the same period to 115,500. The unemployment rate was 5.2%, which compares favourably to the EU 27 members' average unemployment rate of 6.8%.

While the level of employment growth is disappointing, the fall in employment in the construction sector in the past year is a major factor. The recent easing of employment growth comes after many years of extraordinary growth in the labour force and employment, which could not have lasted indefinitely. Since the second quarter of 2005, employment has grown by 176,900 with unemployment increasing by only 29,000 in the same period. It is generally accepted that the rate of growth in the economy and in employment experienced over the past few years could not continue.

FÁS, as the national training and employment authority, is providing a range of proactive job-related services, supports and programmes, to assist individuals to return to the labour market.

As regards the economic situation and the impact on the labour market, the focus is now on flexibility in the delivery of employment and training programmes so those who are affected by the slowdown and by unemployment can be assisted appropriately and in good time.

FÁS and the Department of Social and Family Affairs are working together to respond quickly to the rising live register numbers. For example, they have agreed that redundant workers will be referred immediately to FÁS rather than wait for three months on the live register as was previously the case. FÁS has also established a training fund to enable a speedy response to identified re-training needs for low skilled and redundant craft workers. Alongside the local employment services provided by area based partnerships, FÁS is currently gearing up its employment services to provide increased capacity for expected increased referrals from the live register. FÁS will be providing a range of certified short, flexible and modular programmes designed to upskill redundant workers so they can enhance their prospects of securing employment. A number of programmes are already in place and the frequency and range of these will be expanded over the coming months. A range of actions is being implemented by FÁS for those affected by the construction slowdown, including a focus on providing retraining opportunities for redundant construction workers in emerging areas within the construction sector. This will include retraining in the following — the installation of sustainable technologies, environmental activity and compliance and regulatory work. FÁS will also assist individuals in any way it can to seek employment in construction in other EU countries. FÁS has held a European construction jobs fair for employers from other EU countries.

Discussions concerning the 2009 budget are ongoing. The budget for FÁS is agreed on the basis of detailed discussions between FÁS, my Department and the Department of Finance in the context of the annual Estimates process and will be announced on budget day. My Department is commencing a review of the labour market programmes, including training programmes, that it funds. The review will examine these programmes in terms of efficiency and effectiveness and will draw conclusions about the adequacy and balance of resources in the



[Deputy Billy Kelleher.]

context of current and future labour market policy challenges taking into account the recommendations of the national skills strategy.

The enterprise development agencies of my Department, including IDA Ireland and Enterprise Ireland, are working to ensure that we continue to grow the economy and jobs even in the current more challenging environment. The pipeline of new business for which IDA Ireland is competing is as strong as at any time in recent years. To facilitate this we need to ensure that our competitiveness is sustained into the future.

**An Leas-Cheann Comhairle:** I ask Members to ensure their mobile telephones are switched off and not simply on silent mode.

**Deputy Willie Penrose:** I do not know whether I am living on the same planet as the Government and the Minister of State. This Government is imbued with inertia, as illustrated by the response I received today, which can be best described as lethargic and limp. Is the Minister of State trying to tell me that the lists of people who have lost jobs in Waterford, Cappoquin, Tipperary, Tullamore, Cork and Edenderry are figments of my imagination? I am aware that projects are in the pipeline, including one announced by the Minister in Athlone, but these have been under development for the past two years. They did not turn up last night.

The Government is aware that unemployment levels have increased significantly. The HSE is reported to be about to shed 1,800 jobs. Company liquidations rose by 71% during the first half of the year. In August, 247,384 people were on the live register, which represents an increase of 73,178 on the figure for August 2007, 65,935 on the beginning of the year and 45,628 since the election of Deputy Cowen as Taoiseach.

Is the Minister of State aware that the county enterprise boards, which have been an important stimulant for the economy at the micro level, have not had been able to spend one shilling in capital funding since April? Is it not time to expand the remit of the boards to fill the gap between Enterprise Ireland's activities and what the boards are permitted to do? Let us have some innovation rather than sterility.

If the Government wants to take positive action, why can it not redirect the construction sector it loves so well by bringing forward a major schools building programme? This would give employment to those who lose their jobs in construction, provide much needed accommodation for the 40,000 children currently housed in prefabs and allow the State to offer softer tender prices and better value for money. Why not proceed with a national insulation scheme? The Minister for Communications, Energy and Natural Resources, Deputy Ryan, believes such a scheme is already in place. Talk about living in an ivory tower; the moment he gets off his bicycle he forgets where he is going.

The country's county councils do not even have a shilling to pay disabled person grants for mobility and housing adaptation. Small construction companies could focus on this type of project, thereby creating employment. These grants also provided important comforts to elderly people by allowing them to stay in their own homes.

Why is the IDA trying to sell lands which it bought in 1973 at the current market value to local authorities which want to develop incubator units that would stimulate the economy?

The Minister of State should get on the road with new ideas and new innovation because that is what we need. The Government is too apathetic and complacent. Anybody can steer a ship on a calm sea but the mark of greatness is steering it through rough waters. The Government has failed that test miserably.

**Deputy Billy Kelleher:** The Deputy asked a number of questions and I will try to deal with the issues of substance.

**Deputy Willie Penrose:** They are all substantive. I will take no snide comments from the Government benches. I deal with real people.

**Deputy Seán Haughey:** The Deputy is a man of substance himself.

**Deputy Willie Penrose:** I always stood for what I believed in.

**Deputy Seán Haughey:** So do we.

**Deputy Billy Kelleher:** I admire that in the Deputy.

**Deputy Willie Penrose:** I may disagree with that.

**Deputy Billy Kelleher:** The quarterly national household survey, which is published by the Central Statistics Office, compiles figures for people who are unemployed. The live register by itself is not as accurate because the people reported may seek benefits as casual or seasonal workers.

**Deputy Willie Penrose:** They are all workers.

**Deputy Billy Kelleher:** In regard to the IDA and the pipeline, the Deputy should not dismiss the challenges that exist——

**Deputy Willie Penrose:** I am not dismissing them.

**Deputy Billy Kelleher:** ——and the competition in the global market for foreign direct investment. We are competitive with other countries in terms of a flexible workforce, low corporation taxes and highly educated third-level graduates and Ireland is actively pursuing direct investment.

For fear that the Deputy takes these matters for granted, it is important that we set out the success of IDA Ireland rather than talk ourselves down. Zimmer Holdings, a global leader in medical devices, is establishing a new €88 million manufacturing operations base in Shannon, County Clare and is expected to create 250 jobs. This is a collaborative effort between IDA Ireland and Shannon Development. Unum is establishing a strategic software centre in Carlow town with the support of IDA Ireland. This investment will create up to 200 high level positions. Citco fund services is to expand its Cork city hedge fund administrative operations, which will create 150 jobs over the next three years. Ely Lilly is to invest up to €400 million in a multi-phase programme to establish a bio-pharmaceutical development and manufacturing facility in Kinsale. This investment will bring up to 200 jobs over the next five years. Genzyme, a leading global biotechnology company, is to invest €130 million at its Irish operations plant in Waterford. This investment will create 170 highly skilled positions and significantly increase the manufacturing capacity of the facility over the next three years. It is important that we outline the success of the IDA in actively encouraging FDI.

When Ministers go abroad, we actively sell Ireland as a place that is open and flexible, with the capacity to receive direct investment.

The Minister of State, Deputy McGuinness, has met representatives of Enterprise Ireland and the county enterprise boards. At present, 56 community enterprise applications are being assessed, which is a substantial number.

**Deputy Damien English:** How many of them can get money?

**Deputy Denis Naughten:** I wish to focus on the quarterly national household study to which the Minister of State referred. The study has revealed an increase of 6,900 in employment over the past 12 months. However, if the figures are studied in detail, the number of Irish nationals in employment has dropped by 14,800, while employment of non-Irish nationals has increased by 21,500. Is the Minister aware that, at present, non-nationals are out-competing Irish nationals in the employment sector? In manufacturing, for example, there is a 12.6% differential between Irish and non-Irish employment rates. The figure is 12.4% for the wholesale and retail sector and, amazingly, in the construction sector the differential is 12.8%. Part of this is a result of immigrants improving their language skills and moving up the value chain within employment. That is a positive element in our economy. However, there are underlying concerns that must be addressed.

Does the Government have plans to examine those underlying trends and carry out an investigation into the reason for them? Is it the case, for example, that Irish people are not applying for those jobs or are they not getting the jobs for one reason or other, perhaps because they do not have the appropriate skills? Is it the case that the jobs are being created in parts of the country that do not suit the Irish workforce — the migrant workforce is more flexible in moving around the country — or is it due to the work patterns available? It is critical that this trend is examined. We must ensure that indigenous employees can compete effectively for those jobs. As migrants move up the value chain due to their improving language skills and qualifications, it is important that we ensure Irish workers actively compete for employment.

**Deputy Billy Kelleher:** Some years ago the Government — the Irish people endorsed the decision subsequently in a general election — opened up our labour market. Is the Deputy implying that we should have a green card system for other EU citizens to work here or *vice versa*?

**Deputy Denis Naughten:** I am asking a question.

**Deputy Billy Kelleher:** In the event of an Irish person wishing to work in another European country, should there be stipulations and regulations on their access to that labour market?

**Deputy Denis Naughten:** Is the Minister afraid to answer the question?

**Deputy Billy Kelleher:** This is an integral part of the EU. With regard to immigrants to this country, employers are obliged to comply with employment law. Every employee is entitled to a minimum wage. Where there are employment regulation orders, EROs, or registered employment agreements, REAs, the employer is obliged to pay the rate that is struck and lodged before the Labour Court. If there is exploitation, it is an offence under labour law. We have increased the number of labour inspectors and established the National Employment Rights Authority to ensure that workers, regardless of whether they are Irish or non-nationals, receive the going rates of the labour market as lodged before the Labour Court either in the REAs or EROs. We would be concerned if there was exploitation of any individual.

With regard to students, the Government would obviously be concerned if the primary purpose of students coming to this country was not to learn a language but to work. We are conscious of this issue and examining it very seriously.

**Deputy Denis Naughten:** Will the Minister carry out an investigation?

**Deputy Billy Kelleher:** An investigation is not needed; what is needed is action, and there will be plenty of that from this side of the House.

### **Public Sector Reform.**

114. **Deputy Willie Penrose** asked the Tánaiste and Minister for Enterprise, Trade and Employment if a speech (details supplied) reflected her views; and if she will make a statement on the matter. [31095/08]

**Deputy Mary Coughlan:** I understand that the remarks to which the Deputy refers are those concerning reform of the public sector contained in the speech delivered by my colleague on 12 September. The Minister of State, Deputy John McGuinness, has made it clear that the remarks as delivered reflected his own personal views. The views expressed are some of many sets of views as to how the public sector should be conducting its business on behalf of the taxpayer in 2008 and beyond.

The Government has listened to views from all sides of public sector reform debate and decided on a course of action that involved asking the OECD to undertake a review of the Irish public sector. The OECD Report on Public Sector Reform, which was launched in April of this year, contains a set of key recommendations that we have committed to implement. We have established a task force, whose membership includes respected figures from the private sector, to drive this agenda and I, together with my colleagues in government, will not be found wanting should difficult decisions on reform be required.

It is my view and experience that there are many excellent people working within the public service, many of whom receive modest salaries in return for a lifetime of service to the public. That said, real problems exist. There is a need for more flexibility in the delivery of services to the public, much greater efficiency and better value for money and for further modernisation of systems and working practices. The OECD's report reflects my views. It recognises the value of the extensive reform efforts undertaken to date in customer service, e-Government, human resources, financial management and better regulation. Implementation of the quality customer service programme has brought about improvements visible to citizens. The performance management development system, PMDS, has resulted in better functioning individual organisations.

Notwithstanding these improvements and reforms, the OECD clearly identified the challenges that remain. It indicates that if we can better sequence future reforms, we can further improve performance and service delivery and achieve greater efficiencies. Furthermore, many of the reform initiatives we have introduced to date have focused largely on the Civil Service, which represents only one tenth of the public sector, as opposed to the broader public service. The public sector needs continuously to review its systems, processes and procedures to ensure that it is responsive and efficient and that it provides high quality, value for money services. In other words, citizens need to be sure that the public service will deliver the services they expect when, where and as needed.

The OECD's message is clear, as is mine. We must put the public at the centre of our public services. That is our ambition in government and it is at the core of how we are approaching the process of public sector reform.

**Deputy Willie Penrose:** It is a shameful and broad-brushed attack on the Civil Service and public service. The majority of public servants are decent, hard working people, some of whom are on pitifully low wages and struggling to survive. Clerical officers are an example. Of course, there is an urgent need for public service reform. Everybody knows that and public and civil servants accept it. However, while this slash and burn approach might garner some kudos for the Minister in the right wing press and among right wing commentators, it contributes nothing to the debate about public sector reform.

[Deputy Willie Penrose.]

Many civil servants are stretched to their limits. Does the Minister realise that the Department of Social and Family Affairs is struggling to cope with the collapse in employment and the growth in the live register to the extent that there are 38,000 applications for unemployment benefit still to be processed? The Department does not have enough personnel. I have some specific questions for the Minister. Will she outline what changes she has made in the Department of Enterprise, Trade and Employment since she took office? Does she agree with the Minister of State's remarks and do they apply to her Department? Is she satisfied that each of the agencies under her remit are, first, value for money; second, being run effectively and, third, well managed? If so, is the Minister of State, Deputy McGuinness, simply looking for favourable headlines? Has the Minister of State's speech been discussed at the Department's internal management meetings?

Is the Minister of State talking about cutting the home help service, families' front-line nursing services, the national educational psychological service or the number of local authority workers, who have already been slashed with the 3% payroll cuts? A number of those workers will be gone and the public will soon realise it when services will no longer be available. Is the Minister talking about cutting the number of gardaí?

The Minister's party has been in government since 1997. What tangible changes have been implemented since then? If there have been changes, about what is the Minister of State complaining? If there have not been practical changes, why not?

**An Leas-Cheann Comhairle:** There are 49 seconds for the Minister to reply.

**Deputy Mary Coughlan:** That is efficiency. Some of the Deputy's questions were addressed to me in my role as Tánaiste as opposed to my role as Minister for Enterprise, Trade and Employment. It is important that there is balance in this area.

**Deputy Willie Penrose:** I hope I am the balance.

**Deputy Billy Kelleher:** The Deputy is the counter-balance.

**Deputy Mary Coughlan:** My experience in the pay talks categorically shows there is an attitudinal change by employers, unions, politicians and the people who work in the public service.

*3 o'clock* We must deal with productivity and flexibility issues; that is the only way services can be provided. There is an acceptance of that. It is hoped that, on the basis of discussions by the unions and employers, we will have agreement on the pay talks, although I do not wish to pre-empt them.

As regards the agencies and changes within the Department of Enterprise, Trade and Employment, I have met many of the people who work for me and with me. I agree with the Deputy, as I stated in my reply, that the work of many people in the public service goes well beyond the financial retribution they are paid because they are part of the public service. Equated to this is a need to ensure flexibility and change.

There is an old saying that one should never ask somebody to do something one would not do oneself. I will be working with officials in my Department to ensure we are receiving value for money, are flexible and are changing and evolving. Reform is about evolving. The Deputy will be aware that the Taoiseach is, as are all Members, committed to public service reform. It is in the context outlined that my Department and agencies will participate in this reform.



The Deputy will be aware that all agencies and their work are to be reviewed prior to the budget. I have views on the matter and they will be expressed by the Minister for Finance in due course.

**An Leas-Cheann Comhairle:** I will allow a brief supplementary question from Deputy Penrose.

**Deputy Willie Penrose:** “Do unto others what you would do unto yourself” — one of the first actions of the Taoiseach was the creation of three new posts of Minister of State.

**Deputy Mary Coughlan:** No, what I said was that one should never ask somebody to do something one would not do oneself.

**Deputy Willie Penrose:** Let us deal with that issue here and the cost it imposes.

**Deputy John McGuinness:** I am providing value for money.

*(Interruptions).*

**Deputy Willie Penrose:** Does the Minister agree with the statement made by the Minister of State, Deputy John McGuinness? If so, what practical actions will she take? If the Minister does not agree with him, she should say so.

I would like to know if it is the position of the leading party in Government that the public service is responsible for the condition of the economy.

**An Leas-Cheann Comhairle:** A final brief reply from the Minister.

**Deputy Mary Coughlan:** It is hard to answer that question. At the end of the day, the Deputy knows full well that is not the situation. With all due respect, I do not have the time to get into the complexities of why we are experiencing economic difficulties.

It is important to say that the views expressed are my personal views, some of which have been reflected by people outside and within this House. In my view we need public sector reform. Those within the public sector agree we need that reform and are more than happy to work towards achieving it. Arising from the OECD recommendations, we will be taking action, unpalatable or otherwise.

Deputy Penrose will agree that there are those within the public sector who are wrongly vilified and who do not get the support they need for the work they do. We need to take a balanced approach to this issue. As I stated earlier, it is about taking people along, working with them and showing the political leadership to allow that to happen. That is the format on which this will done.

### **Community Employment Schemes.**

115. **Deputy Damien English** asked the Tánaiste and Minister for Enterprise, Trade and Employment her views on introducing a new type of work scheme for skilled workers in receipt of social welfare; if there is a potential for linking in new work schemes with current or planned capital infrastructure projects; and if she will make a statement on the matter. [31356/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Jimmy Devins):** FÁS as an agency of my Department operates two employment schemes, community employment and job initiative.



[Deputy Jimmy Devins.]

Community employment is an active labour market programme designed to provide eligible long-term unemployed people and other disadvantaged persons with an opportunity to engage in useful work within their communities on a fixed term basis. The programme helps unemployed people to progress to the open labour market by breaking their experience of unemployment through a return to work routine and assists them in enhancing-developing their technical and personal skills.

The job initiative programme provides full-time employment for people who are 35 years of age or over, unemployed for five or more years and in receipt of social welfare payments during that period. The main purpose of the programme is to assist long-term unemployed people to prepare for work opportunities by providing participants with work experience, training and development opportunities.

There are no plans to create another employment programme. However, FÁS is working to quickly respond to the changing employment market. In regard to the construction sector, where we have witnessed a substantial number of redundancies during the past 12 months, the Government will continue to work with all of the relevant stakeholders to ensure timely and satisfactory responses to the adjustments taking place. This will include the continued provision of a range of training opportunities for those who lose their jobs in the construction sector. FÁS will also provide retraining to redundant workers in emerging areas of the construction sector which are experiencing growth such as environmental related activity; compliance and regulatory related work; waste management activity; and sustainable energy systems installation. The Government will also continue to promote access for mobile workers to construction jobs elsewhere in the EU.

As regards planned capital infrastructure projects, I would expect that it would be open to unemployed workers to apply for any vacant positions with the relevant contractors.

**Deputy Damien English:** I cannot thank the Minister of State for his reply as it is not the reply I wanted to hear. I am shocked that there are no new initiatives in this area. The first part of the reply referred to schemes already in place. I and everybody else knows what schemes are already in place. I am disappointed with the Minister of State's response to this issue which I have raised at committee level, with FÁS and with other agencies. I am asking that the Minister and Ministers of State use their imagination — this is not rocket science — and come up schemes that will match up across various Departments unemployed, well-skilled people with jobs. How hard can that be? Doing so would be more or less cost neutral given the high cost, social and financial, of unemployment.

There is much work to be done in our communities. Many train stations, bus stations and schools are in disrepair and in need of serious maintenance. There is an endless amount of work that could be done during these bad times. This would ensure those who want to work get work. All I am asking is that people use their imaginations. I hope I will hear within the next month or so that the Department has some new ideas in this regard. I was told by FÁS officials at a committee meeting that they would look into this but they had no answers for me some two months later. More than 70,000 or 80,000 people have joined the dole queues. These people are skilled and available to work. What plans are there to match up these people with jobs? I accept a great deal is being done in respect of training.

I hope that the Minister of State can tell me that he and his colleagues are prepared to work during the next couple of months on some new ideas in respect of unemployment relief schemes. Let us try to match up people with work that needs to be done. There are dark times ahead and we should try to prepare for them.

**Deputy Jimmy Devins:** I thank the Deputy for his suggestions. It is important to stress again that FÁS, because of the downturn in the construction industry in particular, is actively engaged in meeting people who have been, unfortunately, made redundant and providing them with a personal work programme to assist them in returning to employment. All of the suggestions made must be considered in the context of the forthcoming budget.

The Government is open to new ideas and if Deputy English has any, he should put them forward for consideration.

**Deputy Damien English:** I have no problem putting forward ideas and I will do so. I have set them out for the Minister of State. Many people are awaiting the commencement of work under the disabled persons and essential repairs grants schemes, schools are awaiting assistance under the summer work schemes and many of our train stations and bus stations are in need of serious repair. I have raised this issue at committee level where we are supposed to do good work on a cross-party basis. Why can we not match up, through the local authorities and FÁS, unemployed people with work in these areas. I accept what is required is a type of voluntary scheme but it must be an attractive one. Surely, it would not be that hard to do this.

I raised this issue with the Department more than a month ago. I will forward detailed plans in this regard if the Minister of State so wishes. I hope the Minister of State can tell me that he and his colleagues have an open mind on this issue. The community employment scheme deals with long-term unemployed people and does not suit everybody. I am asking for a new scheme similar to those in operation in other countries and in Northern Ireland. All I am asking is that we try something.

**Deputy Jimmy Devins:** I must reiterate that all issues are being considered in the context of the forthcoming budget.

**Deputy Damien English:** They do not seem to be.

**Deputy Jimmy Devins:** Deputy English should await the announcement of the budget on 14 October in this regard.

**Deputy Damien English:** The Minister of State said there are no plans to introduce a new scheme.

**Deputy Jimmy Devins:** Not at the moment.

### **Other Questions.**

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#### **Alternative Dispute Resolution.**

116. **Deputy Pádraic McCormack** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she has been in contact with the National Consumer Agency to establish an alternative dispute resolution procedure as a means of resolving disputes arising out of consumer transactions; and if she will make a statement on the matter. [31019/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy John McGuinness):** The statutory mandate of the National Consumer Agency as prescribed under the Consumer Protection Act 2007 specifically includes promoting the development of alternative dispute resolution, ADR, procedures as a means of resolving disputes arising out of consumer transactions.

[Deputy John McGuinness.]

Currently one of the procedures most used by consumers for achieving redress is the Small Claims Court procedure. The Small Claims Court procedure provides an inexpensive, fast and easy way for consumers to resolve disputes without the need to employ a solicitor. Since 2006, the Small Claims Court operates an on-line dispute resolution procedure where claims can be filed on-line. The limit for processing claims in the Small Claims Court was raised to €2,000 with effect from 7 February 2006.

A further development in the small claims area was the adoption last year of an EU regulation establishing a European small claims procedure. The regulation will effectively enable a judgment given in a member state in the European small claims procedure to be recognised and enforced in another member state. I am advised that as part of an overall study in the area of arbitration and redress the National Consumer Agency will later this year, in conjunction with the Courts Service, consider the Small Claims Court and in particular the difficulties consumers can experience in enforcing the judgments of the court.

The agency has also recently developed a code of practice, with the Irish Home Builders Association, to be followed by developers in the development, interim management and sale of multi-unit development properties. The code includes specific provisions for dispute resolution and redress and urges unit owners and developers to use alternative out-of-court mechanisms for resolving disputes.

Europe has been a major catalyst in the development of extra-judicial options for dispute resolution. Much of the work in this area has been focused on ensuring that European citizens have access to cheaper, quicker and more informal dispute resolution mechanisms, thereby enabling them to better reap the benefits of the Single Market. In the specific area of disputes relating to consumer transactions, the European Consumer Centres Network is a network of centres established by the European Commission together with the member states which, among other things, promotes ADR schemes.

*Additional information not given on the floor of the House*

The European Consumer Centre in Dublin is funded jointly by the National Consumer Agency and the European Commission. Irish consumers who have a dispute with a retailer in another member state, or consumers in other member states who have a dispute with an Irish retailer, can contact the centre, which seeks to resolve such disputes in co-operation with experts in European Consumer Centres across the European Union. If the centre cannot find a remedy through direct intervention it will seek to assist the parties in taking their disputes to an appropriate ADR body.

The European Commission has promulgated a number of recommendations in an effort to provide a common minimum European standard for ADR schemes. The recommendations set out the standards and principles which should apply to bodies involved in out-of-court settlement and consensual resolution of consumer disputes. The Commission maintains a database of the various ADR bodies in the member states which subscribe to these principles. My Department is responsible for notifying bodies in Ireland to the Commission for inclusion in its database and has notified four such bodies to the Commission to date.

In the area of cross-border disputes, a European directive on certain aspects of mediation in civil and commercial matters was promulgated in May this year. This directive is essentially intended to provide a framework to allow parties to a cross-border dispute to attempt to reach an amicable settlement of their dispute with the help of a mediator. The directive must be transposed into Irish law by May 2011. My Department will work closely with the Department of Justice, Equality and Law Reform, which has overall responsibility for its transposition, on

those aspects of the directive relating to cross-border consumer disputes. At a national level, the Law Reform Commission launched a consultation paper on ADR on 30 July this year. The consultation paper contains a significant number of proposals for promoting ADR as a means of resolving disputes, including a number of specific proposals with regard to consumer disputes.

The Deputy will see from the foregoing that a considerable number of initiatives are being undertaken at national and European level in promoting ADR as a means of resolving consumer disputes. ADR offers a considerable advantage by providing parties with a ready and relatively inexpensive means of resolving disputes. I am confident that through the work of the National Consumer Agency and the progression of the aforementioned initiatives, ADR will become a more accepted and mainstream means of resolving consumer disputes.

**Deputy Leo Varadkar:** I thank the Minister for his answer. I was not really asking about cross-border trade and disputes but about the existing section 8(3) of the Consumer Protection Act, which provides a mandate for the National Consumer Agency to promote and even establish alternative means of dispute resolution between consumers and, for example, retailers. There are two things that can be done in this regard. Does the Minister of State agree that the upper limit for a small claim, which is €2,000, should be increased? Almost any significant purchase, such as a suite of furniture or a foreign holiday, will be more than €2,000, and if there is a dispute one must then go to a higher court. Does the Minister of State not agree that this threshold should be increased so that consumers who have been ripped off by slightly more than €2,000 can have recourse to the Small Claims Court?

Will the Minister consider asking the National Consumer Agency to introduce a system of dispute resolution and arbitration for consumers, similar to the Personal Injuries Assessment Board? Thus the consumer agency itself could take on the job of arbitrating disputes between consumers and those against whom they are making complaints. This is provided for in the Act; it just requires a bit of leadership to implement it.

**Deputy John McGuinness:** It is in the Act. The Law Reform Commission suggested that the limit be increased from €2,000 to €3,000 and the Minister continues to review such suggestions in the context of these claims.

**Deputy Leo Varadkar:** How long will she review it for?

**Deputy John McGuinness:** The court has been functioning very well. It is used widely and is becoming more accessible to the public as they can lodge their claims on-line. If we continue with our reviews, we can keep pace with what is required by the consumer. The system is effective. I do not see a role for the agency, as the Deputy suggests. Why create another model when the current one is functioning well? All it requires is to be reviewed from time to time and the Department and the Government are committed to ensuring that occurs. The upper limit of €2,000 can be reviewed again if necessary.

**Deputy Leo Varadkar:** It seems “review” means “do nothing”.

**Deputy John McGuinness:** Reviewing does not mean doing nothing. The Deputy has a way of using weasel words and turning things around. It is not doing nothing.

**Deputy Leo Varadkar:** A government should review a situation, make an assessment and then make a decision, and it may perhaps review things again at another stage one or two years down the line.

**Deputy Jimmy Devins:** Exactly.

**Deputy Leo Varadkar:** This Government seems to be in a constant process of review which is then used as an excuse not to make decisions.

**An Leas-Cheann Comhairle:** Does the Deputy have a question?

**Deputy Leo Varadkar:** I will ask the first part of my question again.

**Deputy Mary Coughlan:** We get the facts and then we make the decisions, unlike the Deputy.

**An Leas-Cheann Comhairle:** Please allow the Deputy to put his question.

**Deputy Leo Varadkar:** Does the Minister not agree that the €2,000 threshold is too low and that it should be increased now and then reviewed at a later date?

**Deputy John McGuinness:** I will tell the Deputy again, because he obviously was not listening, that it can be increased. It has been suggested that it be increased.

**Deputy Leo Varadkar:** Do it.

**Deputy John McGuinness:** It will be increased if the Minister so decides. The review is ongoing.

**Deputy Leo Varadkar:** Will the Minister decide?

**Deputy Damien English:** What is the date of the decision?

**Deputy John McGuinness:** By the way, the Deputy should know that a review must be carried out before we can make a decision. In this way we are unlike the Deputy, with his continual knee-jerk reactions, outside on the plinth and up and down in his seat over there, without any consideration for the topic he is suggesting should be discussed.

### **Business Regulation.**

117. **Deputy Michael Creed** asked the Tánaiste and Minister for Enterprise, Trade and Employment the progress there has been in reducing business regulation and red tape by 25% in all Departments, in view of her Department's co-ordinating role; if she is satisfied with the progress to date in reducing business regulation, as highlighted in the first report of the high level group on business regulation; and if she will make a statement on the matter. [30988/08]

133. **Deputy Simon Coveney** asked the Tánaiste and Minister for Enterprise, Trade and Employment the reduction in the administrative cost of regulation since her Department adopted its 25% target; and if she will make a statement on the matter. [30985/08]

135. **Deputy Willie Penrose** asked the Tánaiste and Minister for Enterprise, Trade and Employment her plans to implement the recommendations of the high level group on business regulation, received by her on 6 August 2008, regarding a reduction in the burden of red tape on business; and if she will make a statement on the matter. [30906/08]

197. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the amount the administrative cost of regulation has been reduced since her Department adopted its target of 25%; and if she will make a statement on the matter. [31357/08]

**An Leas-Cheann Comhairle:** I call on the Tánaiste, or rather an tAire Stáit. It is a formidable ministerial team.



**Deputy John McGuinness:** It is value for money.

**Deputy Willie Penrose:** It takes five of them to mark us.

**Deputy Jimmy Devins:** It is not just quantity, it is quality as well.

**Deputy Damien English:** The cutbacks start here.

**Deputy John McGuinness:** I propose to take Questions Nos. 117, 133, 135 and 197 together.

**Deputy Jimmy Devins:** That will keep the Deputies on their toes.

**Deputy Leo Varadkar:** We could do with a 50% cut right away.

**Deputy John McGuinness:** That is efficiency.

The report of the high level group has identified more than €20 million in cost savings to business as a result of simplified administrative procedures of Government. The Government's commitment is to reduce the administrative burden on Irish business by 25% by 2012 and this demanding target is a key priority. The task of the high level group is to identify areas in which legislation has imposed an administrative burden, or red tape, on business and to recommend ways to reduce that burden without undermining the policy objectives behind the regulation. The work of the group is focused on concrete measures in specific policy areas, including taxation, statistics, environment, health and safety, employment and company law. The first report of the group sets out a number of instances in which procedures have been simplified, making it easier for business to deal with Government; for example, electronic filing of annual returns to the Companies Registration Office, on-line access to tax clearance certificates for Government contracts, increased exemption thresholds for VAT registration, and higher thresholds exempting small businesses from having to conduct statutory audits. In addition, further changes to reduce the burden on business are expected with regard to procedures for waste collection permits, road haulage permits and employment permits.

The work of the high level group is estimated to have saved Irish business €20 million in administrative costs this year through reductions in paperwork, revision of the rules for small businesses and provision for better use of on-line services. The rolling programme of work set out by the group must continue to be ambitious and I look forward to its continued work on the concrete suggestions put forward by the business sector. If the work of the group is to produce optimal benefits, businesses, especially small business, must continue to come forward with practical proposals for areas in which they feel the burden is greatest. Small businesses in particular have a lot to gain from participating in this process and making known areas in which they feel over-burdened by red tape. I encourage the business representatives on the high level group to continue to inform its work.

In addition to the work of the high level group, my Department has put in place a process across all Departments that will measure the administrative cost of red tape on business arising from domestic legislation. As in all other countries that have done this, it will take about a year and a half to complete the measurement process. In line with the recommendation of the Business Regulation Forum, we are adopting a prioritised approach. Initially, all Departments are required to list the information obligations which their regulations impose on business. Based on that listing, Departments will assess, in consultation with business, the most burdensome requirements and will measure their actual cost to business. At that point, the most appropriate approach to achieving the Government target of reducing by 25% the administrative burden of domestic regulation on business by 2012 will be determined. With regard to future regulations, the Government has agreed that all Departments should measure the admin-



[Deputy John McGuinness.]

istrative costs of regulations on business and specifically examine the impact on small businesses.

**Deputy Leo Varadkar:** I am happy that we now have a target of 25% in reducing the administrative cost of regulation. This target does not have to be met until, I assume, the end of 2012. Does the Minister of State not think there is a good case for having an interim target? The Minister could report back early next year and tell us how far we have come in achieving the 25% reduction. In this way we will not have to wait until 2012 for the Government to tell us it has not succeeded.

**Deputy Damien English:** A review.

**Deputy Leo Varadkar:** Perhaps an annual review would be appropriate.

How will the baseline calculation for the cost of regulation be assessed? What model will be used? Before something can be reduced by 25% there must be a model to work out what 100% is. How will that assessment be made and when?

**Deputy John McGuinness:** In answer to the first part of the Deputy's question, a reduction of 25% by 2012 is a target, but there is nothing to say we cannot meet the target prior to that date. I have carried out the assessment and the analysis. I have met the business organisations and I understand clearly what they are saying. They have made their submissions and in line with these we will consider a cost-effective way of delivering a smaller burden from Government. For example, let us consider the range of forms that must be filled in for the Central Statistics Office. I have met officials from the Central Statistics Office and have reviewed its forms. I have engaged with the SFA and tried in turn to translate that in a different simplified way to determine whether it would assist business. I have invited and have met the business organisations in recent months to determine if we can identify other areas that will assist. In line with what Deputy Penrose said county enterprise boards are significant players in this matter as they engage with the SME sector. I have used them as an information base to ascertain what is causing the difficulty for small businesses in particular. Legislation is often passed by this House and the one size does not fit all. We need to take an overview of that in light of the tight economic circumstances we are experiencing. We need to try to release the SME sector to do more important business in the real world to create the jobs and profitability they desire.

**Deputy Willie Penrose:** I might have disagreed with the broad thrust of what the Minister of State, Deputy McGuinness, said in his previous statement. However, I am totally *ad idem* with him on this matter. The Minister of State should slash and burn all the bureaucracy and he will have my full support.

**Deputy John McGuinness:** I am your man.

**Deputy Mary Coughlan:** There will be no lawyers left.

**Deputy Willie Penrose:** That is what we want to do — eliminate them from it altogether. In businesses there is the possibility of 100 different forms ranging from seven or eight pages up to 80 pages. The Minister of State is on the right track, and as he has a business acumen and background I expect him to be able to get it right. He recognises that businesses are significant collectors of taxes, including VAT, PAYE etc. Is it not time for entrepreneurs and proprietors of small businesses to get an allowance similar to the PAYE allowance? There needs to be some collection. Some accountants are there specifically to deal with the forms that exist. There

are up to 1,000 different legislative provisions that are complex, some of them in the one Act. They impact on health and safety, company registration offices, the CSO etc. Businesses are compelled to reply to these. I have seen it with our own little shop. We are required to comply or they come back again. I often wonder why it collects information. However, that is neither here nor there.

**Deputy Billy Kelleher:** They are used in answer to parliamentary questions.

**Deputy Willie Penrose:** Would the Minister of State consider introducing a red tape index in each Department and across Departments? This would allow for an instant review every three or four months. Some people believe the red tape simply exists and we cannot think outside the box. It is time to think outside the box of bureaucracy. I attended the Westmeath County Enterprise Board presentation last Friday week. The Minister of State is correct about the importance of county and city enterprise boards. While foreign direct investment and the work of IDA Ireland are very important, it is at a micro level that we will get over the hump. I ask the Minister of State to eliminate as much red tape as possible. He should slash and burn. He will be a hero if he does.

**Deputy John McGuinness:** I do not know about being a hero. However, all great truths begin as blasphemies according to George Bernard Shaw. If the Deputy read my speech he would realise there is not a great difference between any sides in this House — all we want is the best for the country.

Deputy Varadkar asked about a measurement. While it cannot be answered simply as part of the response to this parliamentary question, a measurement exists and I will make the details known to him. However, if a greater efficiency can be achieved in measuring or identifying the red tape, I would gladly support any measure within the Department to drastically reduce red tape particularly in the SME sector which needs to be released. I am a practising businessman and understand the complications arising from the need for transparency, reporting etc. However, it must be simplified. I encourage the Deputy and small businesses that are interested in the matter to engage with the Department. The Tánaiste and all the Ministers of State in the Department are anxious to achieve what is best to allow business to operate in a simpler way so people can get on with performing on the front line rather than coming back late at night to complete forms. Any suggestions will be gratefully received.

**Deputy Leo Varadkar:** I appreciate the sincerity of the Minister of State in this matter given his background in business. However, I do not believe he answered either of my questions which I will ask again. Would he agree it would be appropriate to have an interim target of, for example, 10% by the end of next year so we can review the progress he is making on an annual basis rather than waiting until the end of 2012 to see if he has achieved anything? The Minister of State said there is a calculation. I do not believe there is. I would be very interested to find out as soon as he can inform us what the monetary calculated cost of the administrative burden of regulation to business is and the model used to assess that. I doubt that is being done, but if it is I would like to hear the figure or even a ballpark figure.

**Deputy John McGuinness:** A standard cost model exists and there is a model that is also implemented in other countries, for example the Netherlands.

**Deputy Leo Varadkar:** However, the Government has not used the standard cost model.

**Deputy John McGuinness:** I will make it available to the Deputy so he can fully understand it and will be able to question me on its specifics without any difficulty. I answered his first question. I told him that the target was 25% by 2012 and that my ambition is to reach that

[Deputy John McGuinness.]

target much sooner than 2012 so the Deputy and other Members of the Opposition can measure it as we go along. To reach that target much earlier than the date we specified requires co-operation with the business sector and all agencies and Departments. We are committed to doing it and I will gladly report back to the Deputy in a year, in two years or in six months. I hope to make it better for business. That is my ambition within the Department.

**Deputy Damien English:** I like quite a lot of the Minister of State's speeches so far — although not all of them. Hopefully we will see some action on them. If he is a man of action can he guarantee that from now on every new Bill we pass in this House will be assessed for the impact it has on businesses? We were promised that before, but it did not happen in the last term. Can the Minister of State say that from today it will happen?

Before the Minister of State's predecessor left he gave a guarantee he would work with the committee to solve the problems of local government regarding business, cost, regulation etc. Does that commitment still stand for the Minister of State and other Ministers to work with the committee to promptly address the problems of business and local government? While I believe the Minister of State does, I want a commitment across the board.

**An Leas-Cheann Comhairle:** I call an tAire Stáit who, I take it, will speak collectively for the Government.

**Deputy John McGuinness:** I had better not. Anything I say comes with a health warning.

**An Leas-Cheann Comhairle:** A Minister speaking is speaking on behalf of the Government at Question Time.

**Deputy John McGuinness:** A regulatory impact assessment is required for new legislation and it needs to continue.

**Deputy Damien English:** It is not happening.

**Deputy John McGuinness:** It is happening.

**Deputy Damien English:** It did not happen in the last term.

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

**Deputy John McGuinness:** We can double check that and make sure it does happen. Regarding working with the committee, I have already said to the Chairman that not only would I discuss upcoming legislation, particularly the company law reform Bill, but also I am available to the committee to thrash out any other aspect of business that requires discussion with the committee to get the best possible deal for business. I am also available for private briefings with spokespersons from Fine Gael and Labour or anybody else in the House. My interest is ensuring that they do well because the economy will do well if that is the case.

**Deputy Arthur Morgan:** It is unfortunate that the economic downturn had to occur before the Government appreciated the need for this reform. However, we appreciate it and it is better late than never. Would the Minister of State agree that a number of ideas could be implemented fairly quickly, for example by having electronic versions of some of these forms available to businesses instead of hard copies? As he knows it is almost all hard copy at present. As I know some shops and other businesses might prefer hard copies, I am not ruling that out. Would the Minister of State accept there is great potential for merging the format of many of

the forms businesses need to complete? Currently they all have different formats and are all over the place and surely could be streamlined.

**Deputy Willie Penrose:** As small businesses need to deal with a number of agencies, CSO, CRO, Revenue, CEB etc., as a long or even medium-term objective, could the Minister of State introduce a standard form that would suit the application to different agencies? Businesses should not be required to fill in the same information on many forms which consumes hours of business time and wastes time. The form should be simplified with four or five pages and not like the form for the carer's allowance. I filled in that form last night for a woman and it had approximately 20 pages, most of which was raiméis and wasteful.

**Deputy John McGuinness:** The forms for Revenue and company registration are available on-line. I believe the forms about which the Deputy is complaining are those that generally come from the Central Statistics Office, which take some time to complete.

I have met with the Central Statistics Office to see whether those forms can be simplified or if some of Revenue's information could be used in regard to the statistics it is trying to collect. We will work with the Central Statistics Office to try to achieve that objective. That would relieve the burden. It is a question of identifying the problem and working directly with the agency concerned and the business that identified the problem to resolve it. Some of those issues can be resolved. Hopefully, in line with what Revenue collects and what the CSO wants, we can reach a resolution. There will always be a number of different forms because the CSO is collecting different information. Those forms need to be simplified. Sometimes in terms of the EU requirement and our own legislation, it is how the legislation is interpreted in the context of those forms. They can be simplified. They just need to be put in layman's language. We need to understand the requirements of small businesses.

#### **Employment Rights Authority.**

118. **Deputy Deirdre Clune** asked the Tánaiste and Minister for Enterprise, Trade and Employment the reason the National Employment Rights Authority has not been established on a statutory footing; and if she will make a statement on the matter. [30978/08]

138. **Deputy Brian O'Shea** asked the Tánaiste and Minister for Enterprise, Trade and Employment when the National Employment Rights Authority will be established on a statutory basis; and if she will make a statement on the matter. [30924/08]

**Deputy Billy Kelleher:** I propose to take Questions Nos. 118 and 138 together.

The Employment Law Compliance Bill 2008 is designed to give effect to shared commitments in Part 2 of the ten year framework social partnership agreement, Towards 2016, to greatly increase public confidence in the system of employment law compliance. The establishment of a new, statutory office to secure better compliance with employment law through information and enforcement activities, supported by up to 90 labour inspectors with extensive powers, formed one aspect of these commitments.

Significant progress is being made on delivering the commitments agreed in Towards 2016 and, in this regard, the National Employment Rights Authority, NERA, was established on an interim basis in February 2007, pending drafting and enactment of legislation, to undertake greater levels of employment law compliance activities. The Employment Law Compliance Bill was initiated in this House on 13 March 2008. Part 2 of the Bill provides for the establishment of the National Employment Rights Authority, NERA, on a statutory footing.

The Bill is substantial and quite complex legislation, and in its final form will provide for necessary amendments to over 30 separate existing enactments from 1946 onwards. Since publi-

[Deputy Billy Kelleher.]

cation of the Bill, work has been continuing including further drafting of provisions, legal clarification of certain issues and preparation of schedules of amendments to existing employment law. In addition, account will also be taken of the views expressed by the social partners in the course of negotiations which led to the transitional agreement under Towards 2016 which was concluded last week. I take this opportunity to congratulate everybody involved — union representatives, employers and officials — in bringing forward that transitional agreement. Any remaining amendments and draft provisions will be the subject of discussion with the Office of the Attorney General and the intention is to have all outstanding work on the Bill quickly completed so it can be enacted as soon as possible.

The National Employment Rights Authority will be established one month after the Employment Law Compliance Bill 2008 is signed into law.

**Deputy Leo Varadkar:** If I remember correctly the Minister of State said the Bill was published in March, only six months ago. It appears strange that the Bill, the purpose of which was to establish the agency on a statutory footing, was published six months ago and yet has not been brought before the House for debate. The only explanation that would make sense is that the Bill is essentially a bad one and is flawed and that, among other things, it potentially criminalises employers. In my case, technically as an employer of my personal assistant and administrative assistant, which is the case for all Fine Gael members, I would have to post a notice in my office, on a regular basis, advising them of their rights and their ability to contact NERA etc. That is just one aspect of the Bill.

It appears the Bill, as drafted, was so bad and so objectionable to employers and unions that the Minister of State has not been able to bring it to the House. Will the Bill come before the House before Christmas and, if so, will it be substantially redrafted?

**Deputy Billy Kelleher:** Part 2 of the Bill provides for the establishing of the National Employment Rights Authority. That was the Part of the Bill that was published and presented to the House on 13 March 2008. It is complex legislation. We live in an era where social partnership is the bedrock within which much of the discussions take place. There were further discussions in that context in the interim agreement agreed last week between the social partners.

We present a Bill to the House. It is discussed not only by the social partners but by all Members. There will be an opportunity to discuss it on Committee Stage. We want to ensure that when the Bill is enacted it reflects what is required in the context of employment law compliance. It is a complex Bill and there are no quick fix solutions. There has been ongoing involvement, due to the discussions and changes in the context of the social partnership talks that took place recently. For that reason the Bill as presented, in certain areas, needs further changes. I am quite sure that when the Bill is presented and goes through the House it will have the support of all sides. I look forward to a fruitful discussion with Deputies opposite, who I know are very supportive of social partnership and what we were trying to achieve in the context of the challenges ahead. Deputy Varadkar is a wholehearted supporter of that process.

**Deputy Willie Penrose:** I assure the Minister of State the Labour Party is supportive. Let us be clear about that. Why was the Bill published? Why did not the Minister of State await the outcome of the social partnership talks? I appreciate he was under pressure from us all. Every morning the Taoiseach and former Taoiseach got up and replied to questions. Why did the Minister of State rush to the headland when the Bill was nowhere near the finite product? What was the reason for the rush? Given that the Minister of State was aware the social partners disagreed fundamentally with a significant and core element of the Bill, as drafted, at Part 2, why did he present it? Deputy Varadkar said we had better subject this Bill to bureau-



cratic evaluation as well because it contains many bureaucratic elements. While I support the thrust of the Bill, we need to “red tape” index it. What significant changes will affect Part 2 of the Bill, following the discussions that took place under the social partnership agreement, which was recently concluded successfully?

**Deputy Billy Kelleher:** The reason the Bill was published was because a commitment was given in Towards 2016 to publish a Bill and to set up the National Employment Rights Authority on a statutory footing. The most important point to be made is that NERA is operating and has almost a complete complement of labour inspectors. It is enforcing employment rights compliance law which is welcome. It has collected substantial arrears for employees. The primary purpose of the National Employment Rights Authority is to ensure compliance with employment law. The Bill has two parts. Part 2 provides for the establishment of the National Employment Rights Authority on a statutory footing. It is up and running on an interim basis.

Over the coming weeks, much work remains to be done. Discussions are taking place with the Attorney General’s office in the context of the most recent agreements arrived at in the social partnership.

**Deputy Willie Penrose:** When will we have the Bill?

**Deputy Billy Kelleher:** We will have it quite soon. We are trying to ensure when the Bill is published that it is not rushed with amendments railroaded through the House. We want to have a genuine discussion on it. We are trying to get the Bill right in the first instance, to have broad agreement from the social partners and a good debate in the House. It is very complex but the Government is committed not only under the Towards 2016 agreement but under the interim one arrived at last week.

**Deputy Leo Varadkar:** To follow up on that and to connect with the comments made by Deputies Penrose and English on regulation, anyone who has read this very complex Bill, as the Minister of State has described it, will see it will have a significant regulatory impact on employers, yet the process being used for regulatory impact analyses decided that after screening, this Bill did not require a full regulatory impact analysis. That shows how uncommitted the Minister of State is to tackling red tape and regulation. The Minister of State would take this massive Bill which is flawed and complex, as he has admitted, and screen it for a regulatory impact analysis and say it had no regulatory cost and, therefore, did not need a full regulatory impact analysis. How can he stand over that? Will he give a guarantee there will be a full regulatory impact analysis with numbers in it?

**Deputy Billy Kelleher:** The purpose of Part 2 of the Bill, as published, was to provide for the establishment of the National Employment Rights Authority on a statutory footing. The employment law is already in place. Employers must comply with the employment law as it exists. This does not amend the employment law which exists in the context of minimum wage, holiday entitlements, EROs and registered employment agreements. Therefore, employers are compelled to comply with existing law. The issue of inspections does not impose a regulatory burden. When the Bill evolves and is finally completed we will ensure any burden on business is minimised. Fundamentally, this Bill is about employment rights, protecting workers, and ensuring they are entitled to their statutory provisions. NERA is working very effectively and its inspectors have joined up operations with Revenue and the Department of Social and Family Affairs. Even though it has not been established on a statutory footing this organisation is working and is out and about. Deputies have occasionally said to me that it is an over-enthusiastic organisation but at the end of the day it is there to ensure that employers comply with the law. It is important also that it is trying to foster a culture of compliance. This is about



[Deputy Billy Kelleher.]

educating employers, informing them of their various representative organisations such as IBEC and ISME, etc, so that we may achieve a broad compliance culture. It is not all about inspections but concerns education as well as enforcement.

### **Consumer Codes of Conduct.**

119. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Enterprise, Trade and Employment the steps being taken to implement the commitment in the programme for Government to ensure that consumer codes of conduct are published by businesses; and if she will make a statement on the matter. [30936/08]

**Deputy Jimmy Devins:** The Consumer Protection Act 2007, which commenced in May last year, empowers the National Consumer Agency to prepare and publish guidelines to traders regarding issues of consumer welfare and protection and matters related to commercial practices. The Act also empowers the agency to review or approve codes of practice submitted to it by traders or by their trade associations where the agency is satisfied that the code of practice protects consumer interests.

The agency is currently giving priority to producing guidelines for business in a number of areas. In early September it published a consultation document on guidelines for the retail sector relating to the advertising of price discounts and other associated matters. The guidelines are intended to facilitate the retail sector in complying with the requirements of the Consumer Protection Act 2007 in respect of a variety of misleading practices. When finalised, the guidelines will help traders to appreciate better their obligations to provide unambiguous information to consumers, to give clarity on certain aspects of the Act and to provide a basis for a fairer and more evenly balanced approach towards advertising throughout the sector. The agency is also close to finalising guidelines for the health and fitness sector, following a consultation exercise with key stakeholders.

The agency has also recently developed a code of practice with the Irish Home Builders Association which is to be followed by developers in their dealings in the development, interim management and sale of multi-unit development properties. The code, which came into effect at the start of this month, sets out a series of actions aimed to enhance the good operation of the multi-unit dwelling sector and thereby help to ensure that developers and consumers share an understanding of their respective roles and responsibilities in relation to multi-unit developments. The code includes specific provisions in respect of dispute resolution and redress and urges unit owners and developers to use alternative out of court mechanisms for resolving disputes.

I welcome the agency's initiatives in these areas and am confident that the production of guidelines in important sectors of the economy such as the retail and health and fitness sectors will help in the development of a strong consumer culture in those sectors. I support the agency's strategy of engaging constructively with businesses through initiatives such as agency guidelines and consumer codes of practice which will be of benefit not only to consumers but also to the businesses themselves and the economy as a whole.

**Deputy Willie Penrose:** Those specific commitments were given in the programme for Government and 15 months later we are still at the stage of evaluation and discussion. This is the fourth time I have raised this question this year — I raised it in February, April, June and now September. When will we actually see this code of conduct? When will the Government treat consumers with the seriousness they deserve? Has there been any discussion with the National Consumer Agency about the content of proposed conduct for the two sectors, retail and health and fitness? For instance, will the code of conduct for the retail sector include a

commitment to pass on to consumers savings made by the retailers arising from the variation in currency values? We all know that one of the biggest rip-offs faced by the Irish consumer over the past year has been the failure of major multiples to pass on the benefits of the increase in value of the euro against sterling and the dollar. We all know there are serious concerns about the delays in passing on reductions in the price of oil.

Is the Minister of State aware that many consumers are concerned about gift tokens that are time limited? When a person buys a gift token the store gets the value of the token but the token expires if it is not used within a specific period. Can this issue be accommodated? If a person pays his or her €100 I do not believe a time limit should be imposed and if it is it should certainly be for longer than six months. I hope that matter will be considered in the code of conduct.

**Deputy Jimmy Devins:** I shall correct the Deputy. It is actually the fifth time he has put a question on the matter.

**Deputy Willie Penrose:** I am a right pest.

**Deputy Jimmy Devins:** Regarding the codes of practice, the first one was published on 1 September and relates to developers. There are ongoing discussions at present in respect of the retail sector. We expect the code concerning the health and fitness sector to be published shortly.

**Deputy Willie Penrose:** I welcome that.

**Deputy Mary Coughlan:** If the Deputy buys me a gift voucher I will not let it expire.

**An Leas-Cheann Comhairle:** That concludes ordinary questions in the House today. We move to Private Notice Questions that have been allowed by the Ceann Comhairle.

### Private Notice Questions.

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### Cancer Screening Programme.

**An Ceann Comhairle:** Some Deputies have tabled private notice questions for the Minister for Health and Children, Deputy Mary Harney, regarding recent misdiagnoses of breast cancer in Ennis General Hospital. I ask them to submit their questions to the Minister in the order in which they provided them to my office.

**Deputy Jan O'Sullivan** asked the Minister for Health and Children if she will request the Health Information and Quality Authority, HIQA, to carry out a full inquiry into the circumstances of the deaths of Ann Moriarty and Edel Kelly, and into allegations that there was a failure to diagnose breast cancer, particularly in view of the fact that early diagnosis and treatment might have saved the lives of the two women. Will the Minister make a statement on the matter?

**Deputy James Reilly** asked the Minister for Health and Children if she will instigate an independent inquiry into the misdiagnoses of breast cancer in Ms Edel Kelly and Ms Ann Moriarty, which in both cases occurred in Ennis General Hospital. Furthermore, such an investigation should include the mammogram which was carried out at St James's Hospital and the core biopsy that was carried out at Limerick General Hospital. In that way we can reassure the public that our health services are indeed safe and that any lessons we learn from this will

[Deputy James Reilly.]

result in the implementation of a proper system to ensure that human error does not impact negatively on patient care.

**Deputy Pat Breen** asked the Minister for Health and Children the position regarding the recent misdiagnoses of breast cancer at Ennis General Hospital, including tests performed at St. James's Hospital and Limerick Regional Hospital, and the need to establish an independent inquiry.

**Deputy Michael Noonan** asked the Minister for Health and Children if she will hold an inquiry into the misdiagnoses of breast cancer, including the misreading of smear tests, in the mid-west region, and if she will make a statement on the matter.

**Deputy Timmy Dooley** asked the Minister for Health and Children what assurances she can give to other patients attending Ennis General Hospital in view of matters arising from recent cases, and if she might indicate what role HIQA could play in this process.

**Minister for Health and Children (Deputy Mary Harney):** For the past few days I have been considering how best to address the serious issues that arise from the recent tragic deaths of Ann Moriarty and Edel Kelly following their treatment in Ennis General Hospital. I have met with the husband and the sister of Ann Moriarty and I intend to meet the family of the other woman next week. I wish to extend my sympathy to both families on their sad losses. Ann Moriarty and Edel Kelly were two young women, both mothers.

The expert clinical advice available to me is that a clinical review of other patients treated in Ennis General Hospital would not be warranted. I am also conscious that in the context of future lessons for cancer services, breast cancer services have now been transferred from that hospital to the designated specialist centre for the mid-west and Limerick.

Regarding the treatment of Ann Moriarty in St. James's Hospital, I am aware that she was diagnosed with breast cancer two years previously and that she continued to attend the follow-up clinic at the hospital. Ms Moriarty's most recent follow-up was in April 2007 and at that time a mammogram taken was reported as clear. Subsequently the hospital has not been able to locate this mammogram in order to have it reviewed.

Regarding Edel Kelly, both a biopsy taken at Ennis General Hospital in October 2006 and a histopathology report noted that no tumour was identified but read "clinical correlation recommended". This clinical correlation did not occur nor was there a multidisciplinary meeting to discuss Edel Kelly's health.

The key factor in Ann Moriarty's case was the failure of Ennis General Hospital to refer her to a designated cancer centre when it was known that she had a history of cancer. In the case of Edel Kelly, the absence of a multidisciplinary team approach resulted in her cancer not being diagnosed. Since we have now moved breast cancer services from Ennis General Hospital, I feel it is important to have a wider examination of the operation of the hospital that would examine the approach to issues relating to the diagnosis and treatment of patients. This includes arrangements for quality and safety and communications within the hospital and, in particular, with patients. I believe there are many lessons to be learned by Ennis General Hospital and by the wider acute hospital sector.

I am very conscious that the Health Service Executive has worked for some time to reconfigure services in the mid-west region. It has engaged with clinicians and other health professionals in the region to agree a practical, patient-centred plan for reorganising services between Limerick Regional Hospital, Ennis General Hospital, Nenagh Hospital and St. John's Hospital. Clinicians in the region have worked positively and have shown strong leadership

towards this end. I am aware that the HSE has placed a particular emphasis on integrating accident and emergency services, with clear roles for all four hospitals, as part of a well-defined emergency care network. I am also aware that the Health Information and Quality Authority, HIQA, has reviewed documentation relating to the cases of Ann Moriarty and Edel Kelly. Last week representatives of the authority met Mr. Karl Henry, husband of the late Ann Moriarty, to establish whether a further investigation is necessary.

Notwithstanding this, I am now requesting the Health Information and Quality Authority, under section 9(2) of the Health Act 2007, to review the arrangements for providing services at Ennis General Hospital, with particular reference to the diagnosis and follow-up of patients and the communications systems in place in the hospital for patients and staff. The review, to be completed in three months, will include an explanation of how these arrangements work in the emergency department in particular. It would be particularly helpful if any of the conclusions or recommendations were applicable to the wider acute hospital sector.

The HSE is also putting arrangements in place for those patients who attended hospital breast clinics throughout the country in the past two years and who do not have a diagnosis of cancer but have concerns in light of recent events. A specified referral arrangement for these patients is being put in place and any woman with concerns should contact her general practitioner who will be able to refer her to a specialist breast clinic.

There is every reason to believe that the vast majority of women have received the correct and appropriate assessment but I believe it is important to offer patients the option of a specialised referral service, following discussions with a general practitioner.

**An Ceann Comhairle:** I will now call on the Deputies to table supplementary questions in the order in which they submitted questions to my office.

**Deputy Jan O'Sullivan:** I welcome the fact that the Minister has awoken to the need for her to show leadership on this issue. She took a long time to do this but I am happy that she is announcing an inquiry today. However, from listening to the Minister, it appears to me that the inquiry is more about the agenda of downgrading Ennis General Hospital, Nenagh Hospital and St. John's Hospital than about finding out what happened to these two unfortunate women and their families. Can the Minister clarify whether this investigation will examine what went wrong in the cases of Ann Moriarty and Edel Kelly? Will the inquiry study those cases specifically?

The Minister said that consultation with clinicians in the mid-west is ongoing but when will she engage with patients and the public in the region? When will the Teamwork report be published? This is all going on behind closed doors and the public is not supposed to know about it. We received one leaked document from Nenagh Hospital but we have no idea what is happening in the mid-west. As I said, I welcome the fact that there is to be an inquiry, but why did the Minister wait so long? Why did she not immediately ask HIQA to undertake an examination of what went wrong in the two cases concerned? Can the Minister clarify whether this inquiry will address the concerns of the two stricken families or whether it is about an agenda she holds, along with the HSE, regarding hospitals in the mid-west?

**Deputy Mary Harney:** My agenda is to ensure that the services we provide are as quality assured as possible. This is why, with regard to the cancer control programme, we are putting in place eight designated centres. Notwithstanding that expert advice from Ireland and overseas recommends this, there is considerable opposition to it in this House and around the country. Only last week I met a group of people from the north west who strongly oppose the service being moved from their local hospital. With regard to breast cancer, all of the evidence from cancer experts in Ireland and elsewhere shows that unless a centre has at least 150 new cases per

[Deputy Mary Harney.]

year, two specialist breast surgeons, two specialist pathologists and two specialist radiologists, a quality-assured service, which improves outcomes for women by up to 25%, cannot be provided. This means that while five out of five women may survive in a specialist centre only four out of five will survive in a non-specialist centre.

We know the facts in the case of Edel Kelly. A clinical correlation was recommended but did not happen and there was no multidisciplinary approach to her case.

**Deputy Jan O'Sullivan:** We do not know why this did not happen nor whether it applies to other cases.

**Deputy Mary Harney:** It did not happen because hospitals like Ennis General Hospital do not have the capacity to provide such a service.

**Deputy Jan O'Sullivan:** Of course they do.

**Deputy Mary Harney:** We do not have specialist breast surgeons and pathologists specialising in breasts in small hospitals. It would not be possible. Until recently more than 30 hospitals in this country were involved in breast surgery. Between 2005 and 2007 there were 17 breast procedures in Ennis General Hospital. It is not possible to have skilled expertise with volumes as low as that.

**Deputy Jan O'Sullivan:** They could have dealt with the request for a clinical correlation.

**Deputy Mary Harney:** Regarding the two cases in question, HIQA is considering whether there is a need to assemble a new set of facts. I told the sister, whom I met last week, and the husband of the late Ann Moriarty, that we will leave no stone unturned to ensure they get the information required in whatever way it can be assembled. A considerable amount of information has already been assembled as there were three different inquiries into that case. Mr. Henry and his family still have questions and they are entitled to answers. HIQA, an independent body, is examining the issues relating to the two specific cases.

There are wider issues relating to Ennis General Hospital that concern me because Ann Moriarty presented as an accident and emergency department case. People present every day at accident and emergency departments and I want to ensure that when we provide hospital services we provide quality-assured, safe services to patients, to the best of our capacity as a country.

This is not about downgrading anything but is about upgrading patient care and safety. The Deputy asked why there is not patient buy-in, but patients look to the clinical community on these issues, as do I. I have taken advice from Professor Arnie Hill, head of the Royal College of Surgeons and one of our leading breast surgeons, who is involved with Professor Tom Keane in implementing the new cancer control programme. I have listened to Professor Keane, a breast radiation oncologist of international repute, and my own medical team at the Department. This is the advice I must listen to as I am not a clinician. Even if I were a clinician, it is important to listen to the advice of experts. I take that advice when it comes to clinical matters.

We cannot have inquiries into every misdiagnosis that occurs. Long before I became Minister for Health and Children, in the 30 years I have been in this House, I dealt with constituents who have experienced misdiagnoses and families that have lost a loved one. This is the reality as even in the best health system in the world errors may occur. We have had a number of inquiries and will continue to have them when necessary. However, we cannot tie up the best clinicians in the country in constant inquiries at the expense of services. This is why so much focus must now be on putting in place the new programme.



By March 2009, breast surgery will take place in the eight designated centres. Nineteen hospitals already have ceased performing breast surgery and at that point, one will be able to state that Ireland is providing the best possible service to breast cancer patients which is on a par with the best that is on offer throughout the world.

**Deputy James Reilly:** I also welcome the inquiry. However, from the Minister's remarks, I am unclear whether this inquiry will include the two specific cases mentioned, those of Ms Moriarty and Ms Kelly. From her remarks I understand it will encompass services of a broader nature at Ennis General Hospital. Like my Labour Party colleague, I must say, *4 o'clock* "better late than never". However, it is upsetting and disappointing to be obliged to wait for so long and that the leadership took so long to be seen, as well as to move, act and represent the public interest. The families were obliged to go through the trauma of public glare to get what was rightfully theirs, namely, justice and transparency for their loved ones. I refer to the damage done to the credibility of the HSE, as one professional after another was rolled out to pour cold water on the need for an independent inquiry. The Minister mentioned the gentlemen concerned and I would be the first to acknowledge their expertise, which lies in breast cancer and not in public disquiet or in meeting the concerns of the public. Such expertise lies within this House, to which Members were elected to represent the people.

I also am concerned there has been no mention of the disappearance of the mammogram at St. James's Hospital as being part of this inquiry because I believe it is extremely serious. For instance, is it known whether a digital machine performed this procedure? If so, is there not a record of it on the hard drive and, if not, why not or how not? This must be investigated. I accept the biopsy might have been taken in Ennis General Hospital and examined in Limerick Regional Hospital. As a clinician, clinical correlation to me means asking whether this fits with what one has seen as a clinician. That is all it means and if the biopsy is negative, the ultrasound is clear and the mammogram shows nothing to worry about, one must ask the reason the patient was not brought back to have a further review if the lump was still present in a month's time or whatever. This must be examined and we must find out what went wrong.

The Minister's is absolutely correct regarding her further questions on Ennis General Hospital. We must find out the reason blood markers were not followed up, what happened in the accident and emergency unit and the reason, the patient having been there for four days, it occurred to no one this could be a recurrence of cancer. In so doing, we must help and support those who were involved in this case in order that they do not make the same mistakes again and to fix the system that allowed this to obtain. Has this anything to do with the lack of investment in Ennis General Hospital, which my good colleague, Deputy Breen, has informed me has been promised yearly for many years?

The Minister also made a statement which I do not accept, that one cannot investigate every incident throughout Ireland. Had we an identifiable patient safety authority, to which people could go with their concerns without being obliged either to resort to publicity and the associated glare and upset it causes for families or to go to the courts, such matters could be dealt with. Fine Gael has asked for this in the past and while one could be accused of creating another quango, this would not be the case as it could be brought under the remit of the Health Information and Quality Authority, HIQA, or *vice versa*. The point is that Irish people are entitled to know they and their loved ones are being looked after properly. I frequently have been on record as stating that while human error always will be with us, a good system will minimise the impact of such human error on the patient. When human error takes place and has a negative impact, people should not be obliged to go through the trauma through which Mr. Henry and Mr. and Mrs. Kelly were obliged to go.



[Deputy James Reilly.]

The Minister mentioned the movement to the eight centres. It does not matter what these centres are called, be they centres of excellence, specialist centres or whatever, unless they are funded and resourced appropriately to carry out the job they must do, we will have more of the same. I specifically refer to Waterford Regional Hospital, which originally was due to take all breast cancer cases in the south east by November 2009. Last week, it was informed that the process must be completed by the end of next month. There is no confidence there that it has the theatres, staff or resources to deal with the influx of patients with which it will be obliged to deal. There is a sense there of being set up to fail, rather like Portlaoise hospital, which also was a designated centre.

I would be grateful were the Minister to respond to my concerns. I will finish by again welcoming the independent inquiry. I hope it will be expeditious and does not transpire to be like the inquiry on the north east, on which one still waits, despite it having been promised last July.

**Deputy Mary Harney:** Many questions have been raised by the Deputy. First, the terms of reference will mandate that the inquiry be concluded within three months because speed is important. It is important for confidence in Ennis General Hospital, for the patients who attend there and for everyone else who is involved. Second, the mammogram in St. James's Hospital was analogue and not digital. However, I understand it is now digital. The mammogram was taken in the private hospital, which at the time was not part of the PACS system and was of the other breast. Unlike Deputy Reilly, I am not a clinician but the report of the mammogram states it was clear. Doctors have told me it is highly likely that the cancer does not spread to the other breast but to other parts of the body. I understand this was metastatic cancer. However, in the dialogue HIQA has had with Mr. Henry, the issue of the missing mammogram in St. James's Hospital has been part of their consideration.

As for the issue of expertise, the expertise in respect of whether we have clinical look-backs rests more with people such as Professor Hill and Professor Keane than with anyone in this House. I reject the suggestion, which places a question over their professionalism, that people on their level with reputations such as theirs would be rolled out or used by anyone. Certainly there is no question of me asking anyone, not least someone at that level, to perform a function they do not wish to do. If they are invited by the media to participate in programmes and agree to so do, they give their honest views on matters as they perceive them.

As a general practitioner, the Deputy will acknowledge that the speed of the transformation in breast cancer services in recent months has been incredible. It has happened with incredible speed, which is impressing clinicians. Only last night I spoke to a clinician from Galway who, as a doctor, was really inspired by the speed at which the reforms have been put in place. I welcome this and that is the reason the target date for the completion of the transition of breast services from the smaller hospitals to the eight centres has been brought forward. It is precisely because women themselves wished to attend such centres and did not wish to attend hospitals that were not designated centres.

Professor Keane sought and received resources for the transition last year. He has sought resources for next year for prostate and lung cancer in particular and will receive those resources, notwithstanding the changed economic circumstances. He has made the point that we spend considerable resources in the area of cancer. Successive Ministers for Health and Children, including Deputy Noonan, who is present, invested considerable resources in cancer. However, when such investment is fragmented, the same benefit does not accrue from those resources as would be the case were the resources and expertise brought together. This is what is taking place and much of the additional resources involves transferring the resource from

the local hospital to the centre. For example, Mr. Barry in Mayo will move to Galway from Castlebar hospital for two days a week to perform breast surgery. The same also will apply to other breast surgeons. I understand one already has moved from Kilkenny to Waterford and so on.

As for the two individual cases and what other facts must emerge, we know a lot about what went wrong in both cases. Although Ann Moriarty should have been referred back to St. James's Hospital, where she had been treated for breast cancer, that did not happen. As for Edel Kelly, while the Deputy knows more about this than do I, the HIQA report in respect of Rebecca O'Malley made recommendations about fine needle biopsies. As I understand it, one does not simply go in with a needle, take a sample and send it for a biopsy. Instead, I understand one also uses ultrasound to guide one as to which tissue to remove. I understand that did not happen. Therefore, I presume the tissue that was subject to the pathology examination in Limerick Regional Hospital probably was fine. I understand the issue is whether the appropriate tissue was examined.

HIQA is a patient safety authority. Its job is to set and enforce standards in the health care system. Such standards are set and enforced with a view to improving services for patients. We have had the report of the patient safety commission and, among others things, we must introduce a licensing or accreditation system. The reality is that we do not have particular standards of care and criteria for the opening and functioning of hospitals. That, in particular, is very unsatisfactory from a patient safety perspective. I will bring the recommendations of the commission to Cabinet very shortly with a recommendation for their implementation.

With regard to the comments about me not acting speedily, I met Mr. Henry last week. I became aware of the Edel Kelly case late last week. I am always interested in meeting patients and I meet a number every week. Many cases never get into the public domain and many patients are satisfied with how their complaint has been resolved at a local level. The Deputy would know that. Many people feel they are listened to and supported while others feel their complaint was not taken seriously or dealt with as sensitively or speedily as they would have wished.

I met Mr. Henry and the late Ann Moriarty's sister. I will meet the Kelly family next week. I emphasise that every time we have a misdiagnosis or error — we have them every day and even when we have the eight centres of excellence I am advised by experts there will be an approximate 1% error rate — we cannot continue to have inquiries which tie up the best experts we have in the country. As there has been a second case in addition to that of Edel Kelly, it is important for the hospital that people can have confidence in the services. The cancer services have closed but other services continue to be provided. I understand many telephone calls have been made to the hospital and others in the region, with people worried not just about cancer, but about other services in the hospital.

We owe it to the hospital, patients and staff to ensure we clinically review what is happening there with a view to ensuring that anything which needs to be put right is done as quickly as possible.

**Deputy Pat Breen:** I welcome that the Minister has called HIQA in to look at the services in Ennis General Hospital, as we have a serious situation in County Clare.

I take the Minister back to last May, when she said she acted speedily. I do not believe this. At that time, the Minister told the Oireachtas Members from Clare, three of whom are present today, along with the mayors of Clare, that she would be down in Clare within two weeks to compliment staff on the way they treated the C. difficile crisis that emerged in the hospital at

[Deputy Pat Breen.]

that time. She stated she would probably include Ennis in the capital programme for 2008, which was what we all expected. We did not see the Minister then and still have not seen her.

A very serious issue has emerged with those two cases. When the Minister responded to the recommendations of the Portlaoise and Barrington cases reports, she said patients' interests come first. This has not been the case regarding what the Minister has said this afternoon, that an investigation cannot take place with everybody. Every case is important.

I visited the Kelly family yesterday morning. They were on local radio and the girls in my office cried upon hearing what they said. I was touched by these people, who just want answers and not publicity. We need to know what happened and why. In the case of Ann Moriarty, we must know why the suspect blood was put on the shelf and why the X-ray was not read properly. X-rays are taken every day outside of cancer services in Ennis General Hospital and blood samples are also taken daily. We must know why the problem happened and if it was a resource or staffing problem. We need answers quickly.

The Minister's announcement this afternoon of an investigation by HIQA will help but there are other issues. I want to know why the Minister has not put funding for the development plan in place. She promised she would visit the area.

The issue of mammograms is related to what we are talking about. Why is it that a patient with a family history of cancer but without symptoms is not being given a mammogram currently? Why has BreastCheck not been rolled out in the mid-west region? Women are extremely worried about themselves following the incidents in Ennis General Hospital. When will the roll-out happen? It is an important action but only people with symptoms are being referred for mammograms currently. There are many worried women in County Clare now, particularly public patients, who cannot go for mammograms as a result.

I have two other questions. A CAT scanner was announced by the Minister at the May meeting but I have never heard of a CAT scanner working for just five days a week, which is the Minister's proposal. People do not get sick only between 8 a.m. and 8 p.m. but rather on a 24 hours a day basis. Car accidents can happen at any time. A CAT scanner is a necessary piece of equipment in a hospital but the Minister is only putting it in place for five days a week. What is stopping a technician being appointed, with the film being sent to the Limerick centre of excellence for a report?

Is the Minister aware of any other cases of misdiagnosis in Ennis General Hospital aside from the third case we know of from last night? Are there other cases and has the Minister been in touch with the HSE in this regard? We must know this information.

When will the Minister come to the hospital to give assurances to the Clare people and the staff, whose morale is very low? She should assure these people that investment is going into the hospital as we cannot put it on the long finger any more. The Minister does not act speedily but rather very slowly.

**Deputy Mary Harney:** I regret some of the comments made by the Deputy as I have met him on many occasions with regard to Clare matters. I stated that I was planning a private visit to Clare and would call into the hospital. I did not make the private visit, as it happened — I was going to attend a private family event and circumstances dictated I could not attend. I would be more than happy if in Clare to visit Ennis General Hospital but I am not into PR stunts.

**Deputy Pat Breen:** We do not want PR stunts; we want action.

**Deputy Mary Harney:** I do not make a significant number of hospital visits because I am quite busy working in the office as much as I can. I meet people from Ennis and I have met with the Deputy on many occasions, as he knows.

**Deputy Pat Breen:** The Minister is not delivering.

**Deputy Mary Harney:** With regard to capital investment, I gave a commitment that provision will be made in the 2008 capital plan for capital works at Ennis. That is a fact and there are parliamentary questions down today where I have answered that issue. The capital works must be compatible with the developments taking place at the hospital. As I stated in my earlier reply, significant work has been under way between the four hospitals in the region, all of which have accident and emergency departments.

Many Members may have heard Professor Drumm say this morning something he has said on many occasions, that we have many hospitals in the country where we have four times more doctors employed than admissions per day. Deputies do not need me to tell them that in such an environment, quality care is not possible. It is not a good use of resources.

The whole reform effort aims to get clinical buy-in to the change and listen to the clinical experts on the ground and nationally. For 30 years this country has sought to reform its health service but has always fallen down because of a failure to achieve clinical buy-in, which is the key to success. This is particularly true of the cancer programme, where there is significant buy-in from the clinical community in Ireland to what we are doing.

With regard to mammograms, BreastCheck has been rolled out to the mid-west, although it has not yet been rolled out in Clare. There are approximately five or six counties left to roll out BreastCheck, which is happening as we speak.

**Deputy Jan O'Sullivan:** It is not happening.

**Deputy Mary Harney:** One of the issues arising for BreastCheck is the recruitment of specialist radiographers. As a result of difficulties in seeking to recruit these specialist radiographers, arrangements have been put in place with the NHS in Britain and it may be possible to second radiographers for a short period to BreastCheck in order to facilitate the roll-out to those counties where this has not happened.

**Deputy Pat Breen:** When does the Minister expect it to happen in County Clare?

**Deputy Mary Harney:** I cannot give a precise date and have never done so. I do not know. We have provided the resources for the roll-out nationally and the centres have been constructed and are operational in Cork and Galway. The mobile units are in place in many counties around the country. It is regrettable that take-up in some areas, for example, County Mayo, is disappointing. We all need to apply our collective efforts to encouraging women to come forward for a mammogram because we know early detection is essential.

The Deputy asked about two specific cases. HIQA, which is examining the facts of the cases as it knows them, may conclude a review of the cases, over and beyond the information we have, is warranted. Mr. Henry wants other questions answered, particularly on clinical care and contact made between a clinician and Mr. Henry's family concerning how the complaint was handled. I hope these outstanding issues can be addressed to his satisfaction. We have a considerable amount of information about what went wrong in the cases of Ms Edel Kelly and from the three reports into the death of Ann Moriarty.

**Deputy Michael Noonan:** I wish to sympathise with the bereaved families. The loss of a wife and mother is very difficult for a family, even more so when the events which caused the death

[Deputy Michael Noonan.]

could have been avoided, as appears to be the case here. I welcome the inquiry. In my question I asked the Minister to include in its remit the issue of misreading of smear tests. However, she failed to answer that part of the question. I made this request because I have not yet received replies to a letter I wrote several weeks ago to both the Minister and Professor Drumm in which I provided documentary evidence showing there had been a misreading of several smear tests and that two false negatives had been issued from a laboratory in Galway, as was proven to be the case when archival samples were retested.

The woman involved in the case in question is now very seriously ill. I did not want to raise the case publicly because the woman and her family want to maintain their anonymity. However, I have forced into a position in which I must raise the issue because I am unable to obtain a reply from the Minister or Professor Drumm. Although the former acknowledged the correspondence, I expected I would have received a substantive reply by now given that I wrote to her almost three weeks ago. When I wrote to Professor Drumm I received the usual, ludicrous answer with which Deputies are familiar, namely, that the matter was being referred to the parliamentary affairs section of the Health Service Executive. For the HSE to refer to its parliamentary affairs section a letter about a person who is seriously ill with cancer following the misreading of a smear test as if it were a routine inquiry by a Deputy makes one wonder what is going on in that organisation. While I presume the matter has been brought to the Minister's attention, failing that I ask her to seek out the information.

A woman whom I know quite well is extremely ill with cancer. The circumstances of the case are that a general practitioner took a smear test for cervical cancer in 2006. The test was sent to Galway and the result was negative. However, when inquiries took place earlier in the summer, it was found that a smear test had also been sent for analysis in 2001. When the 2006 archival sample was retested, it showed clearly that the indicators of cancer were present in the sample. The 2001 sample, taken five years previously, also showed that pre-cancerous cells were present. At a minimum, precautions should have been taken at that stage and the woman in question made the subject of observation.

Did the Minister's officials show her my correspondence? I did not make an allegation or send a routine letter but provided her with the results of the archival laboratory tests to show that the family who raised the matter with me are speaking the absolute and simple truth and are supported by their clinicians. Did the Minister have a conversation with Professor Drumm? It seemed from something he said this morning that he may have been made aware of the case last night because he referred to a third case. I am not certain he was referring to the woman in question.

I am constrained by the fact that the family in question do not want publicity about the case and while I will not name names today, I regard this as an extremely serious issue which has been very badly handled. There may be reasons for this. Perhaps matters are being inquired into in the Department or a substantive reply is on its way to me. However, in view of the gravity of the case and the serious condition in which the woman in question finds herself, I would have expected to have been contacted by the Department and Professor Drumm.

**Deputy Mary Harney:** The focus of the questions is Ennis General Hospital and the tragic deaths of two individuals. I am, however, familiar with the Deputy's correspondence which was received in my Department on 28 or 29 August. He also tabled a parliamentary question which I cleared last night. In my reply to the question, I indicated that the matters raised are being fully examined, that I have asked the Health Service Executive for a report and that I will communicate with the Deputy by the end of this week as the report is almost complete.



**Deputy Michael Noonan:** I included in this question a request to inquire into this matter. Will the Minister agree to do so?

**Deputy Mary Harney:** I have done so already. My office brought the matter to my attention and the Department is aware of the Deputy's correspondence. All patient safety issues are now referred to the chief medical officer in the Department. A new medical officer who will be appointed some time in October — a recruitment campaign is under way — will head up a new patient safety division in the Department for the first time. Obviously, we must get the facts before we can respond. However, the Department sent the Deputy an acknowledgement.

Earlier this month, when we were rolling out the new cervical screening programme, our main priority when sourcing cytology was to ensure it was quality assured. Without quality assured cytology services, a screening programme is not of great value. Considerable controversy arose about this issue.

**Deputy James Reilly:** One cannot do without kits.

**Deputy Mary Harney:** Errors also occur in a quality assured service. I regret very much the circumstances and state of health of the woman to whom the Deputy referred. I hope to have all the facts of the case and to be in a position to communicate with the Deputy by Friday. If the facts, as suggested by the Deputy, are borne out, we will have had a cytology failing in one of our hospitals. I would regret that very much.

**Deputy Michael Noonan:** Did it not occur to anyone in the Department to telephone me to inform me the information had been received and would be dealt with confidentially, as I wished?

**Deputy Mary Harney:** That happens all the time.

**Deputy James Reilly:** It clearly did not happen in this case.

**Deputy Mary Harney:** The Deputy could have telephoned me.

**Deputy Timmy Dooley:** I thank the Minister for the frank manner in which she has dealt with this matter which is a serious issue both for the two families concerned and all those who are worried at this time. I also welcome the review she announced, which will help to restore confidence in Ennis General Hospital and assist patients who have an ongoing relationship with the hospital. Having met both the families in question, I am hopeful the review will go a long way in addressing their individual concerns. As the Minister noted, however, it may not fully address the concerns of one of the families, although I hope the involvement of HIQA will help to do so.

When does the Minister expect the specialised referral service to be up and running? This service will be critical to restoring confidence among patients of the hospital, particularly those who had dealings with its breast-related cancer services before they were transferred to the centre in Limerick.

I compliment the Minister on the manner in which she has dealt with the families in question. I am aware she has met the family of one patient and intends to meet others. Her approach shows that she cares and helps to build confidence in the health service and political system.

On the terms of reference of the review, will it be possible to examine the culture of dealing with mistakes, specifically the possibility of introducing a process or protocol for communicating with patients or, in the case of patients who are deceased, with their families when mistakes are identified? I am aware there is always a difficulty in the context of accepting



[Deputy Timmy Dooley.]

liability and responsibility but such an acceptance is important to families and those affected by matters of this nature. Will the Minister indicate whether it might be possible to put in place a process of arbitration or mediation which would allow those who are seriously ill or their families to avoid the necessity of seeking redress through the courts? Anything that would prevent people from being obliged to take the legal route would be of assistance. Perhaps the review might extend to providing some guidance in respect of future cases of this nature.

**Deputy Mary Harney:** I thank the Deputy for his comments. A process relating to referrals for women who have concerns is, in effect, up and running. I understand the HSE is in contact with general practitioners in order to make available to them information relating to the precise referral arrangements in each region. This matter relates to hospitals other than that in Ennis. The idea is that there will be a person in each region whom general practitioners can contact. Referral appointments can be made after women have contacted their GPs.

There is a culture of denial, embarrassment and, perhaps, guilt that takes hold when mistakes occur. The medical community here is probably no different than those in other countries. I have attended many patient safety seminars in Ireland and elsewhere since I became Minister for Health and Children and the pattern often appears to be the same. One would hope, particularly in light of enterprise liability, it would be somewhat easier to come to terms with errors. We have a great deal to do in the context of changing the culture relating to how we respond to patients or their loved ones when an error has occurred. It will take some time to achieve this because changing a culture is one of the most difficult things to do in any walk of life, not least in the area of medicine.

We recently appointed a new medical council, the majority of the members of which are lay persons. The purpose of that was to bring a wider dimension to the regulation, training and education of medics in this country. Some doctors who are on the council and who were reluctant for a majority of its members to be lay persons are of the view, even after only a few meetings, that this is a worthwhile development.

I am strongly of the view that when it is clear that an error has occurred, people should not be forced to have recourse to the courts in order — I do not know if this is the appropriate language to use — that they might be compensated. An arbitration system is far more compassionate and responsive. I have already spoken to the HSE in respect of this matter, not only in respect of these cases but also regarding others where errors occurred. Too often in the past we forced people to litigate and they were obliged to cope with all of the trauma associated therewith. One mother who lost her son ten or 12 years ago informed me that the need to pursue litigation compounded the trauma of the original error and that in many ways it made matters worse.

As already stated, there is much to do in the context of changing the culture. A huge effort is under way in the HSE in this regard. The Director of Consumer Affairs, Mary Culleton, her staff and many other people are extremely sensitive to the need to respond to patients. Many of the letters etc., I receive come from people who have good things to say regarding how complaints were dealt with. Equally, however, I receive communications which indicate the reverse. Particular individuals respond differently. However, one would hope that, over time, the response would be appropriate in every set of circumstances.

**Deputy Jan O'Sullivan:** If a woman in County Clare has concerns, what procedure should she follow? If she had a test carried out during the period in question and is worried that the results may not have been accurate, should she contact her GP in order to obtain a referral?

The second matter I wish to raise relates to a question posed by Deputy Breen to which a reply was not given. I refer to the announcement by Professor Keane that routine mammograms would not be carried out at centres of excellence and that women would have to be referred by their GPs when it was established that symptoms were present. There are families in which there is a history of breast cancer. In the region in which I live, women cannot access mammography services of any kind unless symptoms are present. That is causing a great deal of distress in areas — I refer her to Clare and five or six other counties — where BreastCheck is not in operation.

Will the Minister request that the position in this regard be reviewed? I am aware of cases where three or four sisters in particular families died as a result of breast cancer and where a surviving sister who does not have symptoms wants to have a mammogram carried out in order that she might be reassured. It is cruel that such women cannot avail of routine mammograms. Even if one manages to scrape the money together, I understand that, since the closure of the Barrington's service, one cannot avail of a mammogram in the mid-west region.

**Deputy Pat Breen:** That is true.

**Deputy Jan O'Sullivan:** Even if they are in a position to pay, women in the region must travel to Galway or Kerry to have mammograms. The position must be re-examined.

**Deputy Mary Harney:** Women in Clare or anywhere else who are concerned should go to their general practitioners who will be able to refer them to one of the eight centres of excellence. The idea is that the centres deal with those suffering from symptomatic cancer. However, they also deal with families that are in the high-risk category. Earlier this week I was visited in my office by a group from another part of the country. One of the women present was diagnosed with breast cancer as part of a routine follow up which resulted from her mother being diagnosed with the disease. There must be a misunderstanding regarding the matter to which the Deputy refers. It would not be the intention to prevent members of families in which there is a history of cancer to attend specialist clinics. If there is a particular issue in the mid-west region, I would like to speak to Professor Keane about it.

**Deputy Jan O'Sullivan:** That is the impression that was given.

**Deputy Mary Harney:** There are family history clinics at a number of locations, including the Mater Hospital, Drogheda and elsewhere. If there is an issue regarding the mid-west region, I will communicate with Professor Keane in respect of it.

**Deputy James Reilly:** It is not my intention to digress but the Minister referred to cervical screening, which commenced at the beginning of the month. I made a number of telephone calls last night and discovered that only one practice in north Dublin had received a kit. I made my feelings on that matter known in the past and was castigated for doing so. However, there is no point in announcing a service when it is not available. Prematurity only undermines the position.

I referred earlier to Waterford but the Minister did not respond. In what way will resources be provided in order to allow the authorities there to achieve in a month what was supposed to take one year? Will the Minister address the concerns of the people who work there?

Despite the fact that matter has been the subject of media reports for two to three weeks, I received a telephone message from a journalist earlier this afternoon to the effect that there is no advice on the HSE's website for people who were misdiagnosed. A telephone number has

[Deputy James Reilly.]

not been provided and there is no indication of what they should do. Perhaps the Minister will check the position and ensure this matter is resolved.

The Minister referred to the Commission on Patient Safety, which recommended in its report that a patient safety authority be established. She also referred to HIQA enforcing standards. How can HIQA do so when it is not in a position to censure hospitals? It can set standards and impose them on hospitals but when its officials return 12 months later, they will be informed by the powers that be that they did not get around to implementing them. Nothing can be done in such circumstances. In the case of a private facility, HIQA may be in a position to revoke the licence. In terms of enforcement, the authority lacks teeth.

As usual, the Minister engaged in one of her favourite tricks, namely, reframing the comments I made in respect of Professor Keane and others. I stated that public representatives are the best people to judge public concerns and that experts should be left to their areas of expertise. Their expert opinion in respect of a look-back goes a step further. I stated that HIQA should carry out an independent inquiry and that if, as a result of the latter, a full review is required, it should be carried out expeditiously. I am glad the Minister has taken my view on board in that regard.

Deputy Breen inquired if the Minister is aware of any further cases but she did not provide a reply. Will she indicate whether the biopsy from Limerick was reviewed?

**Deputy Mary Harney:** I understand that the biopsy relating to Edel Kelly has been reviewed.

**Deputy James Reilly:** Was it clear?

**Deputy Mary Harney:** Yes, I believe that to be the case. As the Deputy is aware, there is a recommendation in the Rebecca O'Malley report regarding which tissue should be the subject of a fine needle aspiration. I understand that doctors should be guided by ultrasound scans in order to identify which tissue to take.

Professor Drumm stated that another case is being investigated. That is not the cytology case to which Deputy Noonan referred and I apologise for not responding to his earlier question. I do not believe any information has been assembled as to whether there was a possible delayed diagnosis. The case in question does not involve a death but there may have been someone whose diagnosis was delayed. The case relates to Ennis and not any of the other hospitals.

In regard to Waterford, the breast surgeon from Clonmel has gone there. Professor Keane does not transfer services from a hospital until he is certain the resources are in place. Interviews took place recently and ten cancer doctors are being recruited, one for each centre. Some of them are surgeons and many are specialist radiologists. I understand there was a high level of interest from many excellent doctors. Further interviews are to take place to recruit other specialists for the eight centres.

In regard to licensing and so on, we do not have a licensing regime here for the public or the private sector. That is a deficiency we must act on as quickly as possible. It requires legislation which will be drafted and forthcoming as quickly as possible. Until we have a licensing regime, it is not possible to establish an organisation to close things down if we allow people to open without any permit or authorisation. We must ensure that in the way we fund hospitals, we only fund those places which operate to the standards we deem necessary.

For example, in regard to breast cancer, I spoke to the insurers to ensure they do not fund through insurance activities in places which do not live up to the new national standards. I

have got that assurance from the VHI and I believe it will be forthcoming from the other insurers as well.

**Deputy James Reilly:** I welcome that because I spoke to the Minister about it last year.

**Deputy Pat Breen:** We spoke about two cases and possibly a third case of which the Minister said she is aware. Are there other cases? We spoke about misdiagnoses but much good work is done in the hospital. People must work in very difficult circumstances. Most days the accident and emergency department in Ennis is crowded. It is small and cramped and there are not enough beds. There are not even rooms in the hospital to give people privacy in the event of a loved one being seriously ill.

The Minister did not answer my question about the CAT scan. I urge her to put the development plan in place as soon as possible. We need to restore confidence in the hospital. As I said, staff are hardworking and I do not want the HSE to use these misdiagnoses as a means to downgrade the hospital. We want the hospital, particularly for the people of west Clare who must travel long distances.

**Deputy Mary Harney:** The only other case in regard to Ennis of which I am aware is the one to which I referred. I understand the HSE is investigating whether a breast cancer diagnosis was delayed. However, as Minister and a representative for Dublin Mid-West, I am aware of many cases around the country where there were misdiagnoses.

To put this in context and to be fair, because it is not often understood by the public, errors are made in even the best hospitals in the world, including the most resourced, the best equipped and a hospital I visited last year, M. D. Anderson in Texas, that deals with 78,000 cancers per year, which is nearly four times more cancers than we have in this country. In the developed world where research has taken place, it is estimated that in approximately 10% of hospital experiences are adverse and that 1% of them can result in a fatality. What we are trying to do in the reorganisation of our services is not to eliminate error because, as everybody acknowledges, that is impossible but to minimise the capacity for error making.

In regard to the scanner and any other equipment put in place, there are 37 hospitals in this country with accident and emergency departments for a population of 4.3 million. People do not need me to tell them that one cannot resource to the standards which might be expected in 37 hospitals with all the modern equipment necessary. It is not financially sustainable or possible, nor is it possible to get the kind of clinical expertise with that type of dispersion. It is very difficult to get top doctors to work in an environment with small volumes. That is the case in many of our hospitals and that is why we are trying to work to bring a network of hospitals together so that they complement each other and the clinicians work as part of a team in the region, such as the mid-west region where there are four hospitals. That is the ideal scenario.

The hospital is only of use to the patients in its catchment area if it can provide high quality services. I have no doubt that is what patients want and that is what we will have in Ennis. That is why the review I have asked HIQA to do will ensure that can be guaranteed in the future.

**Deputy Michael Noonan:** Are there plans to appoint additional consultant oncologists in the mid-west region?

**Deputy Mary Harney:** I understand one of the ten appointments now being made is a radiologist for Limerick. Limerick will have a minimum of two full-time breast surgeons, two radiologists with a specialist interest in breasts, two pathologists and additional medical oncologists. The recruitment process is under way and ten appointments have been made, or certainly

[Deputy Mary Harney.]

people have been offered appointments. Further appointments will be made in the coming months.

*Written Answers follow Adjournment Debate.*

### **Adjournment Debate Matters.**

**An Ceann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Alan Shatter — the provision of a permanent school building for Holy Trinity national school, Glencairn, Leopardstown, Dublin 18; (2) Deputy Jan O’Sullivan — the need to inquire into the circumstances surrounding the deaths of Ann Moriarty and Edel Kelly; (3) Deputy Dan Neville — the flooding of Newcastle West and surrounding areas on 1 August 2008; (4) Deputies James Reilly and Pat Breen — the urgent need to establish an independent inquiry into the misdiagnoses of breast cancer at Ennis General Hospital, including testing at St. James’s Hospital and Limerick General Hospital and the need for the Minister to institute an independent inquiry; (5) Deputy John O’Mahony — the need to extend the farm waste management scheme; (6) Deputies Seymour Crawford and Caoimhghín Ó Caoláin — the preservation of services at Monaghan General Hospital; (7) Deputy Caoimhghín Ó Caoláin — the need for the Minister for Health and Children to intervene immediately to reverse the decision of the Health Service Executive to transfer all acute medical services from Monaghan General Hospital to Cavan General Hospital, placing thousands of people in County Monaghan in grave danger and placing an intolerable burden of additional work on staff in Cavan General Hospital where not a single additional bed is to be provided; (8) Deputy Jimmy Deenihan — the need to undertake an investigation into the recent bog slide at Macca, Lyreacrompane, County Kerry; (9) Deputy Fergus O’Dowd — the need to discuss the recent report from EGIS consultants which raised very serious concerns about safety systems in Dublin Port tunnel; (10) Deputy Simon Coveney — the need for the Minister for Transport to outline in detail his approach to ongoing concerns at Cork airport in relation to debt and the need to appoint a new chairperson to the board of Cork airport and to outline timeframe of when he intends to enable an independent and functional Cork airport; (11) Deputy Timmy Dooley — the need for the Minister of Health and Children to put in place measures to restore confidence for cancer patients at Ennis General Hospital; (12) Deputy Joe Costello — the need for the Minister for Health and Children to fund adequately the Irish Family Planning Association so that it is able to provide a full range of services; (13) Deputy Michael D. Higgins — the need for the Minister for the Environment, Heritage and Local Government to indicate the measures he has taken to address the lead contamination issues that have arisen in certain housing areas in Galway and if such an issue was examined in previous examinations of the water supply, and to indicate what steps he proposes to take; (14) Deputy Róisín Shortall — the need to maintain the independence of the Combat Poverty Agency; (15) Deputy Lucinda Creighton — the sudden decision of the Department of Defence to evict the residents of a block in the Defence Forces married quarters of Cathal Brugha Barracks by means of a letter dated 11 September 2008, demanding that the residences be vacated by 30 October 2008, and to afford the Minister for Defence the opportunity to remedy his failure to honour agreements entered into in the early 1990s to dispose of the properties to the occupants in line with the provisions of the old local authority tenant purchase scheme; and (16) Deputy David Stanton — the need for the Minister to debate the closure of Swissco Limited at Little Island in Cork with a loss of up to 150 jobs and to outline what action, if any, the Government and State agencies have taken or will take to try to avert the closure.



The matters raised by Deputies Seymour Crawford and Caoimhghín Ó Caoláin, Róisín Shortall, Jimmy Deenihan and John O'Mahony have been selected for discussion.

### **Electoral (Amendment) Bill 2008: Second Stage (Resumed).**

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

**Deputy Ciarán Lynch:** I will summarise the point I made earlier, given the gravity of the debate which has concluded. One must ask about today's Order of Business. Why is the House discussing the Electoral (Amendment) Bill when people outside it are talking about the economy, job losses, the health service and other important matters? If a child in the Visitors Gallery heard the debate which just took place, he or she would be aware of the importance of this House but if he or she had heard only the earlier debate on the Electoral (Amendment) Bill, he or she would be of the view that politicians were talking about themselves at a time when everybody else wanted the House to talk about what is happening in the country.

As I said earlier, the Labour Party accepts the report of the commission and values the work it does. However, how it goes about its business needs to be examined as the terms of reference of the commission are set up by the Minister. The Labour Party believes the process, as currently sequenced, needs very serious examination. Currently, when the commission reports, the report comes to the House as a *fait accompli*. We would like an interim report to be sent to the stakeholders and those with an interest so that decisions made by the commission can be examined.

I welcome the fact that the Bill provides that within three months of a census report being published, the commission will begin to engage in its work again. However, there is a year between when the preliminary reports come out and when the census reports are fully published. The commission could begin to do its work even at the preliminary stage. There is no doubt that if boundaries had been reviewed in advance of the most recent election and they had reflected the changes in population experienced since 2002, the outcome of a number of constituencies would have been very different. However, nobody can say whether this would have changed the overall outcome of the election. Nevertheless, the structure of the most recent general election should have been examined in terms of how the constituencies were set out.

The terms of reference for the commission set out in the 1997 Act should be amended to protect our system of proportional representation and this should be the key reference for any work of the future commission. This is not just my view or that of a political party; it should be a constitutional requirement on the commission. Given the position of the stipulated voting system within the Constitution, this is not just a point of debate, but a constitutional fact.

In practical terms, this means if there are two or more possible configurations for constituencies in a particular locality, with due regard having been given to all relevant factors, the commission's leaning should be for one that provides for a smaller number of constituencies returning a greater number of Members, rather than a multiplicity of three-seat constituencies. Unfortunately, this is the practice developing from one commission report to another.

It is, therefore, necessary to set out the basic mathematics that show the purpose of proportional representation and a single transferable vote election is most successfully achieved in constituencies that return more than one Member. In the submission made last year by the Labour Party, we argued that a fundamental requirement of the commission was to protect the element of proportionality to ensure the closest possible correlation between the share of votes a party gets to the number of seats it secures. Statistics we provided to the commission clearly demonstrated that larger constituencies provide the greater degree of proportionality.

[Deputy Ciarán Lynch.]

Unfortunately, the commission took little account of this, leaving the proportion of three, four and five-seat constituencies largely the same. More than one third of all constituencies are now three-seaters, the configuration that produces the least proportional outcome. For example, because the Ceann Comhairle is automatically returned, Kerry South will actually become a two-seater, which comes close to rendering the constitutional right of the people of Kerry South to proportional representation null and void. This situation will recur in any three-seater constituency with a sitting Ceann Comhairle.

The people have voted in referenda on two occasions to retain proportional representation. We should ensure that the value of this system is not undermined by inadequate terms of reference for the commission. I suggest the 1997 Act should be amended through the insertion of the following new paragraph in the commission's terms of reference:

The Commission shall, so far as practicable, recommend such arrangements in relation to the constituencies as are best calculated to result in an outcome where the number of Members of each qualifying party elected to Dáil Éireann, as a proportion of the total number of Members of the Dáil belonging to qualified parties, is the same proportion as the total number of first preference votes obtained by the candidates of each such qualifying party at the general election and this bears to the total number of first preference votes obtained by candidates of all qualifying parties at that election.

This would provide a more democratic outcome in a proportional representation system and I urge the Minister to take this on board.

The terms of reference should also be changed to allow for the creation of six-seater constituencies. We do not have any of these currently, but this should have been considered in the Kerry scenario and would have been appropriate and more favourable than our current two three-seat constituencies. These changes would result in a more open and transparent system for reviewing the constituencies, while preserving the principle of an independent process. They would provide results in which the public would have greater confidence and provide a bulwark against the further erosion of our system proportional representation. The commission itself should be looked at in the overall context of institutional reform. The role of the commission is not something that operates in isolation from other parts of the electoral process. This examination should result in a number of significant changes to the manner in which elections are organised and conducted in the State.

In order to achieve this goal, I intend to bring before the House an electoral commission Bill that would establish a new electoral and public offices commission to take over the powers of the existing Standards in Public Office Commission and the Referendum and Constituency Commission. The new body would also take over responsibility from local authorities for the electoral register and from the Department of the Environment, Heritage and Local Government for the running of elections. Currently there is much talk about the convergence of State agencies to bring about greater efficiency. This area is a very obvious area for convergence. Not only would it provide more efficient elections, but we would also get an independent structure that would ensure the basic principles of the election process, particularly of proportional representation, are protected.

The Bill also provides for major changes in the process by which the constituencies are revised. In redrawing the constituencies, the commission will be required, so far as practicable, to recommend an arrangement of constituency sizes and boundaries that is best calculated to produce an overall proportionate result. To achieve this result, it will be able to recommend

constituencies returning three, four, five or six Members. Currently, the maximum number is five.

The commission would also be able to commence work on redrawing the constituencies on the basis of the preliminary census figures, which would be more effective than the current system. However, I welcome the tidying up of this area to some extent within the three-month schedule, but by doing this at preliminary result stage, the job would be far easier to manage and provide for a better timeframe. If, for example, a census is envisaged within the lifetime of the current Government, we could find ourselves in a position where we are in the middle of a commission going into the next general election. I do not think that should be the case or that we should have commissions immediately after elections. Commissions should have their work completed well in advance, from 18 months to two years, before any general election.

The publication of a preliminary or draft report would address one of the major shortcomings of the current system, whereby once the commission produces its report, it cannot be asked to review the decision, no matter how illogical, irrational or inconsistent with its own terms of reference it may be. This situation was reflected in the Kerry-Limerick situation, where two local authorities, operating in two different counties and incorporating two different areas, have converged. This is probably a situation that will be redrawn and revised when the error of this approach becomes apparent. Some of the recommendations made in the most recent report, such as the transfer of 14,000 County Limerick voters to the Kerry North constituency would fall into this category. I am sure other Members are aware of similar cases in other constituencies.

The other major area of reform relates to the compilation of the electoral register. Despite some belated efforts made prior to the most recent election to update the register, anyone involved in active politics will be aware just how inaccurate the register remains. Before the most recent election, some €6 million was spent by the Department of the Environment, Heritage and Local Government in an attempt to tidy up the register of electors, but this attempt failed spectacularly. In some parts of Ireland the register figures exceeded the census figures by 105%. There is something radically wrong when we have a situation where there are more registered voters for a constituency than are registered as living in it. Northern Ireland has a smaller population than us, but it can manage an almost perfectly accurate register of electors on a budget of €2.5 million a year. We threw €6 million at our system, on top of the existing budget, but still got it wrong.

My Bill also proposes to transfer to the commission the functions of local authorities for preparing and publishing the register of electors. The commission must seek to achieve the comprehensive, accurate and timely registration of persons entitled to be registered as electors in an efficient and economical manner. Currently we have 34 local authorities using 34 different systems with 34 varying levels of priority. Some local authorities take the management of the electoral system seriously, but others do not and deal with it in the basement of the city, county or town hall. It does not have equal priority and, therefore, a disparity exists in the register of electors figures across the country. I propose that a new commission would be entitled to access information from statutory bodies and utility companies in order to accurately record the names and addresses of electors. Such a commission would be able to use public service identity numbers to ensure the accuracy of the register, which is the case in Northern Ireland.

While many aspects of this Bill are positive, a number of opportunities have been lost. The most obvious of these is the opportunity to fundamentally reform the overall structure, not by tinkering with boundaries and constituencies but by creating a commission that governs the

[Deputy Ciarán Lynch.]

process of elections in this country on an independent basis. That would result in a more efficient, effective and measurable means of running elections in this country.

We are repeating the former system in regard to electoral reform. Where 12 five seat constituencies existed, we now have 11. The number of four seat constituencies has increased from 13 to 15, while three seat constituencies have decreased from 18 to 17. The overall trend is a drift away from five seat constituencies. However, an examination of the proportional representation shows that the larger the seat ratio per constituency, the better the proportional representation and the greater the democratic outcome. Most important of all, we have more assurance that the public will have the type of representation they seek. Unfortunately, that has been eroded by the commission's report and this Bill.

The electoral process is the cornerstone of our democratic system. It is essential that the public have full confidence in the reliability of the electoral register and the way in which constituency boundaries are determined. We need to examine this issue as a totality in terms of the systems of elections as well as the structures within which they are held. There is a need for reform in both areas. Structural reforms are needed in respect of expanding the remit of the commission and there is a need to tidy up the systems which currently exist. One obvious means of achieving these ends is the draft report which has been brought before us. However, if we are to be truthful to ourselves, we should admit that our current debate holds little prospect of for this outcome. I ask for changes to the process so that a democratic input is facilitated because the public needs to have confidence in the system.

The most glaring omission in this Bill is its missed opportunity to introduce spending limits on local elections. An anomaly exists in that while expenditure limits are imposed on general election candidates, there is no ceiling on local election spending, despite smaller voter bases and geographical areas. The only requirement is that records of expenditure must be supplied. We could be debating boundaries once again in three or four years time but the most immediate issue before us is the local elections. I question the Minister's position on this matter, given his earlier comments on it. It appears that his involvement in Government has diluted his opinion.

**Deputy Michael Kennedy:** Tá áthas orm seans a fháil labhairt ar an Bhille tábhachtach seo. I appreciate the opportunity to speak on this issue once again and am relieved that the proposals contained in the constituency boundary report are at last being taken seriously. When I was last afforded the opportunity to speak on the Constituency Commission's proposals, it was merely to make a statement on them. I expressed disappointment at the time that members would not have an opportunity to vote on the issue and that it would be treated as an interim report. Such was the level of respectful objection among many of the speakers that the Minister, Deputy Gormley, agreed to bring the issue back to the House in the form of the Electoral (Amendment) Bill 2008.

Although I am disappointed that the Bill adopts the same recommendations as those of the Constituency Commission's report, I now have the opportunity, with other Deputies who suggested a re-examination of the recommendations, to appeal for real change. I hope we will have some leverage to compel the relevant committee to include our suggestions on Committee Stage.

When I previously spoke on this subject last May, I made clear my objections to some of the Constituency Commission's proposals. In particular, I remain convinced that the plan to rejig parts of north Dublin into the Dublin West constituency is ludicrous. Many other areas will also be affected. Limerick West is to be incorporated into Kerry North, parts of east County Meath are to be included in Louth, parts of south County Offaly will move to North Tipperary and Leitrim remains divided into two Dáil constituencies.

I acknowledge the reasons for this proposal and I am in no way criticising the commission itself as I know it is acting independently and has no agenda. However, I believe it to be short-sighted in some of its recommendations. In a bid to address the balance among the constituencies, the commission has commenced this slash and burn plan. It is arbitrarily hacking apart constituencies and adding a portion of one constituency to another. This slapdash approach will undoubtedly satisfy the representation ratio of 30,000 per Deputy but it is ripping apart communities and disenfranchising thousands of people.

The situation in my constituency of Dublin North and neighbouring Dublin West is a case in point. Both constituencies have too many people and too few public representatives. It is proposed to make up the shortfall in the hugely under represented Dublin West by chopping an area containing 13,000 people out of the town of Swords. This allows for the creation of one more seat in Dublin West. By shifting the boundary, the population of Dublin North is also reduced to such a degree that the ratio of seats to population is more closely satisfied.

Swords is the largest town in my constituency. It has a population of 33,000 and is growing rapidly. Fingal County Council estimates that the population of Swords will grow to upwards of 100,000 people in the next 20 years and is taking this prediction so seriously that members recently passed a plan, *Your Swords, an Emerging City*, to cater for the growth. Swords is already the tenth largest town in Ireland and is larger than Navan and Kilkenny. It is geographically isolated from Dublin West by virtue of 11 miles of agricultural land, while the M50 and the airport prevent it from sprawling into the more urban centres of Santry and Ballymun and the M1 means it will never grow as far as Malahide. Swords is one of the single most identifiable stand-alone towns in north County Dublin, so to split it between two constituencies seems madness. The proposals in the Constituency Commission's report, and now the Electoral (Amendment) Bill, definitely serve a purpose, but the same result could have been achieved through detailed consideration of all the constituencies. Proper consideration is necessary to prevent towns being split across different constituencies just to make up the numbers.

The proposal for Swords is preposterous. It is planned to split Swords down the Main Street, with everyone to the west of the street voting in Dublin West and everyone else voting in Dublin North. Consider the case of the River Valley area of Swords. This is a large housing estate which generates an enormous number of queries for me every year. The people are politically active and well aware of their public representatives. If somebody living in the Boroimhe Estate in Swords, for example, whose children go to school in Swords village, has a problem with that school, who will they consult? Will it be me as the representative for Dublin North or my colleague, the Minister for Finance, Deputy Brian Lenihan, because they will now vote in Dublin West? What was a close-knit, politically active community will be bewildered as to who represents them on these issues. I predict their disillusionment with politics.

The same confusion will exist for local councillors as they prepare to work with the Deputies from two different constituencies to deal with the same issues. This is just one example of the jurisdictional problems that will arise from the proposal to split Swords and the River Valley-Forest Road area. The housing estates of Boroimhe, Ridgewood, Forest Road, Knocksedan and Highfields are all destined to join Castleknock, Blanchardstown, Porterstown, Clonsilla and Mulhuddart in Dublin West. All of these areas will have a weakened electoral power.

The hundreds of residents who contacted me after the commission issued its report live in fear of disenfranchisement. At the next election they believe they will be considered the last outpost before the boundary with Dublin North, and their views will not be canvassed. They are aware they will make up just 12% of the population of Dublin West and their opinions and needs will be secondary to those of the larger urban areas of Castleknock and Blanchardstown. Even more galling is the likelihood that when the population expands in both constituencies,



[Deputy Michael Kennedy.]

which is certain, Swords will once again be reunified with Dublin North, making this exercise entirely pointless. If Swords grows to 100,000 people, as predicted, and similar growth is experienced in Dublin West it is likely that both populations will support additional seats in their own right.

Another ludicrous suggestion is the proposal to move the airport into the Dublin West constituency. If one asked anybody where the airport is located, Dublin West would not be the obvious answer. The airport is an ideological symbol of Dublin North. It is incredibly important to the population of Dublin North, whom I represent. To move it into the constituency of another group of Deputies is, at best, unwise and, at worst, ridiculous.

In addition, areas of Portmarnock are being moved from Dublin North to Dublin North-East. In fact, their removal is further proof of the slapdash approach the commission employed in making its recommendations. Deputy Terence Flanagan spoke on the Bill earlier. In the map used by the commission, two estates will remain in Dublin North while the rest of Portmarnock will be moved into Dublin North-East. This shows how ridiculous these proposals are. A small group of people living in Portmarnock, ten metres from their neighbours, will be represented by Deputies for Dublin North, and I will be happy to represent them, but the rest of the people will be represented by Deputies for Dublin North-East. These proposals are short-sighted and ridiculous.

I mentioned earlier that Swords is seen as a stand-alone town. It also identifies itself primarily as a north Dublin town. The residents of Swords have issues that are very specific to north County Dublin and they align themselves historically with the nearby towns of Balbriggan, Skerries, Donabate, Rush, Lusk, Malahide and Portmarnock. I have been contacted by hundreds of people from Swords on this issue. Never have I seen a proposal so violently opposed by such large numbers. Such is the level of opposition that the community has formed a non-partisan, non-political group called the Swords Electoral Boundary Action Group. I suggest that the Minister and the members of the Joint Committee on the Environment, Heritage and Local Government examine the group's excellent submission document and take on board its recommendations.

The Swords Electoral Boundary Action Group raises the issue of contiguous areas and how the 1997 Electoral Act states that each constituency "shall be composed of contiguous areas" and that "there shall be regard for geographical considerations including significant physical features and the extent and the density of population in each constituency". This means we are legally obliged to take account of the natural geographical boundaries. I believe the 11 km of farm land and the N2 lying between Swords and Blanchardstown should be considered the boundaries.

The commission and the Minister have been at pains to explain the motivation for moving a proportion of Swords into Dublin West. Again, it comes back to the issue of re-addressing boundaries and both would argue that the constitutional obligation to provide a balanced constituency far outweighs the legal ramifications of not obeying geographical boundaries. However, in weighing up the issue of equality of representation versus adherence to natural townland boundaries, the Supreme Court, as outlined in the Constituency Commission's report, deferred to Deputies and local representatives to identify the problems arising out of redrawing boundaries. In the section of the report relating to equality of representation, the commission quotes the Supreme Court judgment on the matter of Article 26 of the Constitution and in the matter of the Electoral Amendment Bill 1961: "The problem of what is practicable is primarily one for the Oireachtas, whose members have knowledge of the problems and difficulties to be solved, which this court cannot have."

These reports should be interim reports. The Members of this House are better aware of the issues involved than a small group of people who are not as familiar with the areas. The commission's report goes so far as to suggest that where the boundaries of counties, townlands and electoral divisions are to be disrupted by proposed changes, there can be a departure from the constitutional requirements relating to equality of representation. It appears out of kilter, therefore, for the Commission to recommend the removal of 13,000 voters from Swords and to transfer them to the Dublin West constituency.

As I have said previously, and I will continue to say it until somebody listens, the proposal to split Swords between two constituencies is madness. It is a nightmare for the people of the area, the public representatives and the infrastructural services provided in the area. The local election boundary report did not recommend that Swords be split. The committee was recommended to follow Dáil constituency boundaries and it agreed that Swords should remain a single area. I am extremely disappointed the Minister has not taken the opportunity with this Bill to listen to the many Deputies throughout the House who can point out these deficiencies. I hope our proposals will be listened to on Committee Stage. That would be in the best interests of democracy.

**Deputy Kieran O'Donnell:** I wish to share time with Deputy Jimmy Deenihan. I echo the sentiments of previous speakers. We are debating something today that should have been debated long ago. It is not a priority. The commission's report was published last October but we are only seeing the Bill a year later. At the same time, the health service is malfunctioning. Women are worrying about their lives, people are dying and the economy is on its knees yet we have set aside at least an hour or two to debate this Bill. We should be debating issues of relevance to the daily lives of people in terms of health and jobs. However, that is not what we are doing. We should not be discussing today a Bill that should have been dealt with months ago.

While recognising the independence of the commission and its findings, in particular in regard to the Limerick East constituency which I represent, it appears unusual that the people of Limerick are to be divided between three constituencies rather than two. The current constituencies are Limerick East and Limerick West and it is proposed to divide Limerick into three constituencies, namely, Limerick city, Limerick and Kerry North-West Limerick.

Our job is to represent the people who elect us. More than 17,000 voters in the Limerick West constituency are to be transferred to the constituency of Limerick. People are upset they will no longer be represented by the representatives of Limerick East with whom they have dealt for decades. I and, I have no doubt, other representatives from the Limerick East constituency, will continue to represent these people although they will not be in a position to vote for us at the next election.

The Limerick West constituency will be known as the constituency of Limerick. More than 13,000 of the population of Limerick West will be transferred to the constituency of Kerry North-West Limerick. These people also feel disenfranchised. What has happened is that Kerry, in terms of population, could not sustain two three-seater constituencies. The commission was directed in its terms of reference to ensure, where practicable, constituencies were retained within county boundaries. Transferring a population of 13,000 from one constituency to a constituency in another county does not make sense.

Deputy Ciarán Lynch stated earlier that the constituency of Limerick West will fall between two local authority areas, Kerry and Limerick, which will cause difficulties in operational terms. People are anxious. Areas such as Kiltelly, Cappamore, Doon, Pallasgreen, Oolagh, Moroe, Herbertstown, Hospital and Caherconlish currently part of Limerick East will be part of a new constituency. Clearly, Limerick was sacrificed to ensure the retention of the two three-seater

[Deputy Kieran O'Donnell.]

constituencies in Kerry. I mean no disrespect to the people of Kerry who are great neighbours. However, given it is stated in the terms of reference that constituencies should be retained in county boundaries, one must question this decision.

In summary, we should not be debating this issue today. There are far more important things happening at the moment. One such issue was raised earlier by way of private notice question. Issues of concern are those relating to health and people's worries about the economy going forward in terms of employment. I will continue to represent the people of Limerick East who will be part of the new constituency of Limerick. They gave me a mandate to represent them and I will continue to do so.

I regret that this issue is being debated in the House today. There are far more important issues we could be debating. It is difficult for the people of the eastern part of Limerick to accept what is happening. However, we accept the independence of the commission.

**Deputy Jimmy Deenihan:** Obviously, I am affected to a large extent by this Bill. As previous speakers including Deputy Kieran O'Donnell have said, the county of Limerick is to be divided into three different constituencies, Limerick, Limerick city and Kerry North-West Limerick. This will create a great deal of confusion for people in this region and may result in representatives from boundary areas being closer to them than those who represent them.

I would like if the Minister could give us some assurance that these will be the boundaries going into the next election. If not, there will be considerable pressure on representatives in terms of the level of service they provide to their constituents. This would be unfair to representatives and the communities they represent. It would make little sense if we were to have another review and another formation of constituencies. I appeal to any future commission to ensure it puts in place what is being proposed here today.

More than 5,098 of the population of north Kerry will be transferred to the Kerry South constituency. Obviously, I will miss that part of my constituency because I had built up a strong connection with a large number of the electorate there. Many of the communities involved are disappointed that I and other representatives with whom they are familiar will no longer be representing them. However, being transferred to the constituency of Kerry South may not affect them as much as will the transfer of more than 13,000 people from Limerick West to the constituency of Kerry North, given that transfer will take them over a county boundary. I hope the new constituency will be recognised as the constituency of Limerick West and Kerry North. It is important to impress upon the communities of Limerick West that this will be the case and that they will not be isolated. It is not the case that they are being plucked and put into the constituency of Kerry North. Politicians representing that area will be representing a different geographical area and should represent it accordingly.

I have examined precedent in this regard. Coincidentally, during the second and third Dála, Kerry and Limerick West were part of the same constituency. It was an eight-seater at that time and the constituency of Limerick city and Limerick East was a four-seater. In the third Dáil, which was in June 1922 — the first Dáil was in May 1921 — Kerry and Limerick West were one constituency. Thus, there is a precedent for a connection between Kerry and Limerick West. In 1923, Kerry became a seven-seater and Limerick a seven-seater. In a way, it is history repeating itself.

West Limerick has a close affinity with north Kerry, especially in border communities such as Athea and Moyvane. Over the years there has been much to-ing and fro-ing across the border. They have great cultural links through music and dance. West Limerick has a strong literary tradition and poets such as Dáibhí Ó Bruadair and Michael Hartnett had strong connections with north Kerry. In agriculture, both north Kerry and west Limerick are strong dairying

areas. Now most of the milk suppliers provide milk to the Kerry group because of the amalgamation of Golden Vale and Kerry. There are bonds among the agricultural community as well.

With regard to infrastructure, the N69 is an important road for both west Limerick and north Kerry. This certainly represents a connection between the two parts of the constituency. The Shannon Estuary also represents a strong bond between the two areas, knitting together both sides of the constituency. Now, with exciting things happening in the Shannon Estuary, including a natural gas project, the new arrangement may provide more focus on this area and on the important land bank in Tarbert and Ballylongford. This will benefit communities in both north Kerry and west Limerick, and will give a new focus to the Shannon Estuary and new hope to Tarbert Island now that the power station is being privatised and taken over by a Spanish company. Certainly, it will lead to a new dynamic within those parts of Kerry and Limerick. For that reason, the new constituency may have many advantages for both communities.

I ask the Minister to refer to the status of the change. Is there certainty that these constituencies will be in place going into the next election? It is important that the position is clarified. Will the commission sit again, with the result that new constituencies will be formed going into the next election? I ask the Minister to reassure us on that point.

**Deputy Johnny Brady:** I wish to share my time with Deputy Joe Behan.

**Acting Chairman (Deputy Jan O'Sullivan):** Is that agreed? Agreed.

**Deputy Johnny Brady:** I am pleased to have the opportunity to contribute to this debate, the subject of which will have a severe impact on me and the area I represent in Dáil Éireann in the future.

The report of the Constituency Commission recommends further partitioning of the area I represent in the House. It recommends transferring a further 6,776 people, the electorate of the areas of Kells town, Kells rural district and Stahalmog, from the constituency of Meath West to Meath East. County town and parish boundaries have been disregarded and, under the proposals, Kells town and its natural hinterland are to be in separate constituencies. Kells is a rural town with close links to the surrounding villages and smaller towns of north Meath. The future economic well-being of the greater Kells area would be best served by keeping the entire area in one Dáil constituency.

The greater north Meath area has been subjected to serious territorial change over the years. In 1973, part of it was transferred into the constituency of Cavan. The population of the area then helped elect the late and great John P. Wilson, a former Minister and Tánaiste, to this House. Another part of north Meath was transferred to the constituency of Monaghan, where its electorate helped elect the great former Minister and Ceann Comhairle, Deputy Rory O'Hanlon. In later years, however, both areas were returned to the Meath constituency. Indeed, my great friend and colleague with whom I have served for more than 34 years, Michael Lynch, who was elected to this House on two occasions and to Seanad Éireann, is from this area.

Prior to the 2007 election, County Meath was divided again when the constituencies of Meath West and Meath East were established. Unfortunately, I lost a large part of my constituency, in Slane, Navan and, in the case of Kells, an area extending from Moynalty to Meath Hill, to my colleague and great friend Deputy Thomas Byrne. This included areas such as Carlanstown, Newcastle, Tierworker, Kilmainham Wood, Kilbeg, Nobber and Drumcondra, which were part of the Kells electoral area. Unfortunately, this area is now being changed again. The previous changes affected parish boundaries and the new proposals in the latest review will transfer three quarters of my parish of Kells to Meath East. Parts of the parishes of Carlanstown and

[Deputy Johnny Brady.]

Carnaross were transferred to Meath East under the previous boundary changes. It is unfair to split parishes in two. I take the opportunity to thank the people of Kells and Stahalmog for giving me over 60% of the vote in that area in previous elections. As a public representative, first as a county councillor and now as a TD, I have represented the town of Kells and its rural hinterland for more than 34 years. The electorate of the area do not want to lose a representative who has served them for such a long time. The Kells area has been affected most by the decision to divide the county into two constituencies.

I note in respect of the Meath and Louth constituencies that the commission recommends extending the Louth constituency by moving the Meath East environs of Drogheda into the electoral constituency of Louth. The report also highlights the need for a transfer of population from Meath West to Meath East. I note the Constituency Commission does not make a recommendation in this regard but instead proposes the transfer of a population of 6,776 in the Ceanannas Mór area from Meath West to Meath East. If the rapid population growth in Meath West and Meath East continues at the rates indicated in the latest census, further changes will be required in the next constituency review. In consideration of this and based on the difference in the words used, the commission's proposal, as opposed to recommendation, to move Kells from Meath West to Meath East does not require implementation.

The recommendations of the report are inconsistent, confusing and unprecedented, and do not take into account the preservation of natural communities. While I fully recognise that the Constituency Commission is an independent body, its independence does not confer on it the status of infallibility. Recommendations made from a mathematical perspective with no consideration for the democratic rights of local communities are wrong. The fragmentation of closely knit communities across north Meath threatens the co-ordination of future growth in the area. The Electoral Act 1997 states that "each constituency shall be composed of contiguous areas" and that "there shall be regard to geographic considerations including significant physical features and the extent of and the density of population in each constituency". Surely people in north Meath should not be disenfranchised because of the density of population in towns such as Ratoath, Dunboyne and Ashbourne. I do not understand why the Constituency Commission chose not to consider moving those areas to Dublin constituencies such as Dublin West and Dublin North with which they are more aligned, rather than depriving people in parts of north Meath of a Deputy who has served them for 34 years. It is very unfair. I cannot understand why they never looked at those areas.

In the previous change, I was lucky that part of Westmeath — the Coole electoral area — came into the Meath West constituency.

I ask the Acting Chairman to tell me when my time is up.

**Acting Chairman:** The Deputy has two and a half minutes.

**Deputy Michael Ring:** His time could be up after the next general election.

**Deputy Johnny Brady:** Unfortunately this time I am getting no extra ground which is very unfair. In the new European constituencies, most of Meath West is in the Ireland East constituency and part of the Meath West constituency — the Coole area of Westmeath — will be in the Ireland North-West constituency, which is also very unfair to the people of that area.

Section 6(2)(f) also states: "subject to the provisions of this section, the Commission shall endeavour to maintain continuity in relation to the arrangement of constituencies". The Electoral Act 1997 also recommends that "the breaching of county boundaries shall be avoided as far as practicable". On behalf of the people I have represented in this House for the past 11



years I ask why north Meath should be subjected to such divisive and unfair decisions for electoral purposes.

**Deputy Joe Behan:** At the outset I take the opportunity to thank the staff of the Oireachtas Library and research service whose work is vital to the quality of debate in the Dáil and Seanad Chambers. I have used the special debate packs on a number of occasions to date and I have found them to be an excellent aid to preparation and research prior to making a contribution to a debate such as this. I have read all of the debate pack regarding this vital legislation and I have yet again found it to contain all the essential background material necessary to achieve a broad understanding of the Bill as well as being informative as to the views of interested parties within and outside the House.

I will of course be supporting the passage of the Electoral (Amendment) Bill through this Chamber as it reflects the decision of the Government to implement the recommendations of the Constituency Commission report of 2007 as well as including other legislative amendments reflecting court decisions regarding electoral law. However, I will also be taking up the invitation of the Minister for the Environment, Heritage and Local Government as quoted by the *Irish Examiner* on 24 October 2007 when he said: “Deputies from all sides of the House will no doubt have views on specific recommendations and they will have the opportunity to raise them during debate on the legislation.”

I welcome the provision in the Bill to comply with the High Court judgment of June 2007 allowing for the establishment of future constituency commissions on publication by the CSO of preliminary census results and allowing for the finalisation of the commission’s work after the CSO final report is published. I note this allows much work to be done in a timely manner while ensuring final decisions are made on the final figures.

I also welcome the relaxation of the onerous assent requirements on non-party candidates in future local and European Parliament elections. I also welcome the reasonable deposit rates set out for local and European Parliament candidates in lieu of obtaining assents. I believe passionately that democracy is a precious gift bequeathed to us by our forefathers and it is essential the barriers to any citizen of this State wishing to stand for election should be so small as to be invisible. I would quibble with the provision to withhold the deposit from candidates who receive less than 25% of a quota, but I still believe the basic deposit required is achievable for all who wish to stand.

Those are elements of the Bill which I praise. I turn to some elements of the proposed legislation with which I have some difficulty or to put it more accurately with the Constituency Commission report and its implications for democracy. I cannot understand why the commission did not increase the total number of Members of Dáil Éireann from the present total of 166 to the number to which it could have statutorily agreed which is 168. The number of 166 has been set since 1980 — 28 years ago. Our population as measured at that time was 3,368,217. Our population according to the 2006 census was 4,239,848, an increase of more than 25%. It is unbelievable that the commission did not see fit to decide that the people were entitled to the maximum allowable number of Dáil Deputies given such an increase in population. What is even more astounding is the lack of comment on this failure across the political spectrum. I do not know whether this is because of political correctness or whether it is because the media are constantly critical of Members of this House right across party lines and it might have been seen as an attempt to increase the number of these “useless” Deputies. It is amazing that we as a body did not respond more vigorously to what I regard as a very basic failure of the commission to allow two additional Deputies when we have a 25% increase in the population. This failure is one of the most significant of all in this commission report and I remain completely unconvinced by the weak justification offered for this failure.

[Deputy Joe Behan.]

I agree with many Members of this House, some of whom have already spoken, in my exasperation at the continuing trampling by the Constituency Commission across county boundaries. The people of more and more counties must acclimatise to electoral boundaries which make absolutely no geographical or administrative sense. Given that the county has been the administrative unit of our country since the foundation of the State I cannot understand how this tradition can be ignored so fundamentally every time a new Constituency Commission report is prepared. It is high time that we, as elected Members of this body, take this matter extremely seriously.

I will shortly personalise the matter to my constituency. However, first Members should consider the much-quoted example of County Leitrim. It would be easy for natives of County Leitrim to believe that this Constituency Commission is out to get them because not alone has the county been split in two but the division in population decided by the commission is such that it is impossible for Leitrim to elect a Deputy of its own. This state of affairs is completely unacceptable. I have nothing to gain from any change regarding Leitrim but it is not right and should be addressed as a matter of urgency. It is important to note that the largest number of submissions on any issue received by the commission were made on behalf of people living in Leitrim who wanted to include all of County Leitrim in one constituency. However, the commission stated it was not possible to find a solution that met the concerns in the submissions and had no undesirable impact on the configuration of other constituencies. So the message the people of Leitrim can take from that is that it is acceptable to have decisions undesirable to Leitrim people but not to anyone else. The people of Leitrim are being classed by this commission as second-class citizens which is wrong. It is unacceptable to me and it should be unacceptable to all of us as democrats. My constituency suffers from this geographically nonsensical approach by the Constituency Commission. Happy and willing as I am to serve the needs of my constituents from east Carlow — Rathvilly, Hacketstown and Clonmore — they are not well served where their local county administration is in County Carlow but their TDs are in County Wicklow. It is madness and it must change.

I pay tribute to the Taoiseach who, before the summer, floated an idea in the Chamber that perhaps members of all parties could get together to discuss the implications of this report to see if the lack of respect for county boundaries could be addressed. It is regrettable that the idea was seized on as an effort to interfere with the impartial and independent process set up by the commission. What happened was that the Government said it would allow the report to go through to the Dáil Members. We, as Members, have a responsibility to try to address this issue and, if necessary, change the law and the Constitution to ensure that all future constituencies, whether single or double county, are coterminous with county boundaries. The people who live in disenfranchised counties, such as Leitrim, deserve no less. Furthermore, if this matter was to put to a vote of the people it would be resoundingly supported.

**Deputy Deirdre Clune:** I wish to share time with Deputies Ring and McGinley.

**Acting Chairman:** Is that agreed? Agreed.

**Deputy Deirdre Clune:** Despite the fact that the report was published last October, we are only discussing the Bill now, almost 12 months later. There has been much delay and uncertainty as to whether the Government would introduce the report as it was or, as the Taoiseach suggested, discuss the division of counties. He was particularly vulnerable on that point because the proposals in the commission's report affect his own constituency. Nevertheless, we are discussing it now. Given that the report implements the CSO figures prior to the 2007 general election, the delay is considerable. I am pleased that one part of the Bill stipulates that in

future once the CSO figures are produced that will kick start such a report and it will be able to use the preliminary figures rather than the final report. That is a positive development, given the time delay in getting to this point. The Bill still has to go through Committee and Remaining Stages. If that is the case, we expect the next CSO publication in 2011, following which there should be a report in 2012. Some speakers have said they hope there will be no further change before the next general election. Nobody knows. According to the figures I have given, the chances are there will be a new review before the next general election if the Government goes full term. I hope we do not get to that because we had difficulties prior to the 2007 general election where the constitutionality of the boundaries in place at that time was challenged. As a result of that judicial review there is a provision in the Bill which provides that once the CSO publishes its figures that will kick start a boundary review.

My constituency is not affected. However, the adjacent constituency, Cork North-Central, will go from four seats to five. In the previous review, Cork City and county had 18 seats but will now have 19. Also in this review it is proposed that there will be a seat loss in the Limerick-Kerry area, the Acting-Chairman's area. This is a stark reminder of how these seats have gone to the east of the country and it underlines the population drift. That is for another debate, and one that should take place, in regard to where we are going in terms of decentralisation and investing in the regions to ensure there is not over-population of the east. What is happening is that everything is drifting to the east. Looking to the future, we need to invest in the regions to ensure a vibrant population in those areas. That seats are drifting to the east in this review underlines that fact.

While my constituency has not been affected, I agree that county boundaries should not be divided. Leitrim is a point in case. It is probably impossible to elect a representative from the Leitrim area now. Kerry North-Limerick East is a new constituency. There are people in that area who will have representation from a different county. That is not the ideal way forward. That same applies in Tipperary North and Offaly. There will be different local authorities in those areas. There will be a Dáil constituency but yet two local authorities will be responsible for that constituency. That is difficult and not an ideal situation.

The recent local authority boundary review tried as far as possible to stick with the Dáil constituency boundaries. That is welcome. Under this review, five counties are affected, including Leitrim. I hope this trend does not continue because the people living in those areas are not be happy, and certainly their representatives are not happy. It will lead to difficulties and confusion in regard to local authority areas. I would like to see that issue addressed.

I am concerned that the number of five seat constituencies has been reduced as they contributed much to our democracy. They gave smaller parties an opportunity to gain representation which would not happen if there was a dearth of three seat constituencies. It is important to maintain them because when one looks back at previous elections and the way in which proportional representation delivered seats for the smaller parties, it happened generally in the five seat constituencies.

I am pleased the programme for Government proposed that an electoral commission be established to look at constituency boundaries, maintain the electoral register and act as a watchdog for political funding. It is an interesting proposal. Professor Richard Sinnott has been engaged by the Minister to look at the proposal. I will be interested to see his findings.

Much work needs to be done on the electoral register. We have had many negative reports, although it varies across local authority areas. It was good in my area but there are areas which had a population of 105%. Obviously there is a great deal of movement in the population with people renting homes and apartments and the register is not up to speed. I look forward to the report on that issue.

[Deputy Deirdre Clune.]

It is a shame there has been such a long delay in getting to this point. I hope the provision in the Bill that will kick start a review, once the CSO figures are produced will help us to avoid such a long delay in the future. Following a two and a half month break from the House, I am disappointed that in a Bill such this, which has been kicking around for a long time, that is all the Government has to put on the table today.

I look forward to the debate later this evening on the economy. It will be an opportunity for people to share their views. Certainly my party has some positive proposals in that area. However, we would have preferred if the Government had devoted its time to such a debate today.

**Deputy Michael Ring:** I wish to share time with Deputy Dinny McGinley. Like Deputy Clune I thought there would be much more important business in the Dáil today. That is not to say that this matter is not important but the thinking of the Government must be that it will not last long. I suppose it wants to get its act together and deal with this business.

I listened recently to proposals by the Green Party, made by the Minister for the Environment, Heritage and Local Government, Deputy Gormley. What he mentioned was new, namely, funding between elections and the amount of money councillors can spend. The latest thing is that the Minister does not want posters and therefore we cannot have posters up on poles or outside polling booths. Now that Deputy Gormley is in government he will be like all the others and will never wish to leave it. The sad thing, and one cannot know what may happen, is that he might bring in a Bill putting an end to further elections and might stay in power forever.

The Minister must watch himself. One time there was a party known as the PDs. Its Deputies used to sit over with Fianna Fáil. They are not there anymore. I can assure the House that the Green Party will go the same way after the next elections. It will no longer sit where it used to and it will not be on this side of the House either. The Minister ought not to rush to get rid of posters and elections.

I have a few observations to make in respect of this particular Bill. One concerns the European election. I heard Deputy Brady express concerns and he is right. A huge constituency will be created in the north west, to include Mayo, Galway, Roscommon, Donegal, Westmeath, extending to Longford. For a three-seater constituency this is an enormous area. I wish to assure the Deputy that if I am still in the field and am elected, I will look after Meath for him. He need not worry. The people of Meath will not be forgotten as long as I am there.

**Deputy Charlie O'Connor:** Is that an announcement?

**Deputy Michael Ring:** It is not an announcement, just a fair observation in case I am selected and elected, and if I go.

**Deputy Dinny McGinley:** It is a straw in the wind.

**Deputy Michael Ring:** In respect of this Bill there is an issue I would have preferred the Minister to discuss when he was talking about boundary changes in both the European and the Dáil elections. I cannot understand why there is such resistance to appointing people to deal with the registers. There is no doubt that local authorities have failed. We saw this happen before the last election and, in all fairness to the Minister, he had to put funding in place to allow local authorities put people on the register. What is nobody's business is everybody's business. The time has come for the Minister to give that responsibility to somebody. At present the updating of the register is not even given out as a summer job scheme for students. They

might earn some euro going out and knocking at doors, at apartments and flats, trying to get people onto the register. Nothing is more annoying at election time than to have people who genuinely want to vote being prevented from doing so.

What has happened in my own constituency is that certain people who were on the register have been knocked off it, for one reason or another, when it was reprinted. There is also the situation of people who have been dead for years but whose cards come through the door during every election period causing upset to their families. Their loved ones may have been dead for up to seven years without the matter having been sorted out.

I say to the Minister for the Environment, Heritage and Local Government and to the Government that there are enough people in Departments now who might be able to think up a scheme or do something about this electoral issue. It should be taken away from local authorities, who are not prepared to deal with it, and should be given to somebody although not to an agency. We have enough quangos in this country. The undertaking could be given to schools during the summer. A certain number of people in each county might be employed in a summer job scheme. They would earn a few euro to get into college and they would be given some responsibility. In that way, the register would be updated every year. It is a simple suggestion and would not cost a fortune.

Local authorities take people on for the summer. In this case why not have, for instance, 40 people employed in each local authority? Their job would be to update the register of electors and they would be paid for the summer months. I see nothing wrong with the suggestion and it should be taken on board by the Minister and the Government. That would stop the situation whereby, in every election I have fought, from town council to county council to the Dáil, there has always been criticism of the register. I cannot understand why we, as practising politicians, do not put such a scheme in place. The suggestion I have offered the Minister is not a big idea and it is one that the Government might consider.

I shall finish on this note. I am in a five-seat constituency which at one time was two three-seaters. I have spoken about this before and now I put it on the record once again. It is unfair when boundaries are extended beyond natural areas, counties and actual borders. Mayo is one of the largest counties in the country and it is impossible to travel from one part of the constituency to the other. I say the following against myself, as I have done previously. I see nothing wrong with having even a three-seater and a two-seater but to have a five-seater in such a large county is ridiculous. It is not good for the health of Deputies to travel all over the county. I leave my home on a Saturday and go to north Mayo and am 70 miles away, doing clinics. If I have to go to Ballina the situation is the same. At a public meeting the other night I was 35 miles from my home.

It is all very well for the media to say that such work is not part of my job. I say to the Dublin 4 brigade that it may not be the job but if a Deputy does not keep in touch with the people and does not go to public meetings the people will soon put him or her out of this House. It is a pity that the Dublin 4 media can help to put a Deputy out but they cannot help put one in. If a Deputy does not keep in contact with the people those same people will soon lose contact with him or her.

**Deputy Dinny McGinley:** Tá lúcháir orm deis a bheith agam cúpla focal a rá ar an Bhille seo. Is páirt riachtanach den phróiseas daonlathach agus den phróiseas parlaiminteach go gcaithfidh muid Billí mar seo a thabhairt isteach agus a phlé sa Dáil. Cuirim fáilte roimhe mar go bhfuil sé riachtanach. Is iontach an rud é go bhfuil muid ag plé an Bhille seo inniu, an chéad lá dúinn bheith ar ais sa Dáil, cé gur chuir an coimisiún an tuairisc ar fáil beagnach bliain ó shin, Deireadh Fómhair 2007. Inniu táimid ag plé tuairiscí an choimisiúin bliain iomlán i ndiaidh sin. Cé aige atá a fhios an mbeidh ceann eile le plé againn sula mbeidh an chéad toghchán eile



[Deputy Dinny McGinley.]

againn? Beidh an chéad toghchán eile sa bhliain 2012 agus an daonáireamh againn sa bhliain 2011. Níl a fhios agam an iad seo na teorainn a bhéas againn don chéad toghchán eile agus is fiú cuimhne a bheith againn ar sin. Is cinnte, áfach, gur seo na teorainn a bhéas againn le haghaidh toghchán na hEorpa.

Ba mhaith liom tagairt don mhéad a bhí le rá ag an Teachta Joe Behan. Rinne sé tagairt do Chontae Liatroma agus dúirt gur mór an trua é go bhfuil an contae sin fágtha as an áireamh agus nach bhfuil sé ar a gcumas Teachta Dála dá chuid féin a thoghadh. Maidir le mo chontae féin, Tír Chonaill, roinnt blianta ó shin bhí mo dháilceantar féin, Tír Chonaill Thiar-Theas, isteach le tuaisceart Liatroma. Chinntigh sin go raibh Teachta Dála ag Contae Liatroma san am sin, cé go raibh sé ina dhá leith. Níl a fhios agam conas is féidir an fhadhb sin a réiteach. Go dtí go mbeidh Teachta Dála dá gcuid féin acu, is cinnte go mbeidh cúis ghearáin acu.

Is maith an rud é go bhfuil coimisiún neamhspleách againn. Ba mhaith liom tréaslú leis na daoine atá ar an choimisiún, Cléireach an Tí seo, Ciarán Ó Cochláin; Cléireach an tSeanaid; Deirdre Lane, Rúnáí Ginearálta na Roinne, Geraldine Tallon; agus an Ombudsman, Emily O'Reilly, a shuí i nGailearaí na Nuachtóirí sa Teach seo go mion agus go minic sna blianta atá thart. Bhí an choimisiún faoi chathaoirleachas an Breitheamh Iarfhlaithe O'Neill. Téann an bpróiseas sin siar go dtí 1980. Is cuimhin liom go raibh ar an Rialtas na teorainneacha a réiteach roimhe sin. Go minic, bhí ar an Aire é sin a dhéanamh. I 1969, cheap an Aire, Kevin Boland — go ndéanfaidh Dia trócaire air — go raibh na teorainneacha socraithe i gceart aige. Tá sé deacair an dallamullóg a chuir an na daoine, áfach. Bhí athrú Rialtais sa tír seo i 1973, d'ainneoin an aistriú a bhí déanta ar na teorainneacha. Rinne an Rialtas a bhí ann idir 1973 agus 1977 an botún céanna. D'athraigh an Aire Rialtais Áitiúil a bhí ann ag an am, Jim Tully, na dáilcheantair arís. Nuair a tháinig an toghchán i 1977, ní raibh puinn tionchar ag na athruithe ar thoradh an thoghcháin. Ní féidir an dallamullóg a chuir an na daoine — déanfaidh na daoine an rud is mian leo. Tá dul chun cinn mór déanta ó shin i leith. Tá coimisiún neamhspleách againn ón am sin.

We appreciate that there is an independent commission, though it has been a year since its report, which was a year late. I wonder if what we are discussing today and what is embodied in this Bill will be relevant in 2012 as there will be another census in 2011. This remains to be seen.

There are two constituencies in my county and Donegal South-West seems to always gain territory on Donegal North-East. As far as I am concerned, we in Donegal South-West have now gained Lifford, Raphoe, Ballindrait and down as far as St. Johnston to near Manorcunningham. I welcome these areas to Donegal South-West as the changes indicate that the population of Letterkenny has exploded and that my constituency must get more territory to balance this.

I assure people in these places that I will give them the same service and attention that I have given to the rest of south Donegal in the past 27 years.

**Deputy Charlie O'Connor:** Hear, hear.

**Deputy Michael Ring:** He is going again, fair play to him.

**Deputy Charlie O'Connor:** I appreciate the opportunity to say a few words on the Electoral (Amendment) Bill 2008. I am glad I was in the House to hear the profound statements of Deputies Ring and McGinley, both of whom seem to be dealing with their future political prospects. I hope Deputy Flanagan will convey my good wishes to them in that regard.

The Electoral (Amendment) Bill 2008 provides for the revision of Dáil and European Parliament constituencies in accordance with the recommendations of the report of the Constituency Commission which was presented to the Ceann Comhairle in October 2007. It is appropriate to remind ourselves that the Bill also provides for the establishment of future constituency commissions, on publication by the Central Statistics Office, CSO, of its preliminary results in respect of a census of population and for the work of a commission to be completed following the publication of final population data relating to the relevant census.

I have been listening carefully to the debate thus far and it is interesting to hear the different perspectives of colleagues from all sides of the House. This is an important Bill. Opposition colleagues are entitled to make the points they have about the kind of day we are having and the kind of business we should deal with but many of their speeches have been so impressive and pertinent that I wonder why they suggested we should not have this debate. This is a good debate and there will be time for other issues to be raised on other occasions, including this evening.

I had a long discussion today with my colleague, Deputy Michael Mulcahy, who represents Crumlin, where I come from, in Dublin South-Central. We discussed Dáil constituency boundaries. It is right that they form part of this debate but we should also discuss boundaries for the forthcoming local elections and European elections and the effect they will have. I will take a leaf from Deputy Michael Ring's book and clarify that I will not seek a Fianna Fáil nomination for the European elections next year. I look forward to supporting my Dublin colleague, Eoin Ryan.

The European elections will be very interesting because section 8 of the Bill says it will provide for European Parliament constituencies and the number of members to be elected from Ireland by substituting a new third schedule to the European Parliament Elections Act 1997. In the context of 12 representatives from this country in the European Parliament, this provides for the reduction of one seat in the Dublin constituency and the transfer of the population of counties Longford and Westmeath from the east to the north-west constituency. Deputy Michael Ring referred to this matter so I will not dwell on it.

However, I am interested in Dublin and there is a great deal of disappointment there regarding this matter. Europe is very important to the whole country and I do not want to make a speech that focuses solely on Dublin. Nonetheless, Dublin is the capital city and it is important that it be strongly represented. It is a pity Dublin is to lose a seat but this will make for a competitive election — it is only a little over 250 days away. I wish all of the sitting MEPs in Dublin well, particularly Eoin Ryan. There is a debate to be had on the level of representation and the reduction in seats will be of concern to people. I find that as I go about my business in Dublin people are beginning to talk about the European and local elections. This debate will become more relevant as the elections approach. We should, therefore, look at it in the context of this Bill.

I was a little older than some when I was first elected to the local authority in Dublin in 1991. The local authority was subsequently divided and South Dublin County Council was founded in 1994. I remained a member of the local authority until after a Dáil election, when I stood down in favour of a colleague. I have been lucky in my Dáil career because my constituency is fairly well formed. Deputy Ring spoke of having to travel 70 or 80 miles and I know many colleagues, including those in the House at the moment, share that difficulty. However, I find that, as a Dublin-based TD who lives only eight miles from the city centre, I experience other challenges. My challenges are different from those facing colleagues who must travel 70 or 80 miles to attend meetings but sometimes it can be just as difficult getting around a densely populated urban setting like Dublin South-West. I do not want to seem like a martyr; I am

[Deputy Charlie O'Connor.]

merely saying that there are other challenges that face urban-based Deputies. There are still problems but I have been lucky in how my constituency has been formed.

I listened carefully to Deputy Joe Behan as he spoke from a Wicklow perspective. I reminded him that when I first moved to Tallaght with an employer in 1969 it was part of the Dublin South constituency. I inform my Opposition colleagues that in those days there were three Fine Gael TDs there, including a good man, Richard Burke. I mention him because he was very good to me and was a fine EU Commissioner and Minister for Education. When I first attended the Dáil as a Deputy in 2002 he happened to be here, greeted me and brought me for lunch. I always remember him and the courtesy he extended me when I did not even know my way around the building.

In 1977 the new mid-county constituency was founded and the three TDs elected were Seán Walsh and Síle de Valera for Fianna Fáil and Larry McMahon for Fine Gael. In those days the constituency stretched from Rathfarnham, through parts of Templeogue, into Tallaght and out to Blessington. Quite a few people who were originally from my constituency have moved to Blessington and any Deputies for Dublin South-West will attest that we still receive calls from Blessington. I do not say this to upset my Wicklow colleagues. To put things in perspective, places like Blessington are closer to Tallaght than to Bray. I do not mean to put pressure on my Wicklow colleagues but this illustrates that Constituency Commission reports do not always reach conclusions that everyone can understand. The people I meet at front doors certainly do not understand the decisions in this regard.

When I was first elected in 2002 parts of Firhouse had been taken from Dublin South and joined Tallaght, Templeogue and parts of Terenure in Dublin South-West. It is interesting that the subsequent Constituency Commission report referred to these boundaries, particularly on the M50 side. It observed that the M50 would act as a natural boundary for Dublin South-West. However, the commission did not follow through on this nor did the latest report. Many Members travel in that direction on their way home, to the south in particular, and Dublin South-West stretches from Walkinstown, through parts of Terenure and Templeogue, on to Firhouse and into Bohernabreena. It extends across the mountain into parts of Brittas and back down into Tallaght and the Naas Road acts as a boundary.

While it is for other people to make decisions on this issue, I often drive out of Tallaght heading for Brittas or County Wicklow and pass houses that are located in the Dublin Mid-West constituency, which forms part of Lucan. Brittas itself is divided, as parts of it lie within Dublin South-West while the remainder is represented by my colleagues in Dublin Mid-West. One wonders how such decisions about the boundaries are taken.

I put this in the context of listening to colleagues discussing the changes within counties Kerry or Limerick or, as did Deputy Michael Kennedy, about north Dublin. Clearly, the Constituency Commission has thrown up different kinds of problems for them than it has for me. However, although my country-based colleagues may not greatly appreciate it, this throws up challenges for parts of my constituency. It throws up confusion for some constituents who are unsure exactly where is the boundary or what constituency they are in. This presents a challenge for all Members and it is right to say this during a debate on the Constituency Commission's report. I repeat that I consider my Dáil boundary to be reasonable. However, given population changes and with further development, certainly in west Tallaght, Ballycullen and elsewhere, future boundary commissions, perhaps even the next one, may make some decisions in that regard, as well as making some significant changes.

I also wish to speak about significant changes in the context of the forthcoming local elections, which are due to be held next June and which will be challenging in political terms. I

already have made the point that I was proud to be a member of the local authority from 1991. When I was first selected, I represented Tallaght-Rathcoole. When I was re-elected in 1999, I represented Tallaght Central. Those Members who are familiar with Tallaght know that at present, there are ten seats in two electoral areas in Tallaght, namely, Tallaght South and Tallaght Central. The proposals from the Constituency Commission on the local elections will change them into two separate new constituencies, called Tallaght South and Tallaght Central, which are five-seaters and six-seaters, respectively.

Tallaght Central stretches almost from the County Kildare border at Old Kingswood on the Naas Road, through the Tallaght west estates, on into Springfield where I live, down through parts of Tallaght towards what is understood at present to be the Terenure electoral area. As Deputy Aengus Ó Snodaigh will understand, it then continues down Wainsfort Road into Fortfield and people who are represented by Deputy Ó Snodaigh and other colleagues. When knocking on doors in such areas, Deputy Ó Snodaigh will be telling people they are in Tallaght Central. The Constituency Commission has thrown up the kind of challenge that has nothing to do with community development because local authority boundaries, like any boundary, should have some meaning. While I do not wish to be controversial by talking about parts of Dublin South-Central, colleagues from all parties will be obliged to stretch themselves in that fashion.

I have been surprised there has not been a reaction thus far from the communities to calling such a huge electoral area Tallaght Central. It will cause problems for colleagues and while I will not predict the outcome of the elections, it is a six-seater and it will be interesting to learn how it will work out. Such a constituency will give rise to challenges about how many seats will be won at one end of it, in this case Tallaght, and the other. As it breaches Dáil constituency boundaries, it will make for quite a challenge and debate. I have been surprised there has not been more community reaction. As someone who came from a strong community background and who strongly believes in representing local people on local issues, the work should be about ensuring proper community development and cohesion. Everyone has difficulties and problems when representing different communities. This certainly is the case in my constituency. However, I believe the new Tallaght Central electoral area that has been thrown up by the Constituency Commission will be particularly difficult and it will be interesting to learn how it works out.

While people may think politicians do not look forward to elections, they always are interesting and demanding. Many of my colleagues already are counting off the 250-odd days to the election and are looking forward to them.

**Deputy Kathleen Lynch:** They have nothing else to do.

**Deputy Charlie O'Connor:** While it had been my intention to speak on this issue before it was raised by Deputy Ring, he made an important point regarding the work of local authorities in respect of future elections. There have been great debates previously on the register of electors and the manner in which it is dealt with. In common with all Members, not a day passes in which I do not receive a call to the effect that I have written to someone who has moved on or, unfortunately, has died. It happens to all Members and always is upsetting. However, for all those who work from the registers and try to make sense of them while simultaneously trying to interpret them from a perspective of local knowledge, there always are times when people will be upset because one has written to them, called on them or whatever. My father, who was living in Kilnamanagh, Tallaght at the time of his death, has been dead for 12 years and my sister still receives occasional letters addressed to him for all sorts of reasons, although he has been off the register for a considerable time.

[Deputy Charlie O'Connor.]

Although this happens, I believe the register of electors still is seriously flawed. This does not simply pertain to Tallaght, Dublin South-West or south County Dublin because I listen to colleagues on all sides who make exactly the same point. I am sure the Ministers of State who are present, Deputies Máire Hocht and Tony Killeen, understand the same issues. It is important to establish that something must be done in this regard. In recent years, the issue has come up on a regular basis and it certainly arises when elections approach. Although Members hold debates and discuss how the registers will be organised, problems remain. I glanced at the Dublin South-West register over the weekend and even with my limited knowledge, found people who now longer are at the addresses provided and who, for one reason or other, no longer seek their vote there. Together with other colleagues, I would be interested to know the extent of the problem and what will be done about it.

While I apologise for mentioning Deputy Ring so frequently, he referred to one solution to deal with this issue. While I always have taken the view the local authority should be in the best position to deal with the issues because it is on the ground, to an extent this does not work. Last time, many attempts were made nationwide to tidy up the register and to create a situation whereby people who did not inform the local authority somehow found themselves off the register. People, not simply in my community, who had been on the register for all their lives suddenly found themselves going to the polling station only to discover they were not on the register.

While I do not wish to say too much about this case, during the vote on the Lisbon treaty I spoke to a local bishop who did not get a vote. As a local bishop, he is well known. However, he went to his polling station, produced his identification and was not given his ballot. I cannot understand how this can happen. It emphasises the point made by me and by Members on all sides that the register of electors needs attention. Members keep talking about it and demanding action. As day follows night, next June and July colleagues will be here making the point that constituents went to a polling station but could not vote. It is relevant to this business at a time when we are talking strongly about promoting voting in all areas. Parts of my constituency of Dublin South-West have particular challenges with regard to getting people out to vote and I spend much time, as other colleagues do, trying to get the message across to groups such as secondary school pupils about the importance of voting.

I have always taken the view that citizenship is the more important issue. If one is to look for votes, they will certainly not come about if people are not registered or not coming out to vote. We all have a role to play in that regard and we must keep to getting that message across. To be parochial, we have a local organisation in Tallaght with An Cosán, which I am sure many Deputies have heard of. It engaged with the four local Deputies — Deputies Conor Lenihan, Brian Hayes, Pat Rabbitte and myself — at the last election and we helped promote a project to get people registered and interested in voting. It is important we do so.

I know other colleagues have different views about the kind of day we have had in the Dáil. I am very happy we are back. My young granddaughter, Heather, told me this morning that she had heard adults saying I was back in work. I had to gently correct her and say all Deputies had been working away throughout the summer, apart from a short break. Whatever the kind of agenda we have today, the business before us is important and I look forward to the passage of this Bill. I wish the Minister well as he goes about his business and thank the Acting Chairman for his courtesy.

**Deputy Kathleen Lynch:** I wish to share time with Deputy Aengus Ó Snodaigh.

**Acting Chairman (Deputy Jack Wall):** Is that agreed? Agreed.



**Deputy Kathleen Lynch:** This Bill will pass, as the previous speaker has stated, but I am not certain at this stage that it should. We all believe the establishment of an independent commission to consider boundary revisions because of shifts in population, such as increases or decreases, was a very good idea. We all have an interest in the democratic process but those of us with a specific personal interest should never be part of the boundary process. Everyone would agree that the independence of the commission is vital.

Being independent does not make it infallible, although some of the lads behind me might not think that true. I know two of the people on this commission. Despite the fact that the people are very eminent, well read and versed in politics, what they have done in redrawing in this case makes no sense in many areas.

I will speak about my own constituency as that is the place we all know best. When it was last redrawn, Cork North-Central went down to four seats for all sorts of reasons. I take the view in life that one takes the hand that is dealt. It went to four seats because a five-seater constituency could not be sustained due to population shift.

This shift is explained away very easily as the type of infrastructural development which took place on the south side of Cork city was not matched by the same type of infrastructure and development on the north side. On the south side there are ring roads, colleges, university hospitals, CITs etc., and with regard to the north side, it would not take me too long to list what we do not have. As a result of the uneven development of the city, the population made a clear shift and the extra seat could not be sustained.

The general election before last, we were dealing with people out as far as St. Finbarr's Hospital. Anybody who knows Cork city would realise that was an unnatural division. We were so deep into Cork South-Central in order to take chunks of population to shore up the five-seater as to be unreasonable. People rightly asked why we were out there as we could not possibly represent them. It was too far away.

We got a new commission and the least we can expect from a commission sitting to redraw boundaries is that it has a knowledge of the country's geography. Cork North-Central now runs from the north channel of the Lee to the River Blackwater, with Dripsey on the one hand and Mallow on the other. It came home to me very forcibly at that stage. The people are all lovely and have welcomed us with open arms. They are glad to have people representing them and they are the same as people everywhere in the world who want representation. That is not the difficulty.

The difficulty is that at 11.10 p.m. one night I found myself leaving Mallow to drive to Cork city. It is not a two hour drive by any stretch of the imagination but takes approximately half an hour. The notion that a constituency would be redrawn in this way clearly comes from people who did not know the area. Some 14,000 people in Limerick now find themselves in Kerry, so there is clearly no understanding of the area or geography involved. At the same time, people in the constituency of the Ceann Comhairle find that because he will be automatically elected next time, their constituency essentially becomes a two-seater.

There are all sorts of issues that we must deal with. It is incredible the way constituencies have been redrawn. Towns have been split down the middle. I wonder how it was done. Did these people sit down with maps and a biro, taking sections and splitting the country up as best they could? It looks like this in some cases. We cannot say that because we must come in and state the independent commission is a sacred cow that cannot be touched. Being independent does not make it infallible.

As a party we suggest that the commission publish a preliminary review, which would be put to public consultation in order that people with an interest could make submissions. Obvious issues, such as 14,000 people from Limerick going to Kerry, could be stopped. We are serious

[Deputy Kathleen Lynch.]

about proportional representation because the people of this country twice voted for it in referenda, so we must take a very serious look at increasing the sizes of constituencies. Proportional representation is not served by a two-seat constituency. All figures show that the bigger a constituency and the more seats involved, the more true a reflection of proportional representation one gets. That is what we should be looking at.

The terms of reference given to the commission did not help so we must alter them. The idea that we can continue to draw a line on a map just because it fits the population size is wrong. There are natural boundaries in this country which are not just geographical. They deal with population and the type of area, as well as everything else. The commission must begin considering them.

Why must we wait for the definitive census and what is stopping the commission from sitting as soon as preliminary figures are out? There is little between the two figures, barring the people who realise they are not on the register and who register themselves. This would give the commission time to publish preliminary findings and allow people to comment. The commission does not have to alter its findings because people disagree but the obvious issues could be altered. The people sitting on the commission are sensible and will recognise when things are not right.

There is so much in this Bill and yet a full and frank debate is very difficult because politicians are having it but are not supposed to interfere. Clearly, some parts need to be changed. While it is right to have an independent Constituency Commission, we must also correct wrongs where they occur.

Deputy O'Connor is correct that the voting register is a mess. We have not invested sufficient money in gathering the necessary information. Irrespective of our political views or the party to which we belong, it is essential that those who wish to vote are able to do so when they go to a polling station. It is vital, therefore, that we gather the information needed to make democracy work. When this information is collated, either by census or other means, and given to others to complete a task on our behalf, those individuals or bodies should not be above criticism.

The Bill includes blatant anomalies but it will be passed because people — correctly — do not want to interfere with the independence of the Constituency Commission. It has been argued that constituency boundaries will be redrawn again before the next general election because a census is due before the election. In that case, surely we should take our time and modify the terms of reference of the Constituency Commission to enable it to conduct its business properly.

**Deputy Aengus Ó Snodaigh:** On Deputy Kathleen Lynch's final point, even at this late stage we have an opportunity to ensure the next Constituency Commission has different terms of reference. We need to amend the Electoral Act 1997 to ensure the commission has greater scope when examining constituency boundaries. The recommendations of the Constituency Commission breach the terms of reference set out in the 1997 Act.

I recall the decision to move my area of Ballyfermot from Dublin West to the Dublin Central constituency, despite the fact that the district was separated from the constituency by a geographical boundary — the River Liffey — which should not have been breached. This Constituency Commission has also proposed major changes which are contrary to section 6(2)(c) of the Electoral Act 1997, which states, "the breaching of county boundaries shall be avoided as far as practicable". The commission did not properly consider this requirement as its proposals for some constituencies are illogical.

It is possible that the tendency of previous boundary commissions to increase the number of three and four seat constituencies drove the deliberations of this Constituency Commission, which chose not to increase the number of five seat constituencies. The provision in the Electoral Act precluding the establishment of six, seven, eight or nine seat constituencies should be examined on Committee Stage.

The PR system of the single transferable vote, which was used in the election to the first Dáil, has been used for the past 90 years. General elections held after the Civil War included constituencies with six, seven and eight Deputies and resulted in a wide variety of views being represented in the House. In one of the two general elections held in 1927, candidates from seven different parties were returned to the House, including Jim Larkin of the Irish Workers League and 12 Independent Deputies. The latter differed from the current body of Independent Deputies in that they were Unionists or former members of the old Irish Party. This was good for democracy, particularly given that the purpose of the PR system is to reflect diverse views.

If we continue to move towards three seat constituencies or a first past the post system, as the Fianna Fáil Party sought in the past but was prevented from doing by the people in a vote, it will be bad for democracy. We are trying to encourage people to participate in the electoral process but continually changing constituency boundaries causes confusion and undermines voters' identification and affinity with their constituency.

The changes to the Kerry North and Limerick West constituencies and to counties Tipperary, Offaly, Louth, Meath and Leitrim could have been avoided if the Constituency Commission had greater scope to act. It chose to cannibalise County Limerick by merging part of west Limerick, from where my mother comes, with Kerry North, despite there being no affinity between Abbeyfeale and Tralee. In the case of County Leitrim, a small county has been cannibalised when it would not be a major task to produce a realistic solution which did not divide the county between constituencies. If we had one, two or three counties in one constituency, it would be possible to maintain county identities which have developed over centuries, as we saw last weekend in Croke Park. Who would the constituents of the new Kerry-Limerick constituency cheer for if both counties ended up in an all-Ireland final?

It is still possible to resolve these problems. While I accept the independence of the Constituency Commission and I am aware of the practice in the House of putting through its recommendations unchanged or on the nod, as it were, there is nothing to prevent the House from asking the commission to review its findings. If, having done so, it decides the recommendations should proceed, it would be possible to change its terms of reference.

The transfer of Deelis, Kilgobban, Knockglass and certain Castleisland districts to Kerry South distorts the traditional integrity of the Kerry North constituency and patterns of local representation. Other Deputies will be in a better position to detail the history of the area but having lived for some time in Corca Duibhne, where I spent a number of months on several occasions, there is no logic in having the area in the Kerry South constituency. Corca Duibhne has always been regarded by local people and visitors to the area as part of north Kerry. If boundary changes are to be made, it would be logical to include Corca Duibhne with its natural hinterland and the central town of Tralee.

On the recommendations to break up counties, the question must be posed as to whether the people of County Leitrim or the part of County Limerick included in the revised Kerry North constituency will ever have a chance to elect a representative from their county to the Dáil. Given the small number of electors from west Limerick in the proposed new constituency, I foresee that the area will not be represented by a local person unless an all-for-one candidate manages to garner 100% of local votes. It may be that the constituency will be discriminated against or will prove to be an afterthought. I hope that will not be the case. I intend no slight

[Deputy Aengus Ó Snodaigh.]

on people who will put themselves forward as candidates in the constituency in the future or on those who are incumbent there at present.

To return to the break up of the counties, the views I have already outlined also apply in respect of the transfer of south Offaly into Tipperary North, the position regarding north Meath and the division and transfer of the Leitrim constituency into two new constituencies, Sligo-North Leitrim and Roscommon-South Leitrim. Anyone who lives outside County Leitrim might be of the view that this a trivial matter. However, that is not the opinion of those who reside there. There are those of the view that this will further disadvantage what is already one of the most disadvantaged regions in the country.

We need to bring about change. As is the case with all legislation that comes before the House, Members have an opportunity to instigate such change in the context of this Bill. We have been presented with the opportunity to call a halt to something that is wrong. The Bill should be changed and the commission should be given greater scope to ensure that additional seats will be created in various constituencies in the future. We must ensure that what we do in respect of this matter reflects the original idea behind the PR-STV system that was introduced to great effect some 90 years ago. That would be the best way to commemorate or celebrate what was envisaged by an *chéad Dáil* as the correct electoral system for Ireland. We must ensure that there is better representation for the public in order to break down the disconnect that exists between the people and what happens in this Chamber. The more local people that are elected, the greater will be the understanding of what happens here.

**Deputy Cyprian Brady:** I welcome the opportunity to contribute to the debate on the Bill, which, in its own way, is controversial. Anyone who has ever stood for election is aware of the fragile nature of people's votes and how difficult it is to encourage people to vote. Anything that interferes with people's ability, right or privilege to vote must be treated warily.

I have considered the detail of the Bill, the purpose of which is to revise constituencies, provide for the number of members to be elected for those constituencies and revise the procedures to be followed by future constituency commissions and also those relating to the nomination of non-party candidates. The Electoral (Amendment) Bill 2008 aims to modernise an electoral law which is extremely complicated and update it in light of changes in population demographics. Parts 2 and 3 deal with the revision of *Dáil* and European Parliament constituencies following the implementation of the recommendations contained in the Constituency Commission's report on such constituencies in 2007.

The commission was established to report on the constituencies in light of issues relating to representation that were illustrated in the 2006 census. The information collated in a census is extremely important when it comes to deciding how our democracy will operate into the future.

Part 4 of the Bill outlines procedures to be followed by the Constituency Commission. The main consequence of the provisions it contains will be that future commissions will be established on the publication by the Central Statistics Office of its interim findings. Prior to the most recent general election, we debated whether the commission would be capable of reporting on such preliminary findings. Collating and assimilating the level of information garnered in a census is a complicated business. The changes being introduced in the Bill will enable the existing commission and those that will succeed it — if they are put in place — to deal with the complicated issue of deciding upon constituency boundaries and the number of seats in each constituency.

The Bill also provides two alternative procedures for the nomination of non-party candidates at European Parliament and local elections. These procedures will be in line with those put in

place in respect of Dáil elections in the Electoral (Amendment) Act 2007. The provisions in this regard are outlined in Parts 5 and 6 of the Bill.

The dual system being introduced in the Bill, whereby people may obtain assents or put forward deposits, is the fairest and most equitable method of dealing with this issue. Under the Bill, 60 assentors will be required in respect of a European Parliament election and 15 will be needed for a local election. The level of deposit required — €1,800 for a European Parliament election and €100 for other elections — is reasonable. I am glad this system is being put in place.

Under the Bill, total Dáil membership will remain at 166 across 43 constituencies. A major debate took place in the past on whether there should be an increase in the number of Members of this House. In my opinion, the decision that has been taken in this regard is correct. As previous speakers stated, the division, etc., of constituencies has had a negative effect on long-serving public representatives. The sad aspect of this is that it affects the people those individuals represent. Confusion can arise in respect of changes to boundaries, particularly when these cross county or parish lines, and can lead to a lack of representation, which proved to be the case in some recent instances.

The purpose of the changes is to ensure, across the State, equality of representation in the Dáil and at the European Parliament. The 2006 census illustrated the disproportionality in certain constituencies. As a result of recent changes in population, some constituencies are either over-represented or under-represented. While my constituency, Dublin Central, has remained unchanged, I acknowledge that changes in other constituencies have given rise to problems. Previous speakers referred to the constituencies that have been affected. The most obvious is Leitrim, a small county that is under-represented. Despite receiving almost 200 submissions on the issue, the commission has almost guaranteed that there will be no Deputy from Leitrim in the House. Dublin North, which is adjacent to my constituency, is massively under-represented but has remained as a four-seater. These issues must be considered and addressed in due course.

Although my constituency has not changed on this occasion, I am aware of the implications of changes such as those to which I refer. Prior to the 1997 general election, my constituency, Dublin Central, was altered such that it spanned what is probably the most natural boundary in the country, namely, the River Liffey, and took in areas of the southside of the city that had no relevance to or connection with those on the northside. The commission appointed before the 2002 election decided to correct the mistake made by its predecessor, which gave rise to serious consequences and a great deal of confusion among constituents regarding by whom they were represented. It is difficult enough to encourage people to vote in the first instance. If confusion such as that to which I refer is created prior to and during an election campaign, it gives rise to extreme difficulties. As a result, people lose out and the level of representation they enjoy can deteriorate.

7 o'clock

Debate adjourned.

### **Private Members' Business.**

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### **Irish Economy: Motion.**

**Deputy Richard Bruton:** I move:

That Dáil Éireann,

condemns the Government for:



[Deputy Richard Bruton.]

- its reckless economic policies over the last five years that undermined the stability and competitiveness of the Irish economy and that are now sabotaging our country's ability to withstand tougher economic times; and
- its failure to respond swiftly and decisively to the mounting crisis and loss of confidence in the Irish economy;

in light of the deteriorating economic outlook, calls on the Government to start recovery in the Irish economy through a programme of reform and a budget that:

- takes control of our public finances and secures and protects essential front line services;
- avoids any increases in taxes by ensuring better value for money is achieved in public spending;
- introduces an anti-inflationary strategy that reverses the relentless rise in prices across the economy;
- allows house prices to return to fair values and does not compound its earlier mistakes by further attempts to use taxpayers' resources to support the property market; and
- tackles the barriers that have been holding back growth in productivity, energy efficiency and exports across the economy.

I wish to share time with Deputies Kieran O'Donnell, Olivia Mitchell, Michael Ring and Simon Coveney.

**An Ceann Comhairle:** Is that agreed? Agreed.

**Deputy Richard Bruton:** The Fine Gael motion condemns the Government for its reckless economic policies over the past five years that have undermined the stability and competitiveness of the Irish economy and that are now sabotaging our country's ability to withstand tougher economic times. The motion sets out the changes we believe are now necessary to address the difficulties we face.

We have a problem that has spread fear throughout every corner of this country. There are already 75,000 additional people on the dole, who have never been on the dole before. By Christmas, the figure will be at least 100,000. Strong businesses are being forced to close their doors and say to dedicated workers that the game is over. We have seen young people pay huge debts for houses, the value of which will perhaps never again approach what they paid for them.

This is the crisis that has occurred yet there is an air of unreality in the House today with the Government debating changes in electoral boundaries. There is a huge and yawning gulf between the crisis in the country and the craving in the country for leadership and what we are being offered on the first day back after the recess. It is for that reason that we have set this as a critical time.

The Dáil should now debate the crisis affecting every business and family in the country. Together we should be working out what we need to do, what are the true figures we face, what are the options we have, what are the challenges we face and what are the things to avoid. That is the debate which should be occurring but it is not happening.

I refer to the impact of the recession on Ireland. We hear people talk about international factors. Let us be very blunt about it — the impact on Ireland is grossly magnified compared to other countries. Taking our nearest neighbour, there is a sense of crisis in the United Kingdom but there is at least a sense that somebody is beginning to show leadership. The deterioration in our growth is four times that which has occurred in the United Kingdom. The deterioration in our public debt is six times that which has occurred in the United Kingdom and the deterioration in our unemployment figures is 12 times that which has happened in the United Kingdom. There are international factors but this Government has exposed our people to pressures and threats to which people in other countries are not exposed.

It is alarming that after so many months, the Government has still not put a strategy in place to address this. People are beginning to despair that the Government has the capacity to offer any leadership in this situation. It is very hard to believe that the people who destroyed the economic fundamentals which underpinned the Celtic tiger are the ones who will suddenly come up with the answer to those problems.

Let us make no mistake about it — this Government has destroyed the economic model which was the core strength of our economy for so many years. That model was built on strong export competitiveness, on building up market share, on very prudent use of public money, on nimble Government capable of adapting to changing circumstances and on cost competitiveness. Every one of those has been destroyed by a Government which decided that its priority was the pursuit of electoral politics.

It ran budgets which expanded each year under the Taoiseach, Deputy Brian Cowen, when the need was not there. It acted as cheerleader for a property boom which was plainly unsustainable. It made huge public spending commitments on the back revenues coming from property which are now gone. It has caused the worst deterioration in our public finances in the history of this State. In 2006, we were in surplus to the tune of €2 billion but at the end of this year, we will be in deficit to the tune of €11 billion. We will be way outside our commitments under the Stability and Growth Pact.

That has happened because the Government has not paid attention to the basic lessons one must learn if one is to manage a small, open economy successfully. One must be prudent in one's use of public money, one must spend in a way that is sustainable, one must hunt down waste and inefficiency and one must ensure that cost competitiveness is at the heart of one's strategy. All those habits, which were learned the hard way in the 1980s and 1990s and which created a dynamic economy, were destroyed in a very short period of time by this dangerous flirtation with the property boom and the friends in the property sector and which has brought this country to its knees.

Ireland is the most exposed country to these threats coming from the international crisis simply because the Government sabotaged our capacity to do what a government should do in times like this. The Government should now have the resources to look at accelerating our infrastructural investment and not at slowing it down and to look at new opportunities to create employment and not talk about cutting services left, right and centre.

We should look at what other countries have done. There is a salutary lesson. Our Government refused to recognise the gathering storm clouds. Last year's budget was a wholly inappropriate one and at the time I described it as a hit and hope budget. It was a hit and hope budget hoping that we would have the so-called "soft landing" when the soft landing was clearly not going to happen. Those who warned that would not happen were treated with disdain. Their warnings fell on deaf and arrogant ears.

The Government persisted in denial right through the budget formation to the middle of the year when it was brought to its senses by the collapse of tax revenue. A feeble response came

[Deputy Richard Bruton.]

in July. It was the sort of response one would expect from a child. Far from looking at the business of Ireland Inc., looking for the successful parts of public spending and deciding on the priorities to survive, it said let us cut 3% off the payroll everywhere so the most successful elements of our public service were put under the same pressure as the ones which should have been abandoned. Instead of doing a forensic search for waste and ensuring we made decisions which would value the things which would be important in difficult times, there was this mindless cutting everything a little bit, but it came unstuck.

We are back here two months later and all the talk about this being a temporary little adjustment, that the fundamentals are strong and that we would be back on the horse's back in no time has been abandoned. Where is the strategy? All we have had from the Government is an upgrading of the storm to force four. We all know that, as do people who are losing their jobs, people who are struggling to pay for their houses and people who are folding their businesses. It is only the Government, which has been in this bubble, that did not realise what was happening. We need a government capable of leadership but that has not come forward.

We should contrast that with what happened to the Spanish Government. It was faced with a similar situation. It did not go off on holidays and put up a "do not disturb" sign because it was too busy. The Prime Minister of Spain called back his Ministers from holidays. He told them they should be at their desks with their computers powered up and that they should look at what was necessary to get Spain through the recession. That is what they did. They brought forward new infrastructural packages, they said top earners in the public sector would have to take a pay cut and they said there would have to be a tax stimulus to get things going. Now commentators believe Spain will get through these difficulties without a recession. That is not the situation in Ireland.

Our Government sat on its hands, went off on holidays and appointed a few task forces and decided to wait to see what they came up with when it came back. That is not leadership or what this country craves at this time. Many measures could be taken now and not in three weeks at budget time. Measures could be taken now to open up sectors which have been protected for too long so that we could have vibrant competition and start to bring down costs and create new opportunities in renewable energy and bus transport if Government would only move on some of the things it said it would do for years. We need to reinvent our economy and to look at the opportunities and build for them now. We must make solid investments in areas that will reap returns, such as interconnectors, broadband and areas that can create a knowledge economy. However, the Government is ignorant of all of this. Its strategy for e-Government collapsed on its face. Under the Government's strategy for the knowledge economy, we dropped from being the leading country in Europe in terms of e-Government to 17th on the list. That happened under a strategy of change.

We failed dismally under the Government strategy to address climate change. That strategy was launched in 2000, but after eight years it has had a zero impact on our emissions. The penny must drop for Ministers that when strategies go wrong when there is plenty of money available, mismanagement is going on. The trouble with the Government is that it will not wake up to reality and does not show any understanding of the mistakes it has made that have put us in this hole and made us the most exposed country in Europe.

Until the Government wakes up and realises that it is its mistakes, its reckless expansion of spending on unsustainable revenues, its acting as cheerleader for an unsustainable property boom and its destruction of our exporting sector by the high-cost environment it created, we can have no confidence that it has the diagnosis to get us out of this hole. If it had, we would already see the signs of leadership and see investment in training for people who are being displaced so that they will not be long-term unemployed. We would see the prioritising of

investments and see the publishing of cost-benefit analyses that showed which investments were priorities and should be protected at all costs. We would see a Government in control and taking leadership.

Even in the case of the financial crisis, the Government is dragged kicking and screaming to respond. It is only at the last minute that it comes up with something to protect depositors, although it was clear 11 months ago when Northern Rock went down that Irish savers were exposed, with less protection for their savings than was the case for savers in the United Kingdom. It was obvious we should move, but the Government would not move alone and felt it had to wait for some committee in Europe to decide.

The Government must take leadership on issues that matter to Ireland. It is Irish people who are losing their jobs, Irish businesses that are on the line and the Irish nation that needs leadership from the Government. The tragedy is that there is a growing sense that the Government does not know what it takes to change Ireland, to reinvent the economic model we have destroyed and to reform public services in a radical way where it is performance that matters. Failure to perform has consequences and Ministers and public servants must take responsibility for what happens. Choice must be generated within the public sector so we have alternatives and variety that will allow the best options to be developed.

We have not had that change; instead, tragically, we have seen time and again the Government take the soft option route. Benchmarking was a unique vehicle capable of driving a massive reform package within our public service, but what did the Government do about it? It sat on its hands and refused to put a reform package on the table and decided to dish out the money anyhow through the ATM machines. We have paid in spades for that, not only the €1.3 billion it cost, but by not getting the reform.

Even more seriously, we needed the talents of our public servants focused on delivering real change to the way we deliver services, so that we could with the significant moneys spent ensure that young people who were suicidal and elderly people in accident and emergency departments got help. That did not happen and instead of driving our public service to deliver at the front line, their energies were wasted and they were demoralised through a decentralisation programme that was dreamt up on the back of a betting slip. This has sabotaged our public service and demoralised compassionate and committed people who should and could be driving serious reform. That has not happened over the past number of years because the energy and talents of many public servants have been wasted in fruitless moving around and the destruction of skill bases built up over years.

This has been a Government that has not understood the importance of reform, change and the building of a strong, competitive and nimble economy with a public service to match that would meet the ambitions of the people generating the revenues to fund it. That is the fatal error and the reason we are in such a hole. It is the reason we need strong leadership, which, sadly, is not forthcoming from the Government.

**Deputy Kieran O'Donnell:** I strongly support the motion. I see only one Government representative here as I look around the Chamber.

**Deputy Bernard Allen:** A rookie junior.

**Deputy Kieran O'Donnell:** That demonstrates how the Government regards what is happening with our economy. This is not good enough. The Government benches should be full as we are here to discuss the most important situation facing the country. We have had the worst deterioration in the public finances ever and moved from having a healthy surplus to a deficit.

[Deputy Kieran O'Donnell.]

I am glad to note the number of Government Members has doubled to two, but that is still insufficient.

**Deputy Bernard Allen:** There is no senior Minister present for such a serious debate.

**Deputy Kieran O'Donnell:** That is not good enough. They should be here.

**Deputy Alan Shatter:** The Minister for Finance should be here. It is a discourtesy to the House that he is not. He is treating the House with contempt.

**Deputy Kieran O'Donnell:** Fine Gael brought forward this motion as a result of its concern. We brought it forward in good faith and expected the Government to respond in good faith. We sought a debate on the issue, but the Government would not provide time for it. We have spent much of the day discussing an electoral Bill that has been around for a year without discussion.

I will comment on the Government's reckless economic policies and competitiveness. The Government allowed the property boom to get out of control. When the Taoiseach, Deputy Cowen, took up the position of Minister for Finance, we saw a rapid decline in our exports and a rapid increase in construction. There was over reliance on the construction sector and, as a result, we now have negative equity. The Government has been somewhat disingenuous in this regard. It has floated the notion that it will help first-time buyers buy houses. People know houses are overpriced. The only people who will benefit from such a move are the Government and builders. Hard-pressed first-time buyers could now end up in a situation where the houses they buy will leave them in negative equity within a short period. Fine Gael feels strongly on this issue. The Government should be truthful with the electorate, but it is not.

The Government has failed to respond quickly when necessary. Last December, the situation was clear. The credit crunch was in full swing, unemployment was rising and, through successive budgets, Deputy Bruton called for proper public sector reform. The Comptroller and Auditor General's report for 2007 makes specific reference to the HSE. With regard to value for money, in the past ten years the number of people employed in the HSE has increased by 71% to 47,000. Many of those are in bureaucratic positions and are not accountable. Furthermore, the health budget has increased fivefold. The question is, do we have a better health service today? We had Private Notice Questions today on the state of the health service. We are not getting value for money.

The Comptroller and Auditor General's report made specific reference to the HSE's failure to respond swiftly. It stated that a dysfunctional consequence of delaying action was that savings must be targeted across the board at units operating within budget as well as those that are not. The Government has made a 3% cut in the HSE's payroll. We know people are being let go throughout the public sector, but that is not proper public sector reform. That is just sleight of hand.

What should have been done should have happened last December. However, the Government only decided to do something in June, when there were 50,000 extra on the live register and a €3 billion tax shortfall projected by the end of the year. All the Government did was make vague utterances on moving things around. Its three page document did not even add up because it was €14 million short and a further 20,000 people were forced onto the live register before any action was taken.

The Government must now take control of the public finances and protect essential frontline services. The incremental system of budgeting is outdated and other models should be con-



sidered. New Zealand has a system whereby a 1% saving is sought across all government departments. Advance notice is given, which allows for proper public sector reform rather than our *laissez faire* attitude of overnight cuts. Departments here lack the time to adjust to cuts which affect frontline services.

The Government has failed to put in place a proper anti-inflationary policy. When we joined the eurozone, we lost control over our exchange and interest rates and the only area over which we retained control was inflation. Everyone knows that if interest rates are low, inflation should be low, but inflation was allowed to spin out of control. The European Central Bank has an inflation target of zero to 2%. The Government should have set out a target for inflation prior to the national pay talks so people could have a sense of where the country is going. We have become uncompetitive and have lost export market share over the past five successive years. Since 2000, our prices have risen 50 times faster than the EU average and 45% of non-mortgage inflation is Government fuelled. Health care is three times the EU average and education for hard pressed parents of children, housing, water and energy are twice the EU average.

In its ludicrous reply, the Government claims its stewardship of the economy and public finances allows Ireland to meet the current economic situation from a position of strength. Given that nothing is left in the kitty, there is no strength, unlike Spain which built up a reserve to allow its economy to be pumped. Several months ago, the Taoiseach proposed a cyclical stimulus budget which would allow him to pump the economy but he is not mentioning that now. The kitty is empty because of mismanagement on the part of the Government.

The adoption of sensible measures would have created the right economic and fiscal conditions. How can we regard the claims made by the Taoiseach in 2005 and 2006 that the fundamentals of the economy were fine and that we should continue to build? This was a foolhardy and unsustainable policy. Exports continued to fall. This is a small open economy and we need to return to basics. The Government claims that many of the factors currently impacting on the economy are external in origin. While that may be the case, it failed to exercise its control over internal factors to implement the deposit protection scheme earlier or control inflation. The hallmark of this Government is procrastination. It is either acting on the basis of arrogance or because it does not know what is going on. I am not certain which is worse but both are absolutely unacceptable.

The budget for 2009 is supposed to provide clarity and confidence but the Government is failing to provide either. The only reason the budget is being brought forward is because the preliminary income tax figures for 2008 will fall far short of projections when they are produced on 14 November. The people were misled on the budget, which was based on a projection of 55,000 housing completions. Everyone knew at the time that the maximum figure for completions was 30,000, with a €1 billion shortfall in tax take for every 10,000 houses. I had to table a parliamentary question to find out the number of housing completions used as a basis for the budget. Budget expenditure was reliant on the construction sector.

I commend this motion to the House and hope the Minister for Finance and other Government Deputies will attend this well-informed debate on putting the economy back on the road to recovery.

**Deputy Olivia Mitchell:** In an attempt to have us forget about Government inaction over the past several years, the Taoiseach said this morning that he had to deal with the situation that confronts him now. The reality is that it did not arrive out of nowhere to confront him over the past few days because he helped to create it. I acknowledge that a crisis has arisen internationally to which we are not immune but it is undeniable and unforgivable that its impact on us is already greater than elsewhere and will probably be more long lasting. My colleagues

[Deputy Olivia Mitchell.]

have already referred to the rapidness of the collapse in our growth and employment rates. We are the worst on any scale. Our inflation rate over the past ten years has been twice the EU average. It is no wonder that we are the most expensive country in Europe. Regardless of the picture which the Taoiseach and his Cabinet colleagues try to paint, these factors did not arise by accident. They are specific to Ireland and were under our control but the Government did nothing about them.

That we have to face them now is entirely due to a feckless Government which spent with abandon over many years. During the Taoiseach's tenure as Minister for Finance, he increased spending at twice the rate of economic growth. Even a child knows that if pocket money increases by €1 per week, he or she cannot spend €2. Spending was based on unsustainable property taxes, despite the warnings of every expert. Indeed, any child could have told the Government about this.

While all this heady spending continued, long-term thinking was forgotten. Preparation for a rainy day was put off and there was no search for value for money, reform of public services or regulations and no drive for competitiveness. There was no sense of urgency about broadband services, energy or transport. God knows what our very well resourced training body, which was supposed to give us a cutting edge labour force, was doing. After ten years of continuous growth, we should have been in a better position than other countries to face a global recession but, with more expensive goods and services than any other country, we are in the worst possible position. At the same time, our coffers are bare and we have no reserves.

Our Government has made no response to these issues. It was in complete denial and ignored all the warning signs. It held parties for the incoming and outgoing taoisigh but did nothing about the gathering storm clouds for which the rest of the world was preparing. In July, it briefly acknowledged that a problem existed but then allowed it to drift throughout the summer, emerging only briefly to announce it would do something in October. Weeks of unease about the security of our banking system were completely ignored. People were withdrawing money and putting it under their mattresses. Joe Duffy was blamed for this, even though he was merely reflecting what the people in the streets had been discussing for months.

The Government's first response to these problems was to announce that it was giving us all a pay rise. There is something surreal about concluding a pay deal in the very month in which we announced the highest ever increase in unemployment. At the same time, there was almost a run on the banks. This is nonsense. At a time of such uncertainty, I do not know how we, as part of the public sector, can promise to pay ourselves more. Private sector workers are being asked to work harder and longer to produce more and pay more taxes at a time when they do not know whether they will have jobs, much less pensions. What else did the Government do? When the directors of Aer Lingus were trying to put together a business plan to save the airline the Minister for Enterprise, Trade and Employment, Deputy Coughlan, told them she was not happy with it. To the best of my knowledge the reason the Government privatised Aer Lingus was to give it freedom of operation. I recall a specific promise from the Government that, despite holding a considerable shareholding of the company, it would not interfere in the running of the airline as this would impact negatively on the share price. However, that is exactly what the Minister did, at a time when there were as many airlines as banks going to the wall.

The final straw was an increase of 8% yesterday in taxi fares. This shows how out of touch the Government is with the realities of the market at present. Taxis are largely a discretionary spend for people, so this increase will result in a reduction in taxi usage. It is completely bizarre and damaging not just to the economy, but also to the tourism industry. The Government must realise that the days of easy money are over. It cannot spend its way out of every problem

now. There is a new world order and the Government will have to start making its own luck. It will have to husband resources, target investment priorities, reform public services and upskill the workforce. There is no sign that the Government has any idea of the challenge it is facing, how it will deal with it or, indeed, that it even realises there is a challenge.

**Deputy Michael Ring:** I am glad the Minister for Finance has attended this debate because I was going to have a go at him if he did not. He would have shown total disrespect for the House if he had not attended. Deputy Bruton has put down a good motion that the Government was not prepared to debate in Government time. We did not want half Ministers; there are too many half Ministers. In fact, if I were Taoiseach——

**Deputy Brian Lenihan:** This is the Minister of State.

**Deputy Michael Ring:** ——I would get rid of six of them, for a start. I would get rid of half the programme managers and advisers and all the waste in public offices. The Minister was also late last week. Everybody in the country was talking about what was happening in the economy. The Minister might recall the film “Mary Poppins”. In that film the young child went into the bank but would not lodge his two pence. As a result, there was a run on the bank for the first time in 100 years. The same thing happened in this country last week but the Minister did not make a move until Saturday. He nearly left it too late.

People were ringing me and every other Deputy to ask if their money was safe. What we need now is leadership — a strong Government, Taoiseach and Minister for Finance. What did we have last week? We could not get a Minister to speak. The Minister spoke on Friday and said he would not interfere with the market or the banks. However, at lunchtime on Saturday he had to tell people that the Government would underwrite deposits of up to €100,000. That was correct but if the Minister had spoken sooner it would not have been necessary. However, the Minister and the Government were gone all week. They took their eyes off the ball.

In the past few months, since the previous Minister for Finance, Deputy Cowen, became Taoiseach, 45,000 jobs have been lost in this country. Where was the Government for the summer? When every other government in Europe was trying to figure out how to save their economies, this Government was gone, travelling all over the world. It should have been here. A special Cabinet meeting should have been held in August to show the people that the Government was doing something about the economy, that it was in charge and would not let the country go down the drain. However, there was no Minister or Taoiseach to be found throughout the summer.

This is serious business. There are 45,000 people who will not have a job this Christmas. Other people are wondering whether their jobs will be safe tomorrow, next week, next month or next year. We need to hear from the Minister for Finance. He should not take the soft options when he introduces the budget in two weeks. He must not attack the social insurance fund again. That is the working people’s fund; the money that has been put away for the rainy day and for pensions. The Minister must not raid it. The former Minister, Charlie McCreevy, raided it in good times but this Minister had better not raid it in bad times. That fund is for people’s pensions and for the future.

If the Minister wished to show leadership, he would tackle the oil companies. The price of diesel and petrol goes up and down but the price at the pump does not go down. That is a simple job and the Tánaiste should deal with it. She should speak to representatives of the oil companies and ask them why this is happening. I travelled from the west to the east of this country last night. There was a different price for petrol and diesel at the pumps in every village and town. That should not happen. If the Government was doing its job, it would tackle the people who are ripping us off. We are being ripped off by all sides.

[Deputy Michael Ring.]

The Minister for Finance has a job to do and he must take it seriously. He must ensure the economy does not go down the drain. For the last ten years the Government spent, spent and spent. What would happen to a householder who did the same? People have always put a few pounds or euro away for the rainy day but this Government did not. The Government thought the boom was never going to end. When it did, who did it blame? It blamed Fine Gael and Deputy Richard Bruton, accusing us of talking down the economy. Where were the advisers and the people in the Department of Finance? Did they not know that taxation revenue was not coming in? Did they not see a downturn over the last two years? No, like the Government they were telling people about all the taxes that were being paid and what would be done to spend those taxes.

**Deputy Simon Coveney:** I wish to express my frustration that I will have less than five minutes to speak on this motion. It is truly extraordinary that we will not get an opportunity to debate in depth the concerns every household in the country is discussing at present. Many colleagues in Fine Gael and in the Labour Party wished to make a proper, lengthy contribution to a detailed debate on the challenges we currently face, but we have not been given that opportunity.

This House went into recess for nearly three months. In that period, 23,000 people lost their jobs in Ireland. That is a total of 300 per day. People are worried about their future, their jobs and their financial commitments such as mortgages and loans. They expect leadership from the Government. They expect the people they elect to run the country to give leadership when it is needed. What did they get in response? This is the first sitting of the Dáil for three months, following a meltdown in international money markets and a series of uncertainties that affect the economy and people's pensions and jobs. The Government's response is a refusal to even facilitate a two day debate on the issue. This was requested last week; it is not as if the Government was taken by surprise by the request.

Instead, the Government is content to discuss the Electoral (Amendment) Bill, which is irrelevant in the context of the challenges the country faces at present. A discussion on boundary changes for three and a half year hence is what it considers a priority for discussion in the Dáil this week. Is it any wonder that people view this House and many of its Members as irrelevant to their lives and the challenges they face? If Fine Gael had not forced a debate on the economy during Private Members' business this evening, there would have been no opportunity to discuss the issue, apart from during Leaders' Questions. We are accused of playing political games for trying to hold an arrogant and lazy Government to account, a Government that does not have the political courage to face a proper debate on the economy.

To put recent job losses in context, in the last month in Cork 180 people lost their jobs in Pfizer, 280 jobs were lost in Howley Civil Engineering in Carrigtwohill and yesterday there were 150 job losses in Swiss Co. in Little Island. Today we have been told there will probably be an announcement tomorrow of 200 job losses in Tyco Sensormatic on the Model Farm Road. People are talking about that, not the boundaries of Dáil constituencies in the next general election. We should be reflecting people's concerns. They want answers from us about what direction the country is taking and what challenges and hardships they can expect. People know that is the reality they face for the next year or 18 months, or whatever the time frame will be. Eleven of the top 88 worst unemployment blackspots are in Cork. Last week a dole queue in Cork city stretched for almost half a mile, and crossed one of the bridges in the city. This picture was on the front page of the *Evening Echo* in Cork last week, a sight many people of my age have never seen. People are worried about this and want a response from people like the Minister who they see as offering new leadership in Ireland.

**Deputy Olivia Mitchell:** I am glad they do.

**An Ceann Comhairle:** The Deputy's time has expired.

**Deputy Simon Coveney:** We have a new Government and a new Minister for Finance. Let us focus on the future and take on the challenges in a brave way. Let us not avoid debate in this House where this discussion should be opened up.

**An Ceann Comhairle:** I call on the Minister whom I understand wishes to share time.

**Minister for Finance (Deputy Brian Lenihan):** I propose to share time with Deputies unknown. No doubt they will disclose themselves in the next few minutes.

**Deputy Olivia Mitchell:** We can help the Minister out.

**Deputy Simon Coveney:** The Minister can take his time.

**Deputy Richard Bruton:** We can help out the Minister with his economic policies too if he wishes.

**Deputy Alan Shatter:** We might have a real debate if the Minister actually listens to what we have to say.

**Deputy Michael Ring:** One can see how bad things are when the Government is running away.

**An Ceann Comhairle:** The Minister must first move the amendment to the motion.

**Deputy Brian Lenihan:** I move amendment No. 1:

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

"commends the Government for:

- its stewardship of the economy and public finances to date which has meant that Ireland meets the current economic situation from a position of strength and allows Ireland to take advantage of the global economic recovery when it emerges; and
- its adoption of sensible measures which have created the right economic and fiscal conditions for strong growth in recent years, whilst protecting the gains that our country has made by ensuring responsibility in management of the public finances;

furthermore, in the light of the changed economic realities:

- notes that many of the factors currently impacting on the economy are external in origin;
- notes that the Government through bringing forward the Budget for 2009 will provide clarity and confidence to investors and taxpayers and provide a sound basis for economic recovery; and
- welcomes the Government's role in securing a draft national pay agreement which will further provide confidence, certainty and stability in the challenging period ahead, while at the same time providing wider economic and social benefits."



**Deputy Alan Shatter:** On a point of order, is there a Deputy in the House called A.N. Other for whom we need to leave an open slot should he or she arrive? Is this a precedent for this House?

**Deputy Brian Lenihan:** The Deputy concerned is Deputy M.J. Nolan.

**Deputy Alan Shatter:** Deputy Nolan is welcome. I assumed there was a bevy of other Deputies who might honour us with an appearance.

**An Ceann Comhairle:** I understand the Minister wishes to share his time with Deputies Brady, Byrne, Nolan and McGuinness.

*(Interruptions).*

**Deputy Olivia Mitchell:** Well done a Cheann Comhairle.

**An Ceann Comhairle:** Is that agreed? Agreed.

**Deputy Alan Shatter:** Anyone who took the economic situation seriously would be in the House.

**Deputy Brian Lenihan:** We are in the middle of an acute global financial and economic storm and this country is not immune from its impact. However, let us not lose perspective.

During the past five years, we have had an average growth rate of 5.5%, among the highest in the EU. Our Government debt in 2007 fell from 32% to 23% of GNP. We have put more than €15 billion into the National Pension Reserve Fund since we took the prudent step of establishing that fund in 2001. It now stands at €19.5 billion. Also, we have invested more than €30 billion in the biggest public infrastructure investment programme *per capita* in the EU.

This is the record that has been dismissed as “reckless budgetary policies” in the motion tabled by the Deputies opposite. By all means, let us have debate about the economy but let us not engage in the kind of dishonesty and misrepresentation that does no service to this House or to our economic achievement in recent years, achievements not alone by Government but by the people. Our record is there for all to see. Based on that record, we will take the necessary action to ensure we safeguard and protect the substantial gains that have been made during the past 15 years.

The continuing turmoil in the global financial markets is having a detrimental effect on economies right across the developed world. Growth forecasts in all of our trading partners have been revised downwards. As a small open economy, Ireland was never going to be insulated from this international downturn and these developments combined with the appreciation of the euro exchange rate have created a difficult trading environment for our exporting sector.

In addition to this unprecedented conjunction of unfavourable international factors, we are experiencing a very sharp correction in the house building sector which has been exacerbated by the global liquidity crisis.

**Deputy Bernard J. Durkan:** And the national crisis.

**Deputy Olivia Mitchell:** It just happened out of nowhere.

**Deputy Brian Lenihan:** I have no doubt that over time, housing output will return to more sustainable levels but there is a process of adjustment and it is important that it be allowed to take place. We must remind ourselves that the beneficiaries of falling property prices will be first-time buyers who have found it so difficult to get on the property ladder in recent years.

**Deputy Bernard J. Durkan:** They could not get on the property ladder at all.

**Deputy Brian Lenihan:** I would like to address some criticism that has been levelled at the Government about its actions in this area. It is the height of hypocrisy for the Opposition to blame the Government for allegedly over heating the property market when it was Fine Gael that did its damndest to destabilise that market through its half-baked, ill-conceived proposals to reform stamp duty.

**Deputy Alan Shatter:** The first person to mention it was former Deputy Michael McDowell when Minister for Justice, Equality and Law Reform.

**Deputy Michael Ring:** Hear, hear.

**Deputy Alan Shatter:** Former Deputy Michael McDowell was a Minister of the former Government which told the nation it did not need any money from stamp duty.

**Deputy Brian Lenihan:** Members may not like the medicine but they should at least listen to what I have to say. That particular plan which was rejected by the people would have pushed prices far higher and resulted in an even greater crash.

**Deputy Bernard J. Durkan:** Because the Government withheld the information.

**Deputy Brian Lenihan:** The Government's changes to the stamp duty regime were measured and they were only introduced when it was clear the market was already correcting and when it was safe to do so. Our concern has always been the long-term stability and sustainability of the housing market.

**Deputy Simon Coveney:** This is not what the public want to hear.

**Deputy Alan Shatter:** No one believes any of that.

**Deputy Brian Lenihan:** The rapid deterioration in our economy and the speed with which international factors outside of our control have impacted on us has taken everybody by surprise.

**Deputy Bernard J. Durkan:** Not only international factors.

**Deputy Brian Lenihan:** When we brought forward our savings initiative last July, my Department forecast a revenue shortfall of €3 billion for this year. At the time, I said the savings of €440 million to be achieved this year was the very minimum we had to do and that additional savings would have to be made in the event of a further deterioration in our fiscal position.

We monitored the position throughout July and August and when in August returns confirmed there had been a further significant weakening of the tax take, we decided to bring forward the budget to 14 October. Following analysis of the end-September tax revenues my Department will set out its assessment in the normal manner at the end-quarter press conference. In advance of knowing the exact details I do not propose to say anymore on the size of the shortfall.

**Deputy Kieran O'Donnell:** I am sure the Minister does not want to say anymore.

**Deputy Brian Lenihan:** I want to assure Deputy Richard Bruton that he will be briefed subsequent to the end-September forecast. I will do everything in my power to ensure he is properly briefed in what I appreciate is a tight budgetary cycle in time terms. It is clear the scale of the economic and fiscal challenges require us as a Government to take immediate steps

[Deputy Brian Lenihan.]

to ensure Ireland is fiscally sustainable in the years ahead. Bringing the budget forward allows us to present a balanced and coherent plan to address the difficulties we now face. It also focuses everyone's mind on the absolute necessity to take corrective measures now so as to boost confidence in the economy among investors, business people, workers and those on welfare.

I am not going to get into the details of the budget this evening, but I can say it will set out steps to stabilise and restore balance to the public finances by prioritising current and capital public expenditure to reflect the changed realities.

We face very difficult choices. We will have ample time for serious economic discussion in this House on budget day and in the weeks subsequent to it. We will, of course, seek to protect the most vulnerable and to protect the productive sector which must generate the income we need to provide the public services in education and in health that our people deserve.

The House can be assured the Government will leave no stone unturned to protect the gains that have been made and they are substantial. We now have more than 2 million people at work. Since 1997, under successive Fianna Fáil-led Governments, more than 700,000 jobs have been created, a startling achievement.

We have a highly educated and young workforce and, by international standards, a very low tax environment for workers and business and this has been an important driver of economic growth. This transformation has been achieved by the hard work and enterprise of our citizens underpinned by the sound economic policies of this Government. It has placed us in a better position than most to weather this downturn. As long as we take the tough decisions now, we will be well positioned to take advantage of the upturn when it comes.

We in this House will have to face real choices. The Opposition cannot take refuge in rhetoric as we make these choices. It will have to come forward with alternatives if it is not prepared to accept the policies brought forward by Government.

**Deputy Bernard J. Durkan:** What about the Government; what will it do?

**Deputy Olivia Mitchell:** It is all up to us.

**Deputy Brian Lenihan:** In previous economic downturns, we have made the mistake of cutting back on capital investment.

**Deputy Simon Coveney:** What is the Government waiting for?

**Deputy Brian Lenihan:** It is easy to cut capital investment. The challenge now is to ensure that in the changed economic circumstances we produce more with less money. That is possible given the competitive environment that now exists for tendering.

**Deputy Olivia Mitchell:** It certainly is possible.

**Deputy Brian Lenihan:** Of course, the delivery of Transport 21 and the national development plan is affected by the level of economic growth and the resources available to the Government in the medium term. It is clear that we will have to prioritise and extend the period within which it can be implemented, but the plan stands.

Last year alone, we spent €8 billion of Exchequer funds on capital projects. By 2010, we will have completed the motorway network connecting Dublin to Cork, Limerick, Waterford, Galway and Belfast. Work will also begin on the Atlantic road corridor. The second terminal in Dublin Airport will be open for business in 2010. There will be significant development of

public transport in the greater Dublin area. We have an ongoing programme of investment in our environmental services infrastructure and we will provide increased energy security through the North-South and East-West interconnector projects.

The plan stands and as we have indicated, despite expenditure pressures which have arisen this year, capital expenditure will remain a top priority. As part of the Estimates process, we are reviewing all capital projects for 2009 to 2011 to ensure scarce resources are targeted at investment in core economic infrastructure that will add to our productive capacity, improve our competitiveness and ensure we are in an advantageous position when the present economic downturn abates.

The rapidity of deterioration in our economy has, as I stated, surprised all not alone at home but around the world. We have known for some time that growth was going to slow. That is why in his budget last year, the Taoiseach, who was then Minister for Finance, introduced an efficiency review with the objective of getting better value for the money we spend on public services. When he became Taoiseach, Deputy Brian Cowen reiterated our commitment as a Government to public sector reform. As you know, a task force will report shortly on the implementation of the OECD report on this subject.

In the meantime, the savings initiative we introduced last July is being implemented and the efficiencies it will yield in terms of administrative budgets and the rationalisation of State agencies will be of continuing benefit to our economy when prevailing circumstances improve. There will be a redundancy programme for administrative staff in the HSE and I would like to see such a programme applied in the wider public service as well. The Government is determined to secure maximum value for money in our public services. By targeting better payroll management, seeking savings in the services we buy and prioritising productive capital projects, we will enhance the delivery and effectiveness of public services and maximise the return from capital investment.

As in many other countries, the pick-up in Irish inflation in the past year or so has been driven primarily by the global rise in food and oil prices. In Ireland, increases in interest rates have also had a direct impact on inflation. Recent inflation trends have been more positive. The annual rate of CPI inflation eased to 4.3% in August from 5% two months earlier. On an EU harmonised basis, annual inflation in August was 3.2%, significantly below the 3.8% increase recorded in the euro area. My Department expects to see an easing in the average rate of inflation in the later part of this year and into next year.

These are indeed challenging times. However, we should not lose sight of the fact that the level of economic activity remains very high, as does the level of employment and income *per capita*. The underlying health of our economy remains robust. The Government will bring forward initiatives that will promote additional economic activity and provide firm support for those parts of our economy that are continuing to perform well. However, effective management of the public finances and sensible fiscal policies are fundamental to our economic recovery. There is no easy way out if we are to protect the extraordinary progress we have made in the past two decades.

It is the job of the Opposition to hold the Government to account. I understand that the largest Opposition party, in particular, will want to make political hay out of the current difficulties.

**Deputy Olivia Mitchell:** That is completely wrong.

**Deputy Brian Lenihan:** However, I appeal to Deputy Bruton to rein in the worst excesses of those in his party who, in their pursuit of political advantage——

**Deputy Richard Bruton:** If the Taoiseach had reined in his Ministers we would not have a shortage of hospital beds.

**Deputy Michael Ring:** It was Joe Duffy last week and it is Fine Gael this week.

**Deputy Simon Coveney:** If the Government had told people the truth a year ago——

**Deputy Brian Lenihan:** In pursuit of political damage, they are undermining confidence in our economy. I advise Deputy Ring that careless talk cost lives in the last war and careless talk can cost banks as well.

**Deputy Alan Shatter:** Maybe we should just close down all discussion.

**Deputy Richard Bruton:** Bad policies destroy economies, not idle talk.

**Deputy M. J. Nolan:** I welcome the opportunity to speak on this issue. The extent and speed of the downturn in our economy has caught everybody by surprise.

**Deputy Michael Ring:** We will have more tuppences before this is over. It is “Mary Poppins”.

**Deputy M. J. Nolan:** Even the learned gentlemen across the way did not have a monopoly on that. I welcome the Minister’s statement and the fact that he is facing up to the difficulties faced by the economy. In the short time I have I will highlight one or two issues that concern me. In the context of the budget being introduced by the Minister on 14 October, I ask that areas such as education, which has been the bedrock of the Irish economy in the past 20 years and the reason it has been so successful, do not see serious cuts. As a result of our education system and our young, well educated workforce we have succeeded in attracting more foreign direct investment than any other European country. Any changes or savings that have to be made should be made outside that Department.

In addition, State agencies, particularly FÁS, must put in place or alter their courses to suit the current economic climate, in which an increasing number of young people are coming onto the live register. I heard reports recently that individuals who went to FÁS seeking particular courses were advised that no such courses were available. We cannot wait six months or a year for FÁS to get its act together and put on courses that are urgently needed.

The current downturn in the economy will have a serious effect on the resources that Ministers will have to run their Departments. However, I was glad to hear the Minister state that unlike in previous downturns, in which capital budgets were severely cut as a result of fall-offs in revenue, he intends to prioritise spending in the capital area and that programmes such as the inter-city road network will be completed by 2010. I would also like to see continuous investment in public transport, particularly the rail network, which has benefited significantly in the past ten years.

Nobody in this House could have anticipated the speed of the decline. Indeed, most of it is outside our control and we are to a large extent at the mercy of international financial markets. I wish the Minister well in his task, which will not be an easy one. However, the fundamentals, as he continues to tell us, are sound, and based on that I believe we are healthy enough to ride out the recession.

**Deputy Cyprian Brady:** I too welcome the opportunity to contribute to this debate. Nobody on this side of the House denies that we are facing into a difficult period for this economy. Our GNP has been steadily decreasing and our economic growth is declining. However, the entire developed world is also facing a period of economic turbulence. Rising fuel and food prices and the fallout from the ever-worrying credit crunch are having a negative impact on



growth throughout the world. However, as the Minister pointed out, we are in a much better position to weather the storm now than we were in the 1980s. Irish exports remain strong. Exports of business services and software grew by an incredible 25% in 2007 and now earn as much as pharmaceutical exports. The inflow of foreign direct investment remains strong and FDI will be the key to driving the Irish economy towards recovery in 2009. IDA Ireland continues to win projects and create employment here. In my constituency, for example, the success of the Irish Financial Services Centre has been remarkable and it continues to create employment and attract new business, with major financial institutions continuing to establish a presence in the IFSC.

The Government has successfully managed the boom and is well equipped to ensure we manage our way through the tough times that are before us. The fact that the budget is being brought forward to 14 October illustrates the commitment of the Government. I also welcome the Minister's efforts with regard to guarantees on bank deposits. This is an issue that affects many people. People were confused about their entitlements and the fact that the issue was clarified in such a speedy way is to be welcomed.

I must express my concern at the lending practices and lack of prudence of some banks. There have been cases in which 100% mortgages have been given to individuals who cannot afford the repayments. A number of these were given on an interest-free basis for five years.

8 o'clock After those five years the borrowers must repay the full principal and interest, and many are facing negative equity. In a number of cases, the borrower cannot afford the full amount that will be charged. Representatives of the banks attended a meeting of the Joint Committee on Finance and the Public Service a few weeks ago and reassurances were given. For example, there was a reassurance that Bank of Ireland would retain its dividend. However, this has now been slashed by 50% due to more challenging trading conditions. While Irish banks do not seem to be exposed to the sub-prime mortgage crisis, they are being hit far more badly than most banks in Europe. This is worrying.

We can overcome this current period of slowing growth. We are still attracting foreign direct investment and we must continue to do so. Our construction industry has contracted, but we are creating employment in other areas such as financial services, pharmaceuticals, IT and the service sector as a whole. I express my concern, however, at some of the practices of a number of our banks and I would like to see more transparency in this area.

**Deputy Thomas Byrne:** I commend the Government on its stewardship of the economy in the past ten years. What is the first piece of advice a financial adviser would give to any family when paying down a mortgage when it comes into more money or achieves a higher income than previously? He would recommend paying off the mortgage, which is what the Government has done in the past ten years.

**Deputy Kieran O'Donnell:** It has made the private sector take out mortgages.

**An Leas-Cheann Comhairle:** Allow Deputy Byrne to speak without interruption.

**Deputy Thomas Byrne:** The debt to national wealth ratio is now down to 23% from a high of 96% in the early 1990s, which is an outstanding achievement by any set of standards. While it is given no credit by any member of the Opposition, the people at home understand that. If we consider other countries with national debts, in Japan it is 180% of its wealth. The USA has added \$1 trillion to national debt in recent weeks with the rescue of Freddie Mac and Fannie Mae and the general bail-out of the banks. In the UK the ratio is approximately 40%. Ours is 23% which is an outstanding achievement that allows the Government in tougher economic times to borrow as necessary to maintain the services and keep us in a good position

[Deputy Thomas Byrne.]

for when the global situation recovers. That outstanding achievement of the Government needs to be recognised.

Unfortunately the Opposition does not recognise that we are a small island economy totally dependent on international investment and on our exports to other countries. That has been put into clear focus by the pairing issue the Opposition has introduced whereby it is refusing to allow possibly even the Taoiseach to attend an important meeting in New York and the Tánaiste and the Minister for Justice, Equality and Law Reform to attend meetings in Europe. It is an absolute disgrace and shows no knowledge of the situation Ireland faces and the reality that our Ministers need to be abroad promoting the country as they have been doing for the past ten years and attracting foreign direct investment, which despite what the Opposition might claim is still coming in at very good rates. While we need to keep it up, the Opposition has shown no understanding of that.

Deputy Bruton will come into the Chamber and criticise the Government for spending too much money, yet tomorrow morning on local radio we will hear a litany of requests for more money for all sorts of projects.

**Deputy Richard Bruton:** What we want is delivery.

**Deputy Thomas Byrne:** I will be on local radio tomorrow telling them that Deputy Bruton recommends spending less money.

**Deputy Richard Bruton:** The Government said it would end hospital waiting lists, reduce school classes to 20—

**An Leas-Cheann Comhairle:** Allow Deputy Byrne to speak without interruption.

**Deputy Thomas Byrne:** The Fine Gael Deputies and councillors cannot have it both ways. They cannot say they want more money spent when their finance spokesperson and deputy leader criticises us in the Dáil for spending too much money over the years. The people know the tricks they are playing.

The Government has done a fantastic job. It established the National Pensions Reserve Fund despite some criticism for doing so. We now have the scope to borrow and maintain our position. The Government has responsibility for managing the public services and creating the environment in which people can work. Low taxes have been a feature of that environment for individuals and businesses and they allow people to get on with what they want to do. We could not be in a better position to get through the unprecedented global economic downturn. We can afford to borrow a certain amount of money to get us over the slight difficulty in which we find ourselves. We will either swim or sink with international exports and foreign direct investment, which is very important. We need to put our best foot forward at home and abroad, which is what Ministers and IDA Ireland with other agencies have been doing with great success in recent years. Fine Gael is trying to diminish this effort with what it has done regarding pairing.

The national pay agreement has been criticised from various quarters. However, it gives people confidence that Irish industrial relations are peaceful and that people can invest in Ireland without the threat of industrial relations bringing everything to a halt.

Regardless of the economic reality that house prices may fall, homeowners in my constituency would be surprised by Fine Gael calling for house prices to fall, as its motion does. It calls for house prices to return to fair values. While we know it is an economic reality, making that political call is unprecedented. People who suffer from negative equity will look for more than

a call for house prices to be reduced. We do not yet have a large number of repossessions, which may well come. Action would need to be taken if that becomes a serious problem. While I know of some in my constituency, they are not yet at the crisis level that would affect a broad range of people, as they are in some parts of the United States.

We need to put our best foot forward despite the Opposition. We need to continue these policies. While we need to cut back, we do not need to slam on the brakes. We need to keep rolling along, borrow as much as we need and set the country up right for when things turn internationally, as they will. I believe the people will thank us for it when the turnaround comes.

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy John McGuinness):** I welcome the opportunity to contribute to this debate and reflect on some of the comments of members of the Opposition, who suggest we should have this debate without any commentary on what is happening elsewhere in the world. This debate is taking place one day after the chairman of the US Federal Reserve, Ben Bernanke, and US Secretary of the Treasury, Henry Paulson, introduced a package to save the banks and the economy in the United States. I would never have thought we would have seen the US Government take over Freddie Mac and Fannie Mae and that there would be problems with Merrill Lynch and AIG. There has been such a movement in the world finances that those organisations are now in crisis. The Opposition must acknowledge that.

**Deputy Kieran O'Donnell:** We have done so.

**Deputy John McGuinness:** It diminishes confidence in Irish business and business throughout the world that that would happen. It is up to governments to address the problem as best they can. Ireland, with a population of 4 million, 2 million of whom are working, needs to do things in terms of business, which I respect. People look to the Government for leadership. Leadership was shown by what the Minister for Finance, Deputy Brian Lenihan, did in July. On the basis of the figures available then he introduced certain cutbacks, redefined policy and reprioritised projects.

**Deputy Kieran O'Donnell:** It is too late.

**Deputy John McGuinness:** It is not too late because no one could gauge. It was something that happened. Some of the biggest fund managers in the world lost billions overnight because they could not gauge it. They were the ones central to whole financial activity because no one knew what was in those toxic loans——

**Deputy Kieran O'Donnell:** There was excessive reliance on the construction sector.

**Deputy John McGuinness:** ——or the packages that were passed around like parcels until the music stopped when each bank in a row fell. Let us place it where it is. We now need to recognise the positive aspects. The financial sector employs 10,000 people. Some of the biggest and best recognised companies have a presence in this country. If we are to look positively to the future we first need to separate the rhetoric and take the best advice, as the Minister for Finance did when he took those initiatives in July. We are now faced with answering the question as to whether we have the bottle as parliamentarians to stand up and give leadership to the rest of the country in the context of them doing business for Ireland. That is what we should be focused on. I lead trade missions abroad with some of the best companies in the country, including some fledgling companies that are trying to make an impact on world markets. They are showing the bottle and are taking the risk. They are not speaking like the Opposition. They are in markets doing business, as we should recognise.

**Deputy Kieran O'Donnell:** I wrote to the Taoiseach asking him to meet multinational companies but received no reply.

**Deputy John McGuinness:** Every negative word that comes from this House damages our economic prospects. It damages the efforts being made by those business people. It is not just about profit for them. They are sustaining jobs and need every support they can get.

**Deputy Richard Bruton:** What about the people talking about the public sector?

**Deputy John McGuinness:** I spoke about the public sector, as did the Deputy. There is not a great distance between his position and mine, with one exception.

**Deputy Richard Bruton:** The Minister of State's party has been in government for 11 years and has done nothing about it.

**Deputy John McGuinness:** The Deputy did not have the bottle to stand up and say it. His colleagues who sit behind him are telling me that I was right in what I said.

**Deputy Richard Bruton:** The Minister of State was right, but he did not have a record of delivery behind him. His party has been in government for 11 years and has done nothing about it.

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

**Deputy John McGuinness:** It is interesting just how right I was because Deputy Bruton cannot stand up and tell business people they need to tighten their belts and get out there if we in the public sector are not prepared to do so ourselves.

**Deputy Kieran O'Donnell:** The business people are doing it.

**Deputy John McGuinness:** In doing that we need to look to the SME sector, which I represent in the context of the work I do with Enterprise Ireland and the county and city enterprise boards. They need every encouragement to ensure they grow, continue the employment levels they have and are given the opportunity to trade abroad. In recognising the positives in the economy we should focus on a system to do likewise, to expand and create employment. They are doing it because they are doing something different. We are pouring out a load of rhetoric here, a load of rubbish sometimes, listening to what the Opposition Deputies are saying.

**Deputy Kieran O'Donnell:** The Minister of State is waffling.

**Deputy John McGuinness:** The people who need to put their money in their pockets are the people making the real decisions. The Opposition is not prepared to support them.

**Deputy Kieran O'Donnell:** The Minister of State is waffling.

**Deputy John McGuinness:** I am not waffling.

**Deputy Kieran O'Donnell:** The business sector has been letting people go for the past year because people in that sector know what is going on.

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

**Deputy John McGuinness:** I work with the county and city enterprise boards and Enterprise Ireland which are the real performers in this economy and should be supported.

**Deputy Kieran O'Donnell:** They are, but the Government is not supporting them.

**Deputy John McGuinness:** In the context of what the Minister for Finance is doing I believe they will get the support and leadership which is needed now more than ever. As a House representing those people we should be united in our efforts to support them.

**Deputy Kieran O'Donnell:** What is the Government doing?

**Deputy John McGuinness:** The Deputy should wait for the budget. In terms of Enterprise Ireland and the county and city enterprise boards we are not just waiting to do it, we are doing it every day and the funding exists to do it.

**Deputy Kieran O'Donnell:** How will the Government make us competitive internationally again?

**Deputy John McGuinness:** The competence and confidence exists in that sector to do business for Ireland, which the Opposition should recognise.

**Deputy Joan Burton:** I wish to share time with Deputies Higgins and Morgan.

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

**Deputy Joan Burton:** We all know the international financial system is in chaos and that Ireland's economic woes are mounting — even Fianna Fáil is gradually conceding that. The Taoiseach and Minister for Finance surely must be refreshed, relaxed and ready to roll up their sleeves now that summer has been and gone. If they do not start to get real about our economy, there is a danger that the autumn Dáil session will be a bridge between the Government's summer slumber and a winter of discontent.

The number one difficulty facing the economy is rising unemployment. Young men losing jobs on building sites are particularly affected. As we are in the distinguished presence of two men who have become Ministers of State since the new Government was formed, I remind them that since then 46,000 people have lost their jobs. That is a record for the 140 days they have been in office. The Government must make unemployment public enemy number one.

All our reluctant Minister for Finance seems to be able to muster is whinge after whinge after whinge. There is not an ounce of sympathy there. In fact, whingeing has been the most notable feature of Deputy Brian Lenihan's tenure as Minister for Finance to date. He said, before the summer, that businesses and consumers should stop whingeing about rising fuel prices. This showed just how out of touch he is with ordinary people. More recently, the Minister for whinge had the gall to blame the public for the housing bubble; his rationale was that "you get what you voted for". Let us not forget the Minister's most recent whinge last week when he blamed Joe Duffy for undermining the Irish banks when it is their own lax lending which has them in a bind as well as the failure of the Government to raise the deposit guarantee scheme as I and the Labour Party have requested for well over a year. Perhaps the Minister for Finance realises that Government oversight of the banking sector has been dysfunctional and he wanted to divert the spotlight.

Finally, the Taoiseach and the Minister for Finance have been consistent in their whingeing about international factors; they refuse to face up to the fact that our economic downturn is largely home-grown and the fault of this Fianna Fáil Government. Whingeing, passing the buck and laying off blame will not get our economy back on the right track.

Bringing the budget forward was a cynical attempt at media manipulation. The Minister has bought a six-week window during which he can brief the press that at least the Government is



[Deputy Joan Burton.]

doing something. His refusal to release either budget estimates or a pre-budget outlook is wrong. He and his officials, unless they are from the same school of arithmetic that the Minister for Education and Science, Deputy Batt O’Keeffe, patronises, has to know the estimates and the likely outlook for next year. If not, they do not deserve to be put in charge of beer mat economics, from which the Minister for Education and Science’s estimates seem to come.

The Minister for Finance’s refusal to release the pre-budget outlook is consistent with the stunt former Minister Charlie McCreevy pulled on decentralisation. It leaves the element of surprise for the Minister on budget day when he can pull rabbits out of hats and leave little ability to analyse what becomes a done deal. Decentralisation backfired not so much on the Government because it won Fianna Fáil votes, but massively on the public finances where it has cost us untold billions of euro over and above what a normal ordinary quality programme of negotiated decentralisation would have done.

We are in a serious economic situation and now is not the time for such theatrics. The Minister should put the economy ahead of his own vanity. He should release realistic estimates for 2009 spending in advance of the budget as happens every other year. In the information vacuum that appears to be developing, it is difficult to see how the best decisions can be made in the interests of families in Ireland.

With financial markets facing their deepest crisis since the great depression, there is a growing consensus that the deregulation agenda of the past two decades has done more harm than good and must be reversed. We do not need to ban financial innovation — we need to regulate it so that it does not put the financial system itself in jeopardy. Part of the answer to the current financial crisis is the innovative regulation of derivative financial products.

Just this week the European Parliament adopted a bipartisan resolution on financial service regulation. There is agreement across the European political spectrum that the time for re-regulation is now. In the face of this common sense consensus, European bankers are fighting a strong rearguard action, aided and abetted, unfortunately, by pliant Governments, including our own. We should not take regulation from bankers. It ought to be parliaments who decide what is in the best interest of investment, depositor, saver and lender. The banks prioritise their own profit. They say regulation undermines competitiveness. What they actually mean is that regulation undermines their ability to make mega-profits by taking on mega-risks with other peoples’ money. We need sensible regulation to restore financial stability.

Just as we have safety standards governing the food we eat, the cars we drive and the medicines we take, we need safety standards for financial products to protect the stability of the financial system. International financial regulators must be empowered to ensure that financial innovation never again gets so out of hand that it threatens the entire economy. We have not yet seen the impact on European banks of the results of what has happened in America because we do not know how much of the derivative products, much of which are financial rubbish, is in their balance sheets.

On the international scene we need a re-design of the financial regulatory architecture to ensure that any newly devised or existing financial products pass a consumer health check. Banking executives’ bonus schemes should not incentivise excessive risk-taking, the masters of the universe, whether down in the IFSC, Wall Street or in the City of London. Bonuses and annual payments of €4 million, €10 million or €40 million are paid to them to gamble excessively with other people’s money. We need an early warning system to ward off asset bubbles and an alignment of interests between mortgage lenders and mortgage investors.

The crisis of delinquent capitalism has already claimed high profile victims on Wall Street. The worry is that the financial crisis will spill over to claim its victims on the high street and

main street of every Irish town and village. People up and down the country are facing real problems in the real economy and they need a Government that is the real deal.

Economic growth in Ireland is at its lowest level since 1988, unemployment has topped 6% and over 2,000 people are losing their jobs every week. The cost of living is increasing at 4.3% and is three times the rate the Government inherited in 1997. Consumer confidence is weakening and retail sales are falling for the first time since 2004. The CSO construction employment index is down by 16% in the past 12 months. Entrepreneurs with solid business plans cannot access finance and the Government has allowed for a deficit the public finances. I notice the Minister's careful words where he acknowledges a deficit of €5 billion, but we could be heading for €7 billion by the end of 2008.

The Labour Party rejects the conservative consensus that the public finances are the root cause of the problems in the economy, rather than a symptom of them. International factors are making a recovery more difficult, but the root of our problems is the home-grown housing bubble. There the Taoiseach led the field. He stoked this in the budget of 2006-07 in order to win the election. In the budget last year when Fianna Fáil was back in power, he stoked it again in order to win his party's leadership.

This is Deputy Brian Cowen's recession. When we come to write the history of the financial times of this period in Ireland I hope historians will describe it in those terms.

**Deputy Arthur Morgan:** I thank the Labour Party for sharing time. I appreciate this and I also appreciate that Fine Gael moved this motion in its Private Members' time. It should not have been necessary, of course. The Government should have afforded at least one full day, preferably two, to debating this most important matter.

The economic challenges this State faces in the coming period are substantial but with well thought out and responsible policies they are not insurmountable. Without doubt, some of what we face today can be attributed to the international credit crunch and a global downturn. Major investment banks, such as Lehman Brothers, collapsed, sending shockwaves throughout the financial world and causing massive liquidity problems.

However, as much as we are exposed to outside factors, the Government can no longer hide from the fact that it is Government policy and mismanagement that has brought us to this point in the Irish economy. Irish banks were not exposed in any comparable way to the sub-prime catastrophe that has hit the world's financial institutions. However, because of years when domestic credit was made freely available to developers and speculators, our economy was allowed to develop on the back of an unsustainable and unstable property market.

The false bubble referred to by the previous speaker, with whose comments I agree, was not capitalised upon by Government. It was used to give absolute tax breaks to those doing very well out of the economy and was also used to bolster election chances.

The Government presided over many investment failures in respect of value for money. No major infrastructural projects came in on time. Strategic investment was not made in providing broadband nationally, in revitalising rural Ireland, in public transport or in renewable energy. The Government relied instead on property-based tax reliefs, leaving us with many hotels, car parks and shopping centres instead of social housing, buses and wind farms.

The Government also failed to invest in measures to combat poverty. As a consequence, almost 300,000 people live in consistent poverty and will remain there if this Government has its way. It continues to boast that the fundamentals of the economy are sound when it is clear that economic growth in this State was driven by unreliable domestic consumption rather than by robust export policy and sustainable industry.

[Deputy Arthur Morgan.]

Government policy produced a high-cost base for business, poor competitiveness, poor public services and huge private debt. Its strategy of high indirect taxes means that, as consumer spending falls, the Government will lose still further revenue, thereby putting even greater pressure on the economy.

Over the summer months, however, the Government all but disappeared. It took no action until it was dragged back into the House in late September. The bringing forward of the budget is simply for the optics. The Government must take charge. It is time that its members accept that the buck stops with them when it comes to running the economy. The Minister for Finance, Deputy Brian Lenihan, faces into his Budget Statement 2009 with a shortfall in tax receipts projected to exceed €5 billion by the end of the year, and an Exchequer deficit which, by the end of August, had reached €8.4 billion. Nobody who has managed to make such a considerable miscalculation of the State's finances has any right to act smugly about the condition of the economy.

A Government response to the current situation that seeks to address the shortfall in public finances by resorting to cutbacks in public services is not acceptable. Our public services are already characterised by a lack of capacity and quality. Of all the countries of Europe, only Estonia and Lithuania have lower public spending than we do. There is a need to look at how and where the Government has wasted public money in recent years. Opposition parties are correct to blame Government mismanagement for our present predicament but those of us in opposition also have a responsibility to propose solutions and outline what we would do, if in power. It is not enough to say that Government must keep taxes low and must protect public services solely by seeking value for money in those services. The present motion proposes as much. That said, my party supports the motion.

Our public spending is the third lowest in Europe. Waste and duplication must be eradicated but let us not fool ourselves about the so-called black hole in public spending. It does not exist. Government spending is nowhere near the level it needs to be at in order to reverse the deficits that were allowed to build up in our social and physical infrastructure. It is irresponsible of any of us in opposition to try to sell that line to the public. Some members of the Opposition would quite happily stand over cuts in public services proposed by the Government rather than use innovative thinking to stimulate the economy and build the revenue that is needed to fund our public services appropriately. We must offer responsible solutions as to how the Government might dig itself out of this mess in the short and medium term, while protecting the most vulnerable who have so often in the past proved a target for budgetary cuts.

Sinn Féin urges the Government to use the budget for 2009 in a number of ways in order to stimulate the economy. We want job creation to be prioritised. In particular, we want an immediate re-training programme for construction workers to get them into areas such as renewable energy, retro-fitting and other industries. We want the Government to address underperforming export markets. Approximately 90% of our exports in 2006 came from foreign owned companies based here, rather than from indigenous industry. That is a shocking statistic. A well-known American economist has commented that what we had was not so much a Celtic tiger but rather an American tiger trapped in a Celtic zoo.

We want national development plan commitments in social and affordable housing and school buildings to be frontloaded. This will re-employ construction workers and will help contribute revenue as well as keep those people out of dole queues. We also want the Government to take action to reduce the cost of living pressure on low-income families and those dependent on social welfare, by establishing an anti-inflation package and awarding social welfare increases. It is also imperative that the Government brings forward a set of proposals

to reduce cost pressures on small businesses. This should include the fast-tracking of company law legislation in order to reduce regulatory burdens while protecting the rights of workers.

There must be a fundamental reform of the tax system to ensure that we have both a low and a fair tax regime. In the interim, however, the Government must use the tax system to assist those on low incomes. Tax breaks and loopholes used by the super rich to avoid paying tax must be removed and those at the higher end of the scale must pay their fair share in order that sufficient revenue is generated for current and longer-term spending demands.

Over the coming two years Sinn Féin wants to see the following — the national development plan investment prioritised and directed towards projects that address our infrastructural deficits; the development of a public sector reform plan, in partnership with the trade unions, that will combine increased investment in frontline services, with improved effectiveness; and the delivery of a national action plan for social inclusion to redress the inequalities in our society.

In the longer term we must turn our economy around. We need an economic model based on principles of high quality employment, environmental sustainability, tax justice and world class public services. These matters are what both Government and Opposition parties must discuss. Of course we do not have enough time to tease out these issues in the time afforded by the Fine Gael Private Members' motion. Again, I acknowledge this motion and I appreciate its introduction. Unfortunately, there are many other issues, such as the prioritisation of job creation and dealing with how we must work ourselves out of the mess the Government currently finds itself in, of its own creation. I look forward to the opportunity to have a more lengthy debate in the future.

Debate adjourned.

### **Adjournment Debate.**

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### **Hospital Services.**

**Deputy Seymour Crawford:** I thank the Ceann Comhairle for allowing me to raise this important issue, along with my constituency colleague, Deputy Caoimhghín Ó Caoláin.

Monaghan General Hospital must be allowed remain on call and retain its accident and emergency and high care units. According to senior personnel in the HSE, it is under order to wind down the service at Monaghan General Hospital as quickly as possible and specifically to take the hospital off call, leaving only a day service available in the accident and emergency area. This is to be done in spite of the fact there is clearly no alternative available either now or in the foreseeable future. A similar order was in place for Roscommon County Hospital, but this has now been removed by the Minister, allowing the HSE to retain the services there. I beg the Minister to do the same in Monaghan and I urge my constituency colleagues in the Government party to ensure this happens. The HSE recently gave my council and town council colleagues the same message, which is that they are only doing what they are under order to do by the Government.

In the past ten days I have come across two cases of people who were sent home from Cavan General Hospital. One man, who was 90 years of age, was sent home by ambulance at 1.30 a.m. The other was a lady who was sent home and passed away a few hours later. It is absolutely clear that Cavan General Hospital is not in a position to cope with its own patients, never mind the additional load from Monaghan.

[Deputy Seymour Crawford.]

We have an excellent cardiac unit with an extremely strong independent report to state its records of success are at the highest level. Our accident and emergency unit, named by the HSE as a treatment room, is of the highest calibre and we have the most modern bed units. Nothing can justify the Minister's orders to wind down such a unit. The people of Monaghan need this service more than ever. Existing industries and potential new industries depend on such a hospital service.

There is no doubt the actions of the Minister and this Government are nothing short of an introduction of euthanasia through the backdoor. Home help and home care are not available, subvention for nursing homes has never been sorted out and now patients are being pushed by the Minister into areas where there is no service to cope.

I realise the Minister for Health and Children, Deputy Harney, has never felt the need in her heart to visit either Cavan General Hospital or Monaghan General Hospital, but if lives are to be saved she must either change the order that she and her Government have given to wind down our Monaghan General Hospital or take the only honourable alternative and step down from her position.

**Deputy Caoimhghín Ó Caoláin:** I note again, with some vexation, that the Minister has not seen fit to take this Adjournment debate. Perhaps it is past her bedtime, or does she continue to have little or no interest in hospital services in the north east?

The Health Service Executive confirmed in a letter to me two weeks ago its plans to remove all acute care from Monaghan General Hospital and to downgrade it, essentially, to a minor injuries unit.

The HSE has confirmed the death sentence for Monaghan General Hospital and in reply to my Dáil question today the Minister also confirmed that sentence. The Minister and the HSE confirm the ongoing implementation of the so-called transformation report, which I revealed in April. The HSE is denuding Monaghan of services and working towards a deadline that, if adhered to, will mean that by Christmas 2008 Monaghan General Hospital, as we have known it for some years, will no longer be a hospital.

When read carefully the HSE letter, entitled "Developments in Cavan & Monaghan Hospital Group Services" and dated 3 September 2008, reveals a number of inconsistencies, raising huge concern about future patient care. It speaks of having specific measures "in place and bedded down prior to or in parallel with the transfer of acute care to Cavan" by the end of November. I note that those words are repeated in the Minister's reply to my parliamentary question today. What does "in parallel with" actually mean?

The HSE says it is committed to the enhancement of ambulance services, including an additional 24 hour emergency ambulance at Monaghan ambulance station, bringing the number of ambulances from two to three. Will we be faced with a situation where acute care is removed from Monaghan before the extra ambulance is provided? How long would such a gap in services be allowed to continue? We have seen in the past where the HSE commits in principle to provide new services but we wait months or years to see them delivered.

There are currently 3,000 acute medical admissions to Monaghan General Hospital per annum. By the end of November this service will have to be provided by Cavan General Hospital, which already has to cater for 5,000 acute medical admissions per annum and has 160% bed occupancy. This is to be done under this plan without a single extra bed being provided in Cavan. How can this be achieved?



The plan for the destruction of Monaghan General Hospital must be opposed in the strongest possible manner by the entire community and every elected representative. I welcome Deputy Rory O'Hanlon who is here to view the debate this evening because I believe it must include the Fianna Fáil TDs for the Cavan-Monaghan constituency. Like all Opposition Members, they too must be called to account on this matter.

Surely what is good for Roscommon is also good for Monaghan. How is it that we have not been able to prevent the loss of services at Monaghan General Hospital through the years, yet, with apparently little effort, such a situation can be put on hold, checked or reversed with regard to a hospital elsewhere in the State? We want equality of access to health services for all citizens.

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** I am taking the adjournment on behalf of my colleague, the Minister for Health and Children, Deputy Mary Harney.

The Teamwork report, prepared for the Health Service Executive, clearly indicated that the service configuration in the north-east region was unsustainable. It recommended a reconfiguration of hospital services across the existing five hospital sites to ensure the highest level of patient safety. The report also identified a significant future role for all five hospital sites in the provision of acute hospital services.

The report has helped to inform the approach being adopted by the HSE to the implementation of its transformation programme. The programme involves widespread and fundamental change and is designed to build a health system that is in line with the model of care emerging internationally. The overriding aim, which the Minister fully supports, is the improvement of safety and standards of care for patients in the region.

**Deputy Seymour Crawford:** It is not doing that.

**Deputy Máire Hctor:** As part of the reconfiguration of acute hospital services in the north east the HSE has previously indicated that it plans to transfer acute inpatient services from Monaghan to Cavan and to develop services at Monaghan. The transfer is scheduled to take place later this year. The HSE is working to ensure the necessary capacity is in place prior to or in parallel with the planned transfer date to ensure a smooth and safe transition.

**Deputy Seymour Crawford:** It is not doing that.

**Deputy Máire Hctor:** The necessary capacity is to be generated in a number of ways. For example, a medical assessment unit is to be established at Cavan to help manage the anticipated increase in activity. Beyond that measures are needed to ensure a more efficient use of available capacity and this has been highlighted in the national bed utilisation capacity report prepared for the HSE. The average length of stay for inpatients needs to be reduced in line with best practice. The discharge planning process also needs to be improved. Alternatives to acute inpatient care are required through the provision of additional packages of care in the Cavan-Monaghan community care area.

**Deputy Seymour Crawford:** Where are they? They are not there.

**Deputy Máire Hctor:** The capacity at Monaghan is to be increased through, for example, the development of additional respite and rehabilitation services. Enhancements in pre-hospital care in the Cavan-Monaghan area are also required.

[Deputy Máire Hctor.]

Deputy Crawford referred to the position at Roscommon County Hospital. In the past, Roscommon County Hospital and Portiuncula Hospital, Ballinasloe, have operated independently, with two consultant general surgeons in each hospital. The difficulties faced by Roscommon and Portiuncula in maintaining surgical services independently, and the need for closer co-operation between them, were highlighted by the former Comhairle na nOspidéal in March 2006. Advances in clinical care and ever-increasing levels of specialisation mean the present model of care faces important practical difficulties, which must be addressed.

In the light of these factors, the best way of retaining and developing services in Roscommon and Portiuncula hospitals is for these hospitals to work closely together. The HSE has indicated it is proceeding with the proposal for a joint department of surgery and anaesthesia at Roscommon County Hospital and Portiuncula Hospital, Ballinasloe. The establishment of a joint department of surgery already is in place in the Cavan-Monaghan hospital group and is operating very successfully. A joint department of emergency medicine is also in place and is operating across both hospitals.

### **Departmental Agencies.**

**Deputy Róisín Shortall:** I asked for this Adjournment debate because of continuing press reports that the abolition of the Combat Poverty Agency is imminent. A review steering committee has, since June 2007, been examining the workings, value and role of the agency and in recent weeks has made recommendations to the Government. Various reports suggest the agency may be merged with either the office for social inclusion or the National Economic and Social Development office or may simply be abolished altogether.

The Labour Party strongly believes that undermining the independence of the Combat Poverty Agency would be a retrograde step. It would completely destroy the objectivity of the only statutory organisation with a specific and all-encompassing role in the eradication of poverty. It would represent nothing less than the silencing of criticism of the Government, however objective and constructive that criticism may be. The Combat Poverty Agency was established in 1986 with a specific remit to help the Government to eradicate poverty. It now appears the Government is about to tell us that while poverty always will be with us, the Combat Poverty Agency may not.

Of all Government agencies, it is incredible that this is the one which the Government targets first. Poverty and social exclusion are still alive and well in Ireland. One in nine children under 14 has substandard living conditions and the number signing on the live register has increased by 93,000 since the Government took office. This week, for example, The Dublin Simon Community claimed it had been obliged to hand out three times as many sleeping bags in the first six months of this year than in the same period last year. Unless one understands such problems, one has no hope of fixing them and understanding poverty constitutes precisely the value of the Combat Poverty Agency.

The Combat Poverty Agency has played a vital role in the past 22 years. Without the agency, we would not have the facts about the chronic rate of poverty among children of low income families and the extent of poverty among lone parent households. Without the agency, increases for old age pensioners may never have been secured because the hard data on the extent of pensioner poverty would not have been available. It also was the Combat Poverty Agency that first proposed the establishment of the Money Advice and Budgeting Service, which has proved to be so successful. It promoted, secured and developed the first national anti-poverty strategy and pioneered community development programmes throughout the country.

One wonders what exactly the Government is trying to achieve. The Exchequer grant to the agency this year is €4.6 million. In a Department that will spend €17 billion this year, for the service provided, the sum of €4.6 million is relatively small. The same Department recently wrote off €82 million in overpaid benefits and last year handed back €64 million in unspent funding. Why is the Minister targeting the Combat Poverty Agency when clearly, there are savings to be made elsewhere?

It is my understanding that the review offers no figure for overall savings in costs or staff numbers, identifies no value for money issues and pinpoints very few areas in which the work of the Combat Poverty Agency is duplicated in another organisation or Department. It appears that the only saving the Government is seeking to make is the embarrassment of an independent body telling it that it has 300,000 people living in consistent poverty after ten years of bulging Government coffers. The point is that if this proposal is not being driven by savings, it must simply be by politics.

For more than 20 years, the Combat Poverty Agency has provided an important service by identifying and analysing the causes of poverty and by providing a framework in which to address such problems. It also has offered an important independent critique of the record of successive Governments. Subsuming the agency into the Department of Social and Family Affairs would completely neuter the agency and rob it of its independence. Rather than providing an independent assessment of Government policy on poverty, it simply would become another mouthpiece for the Minister. The most vulnerable in our society deserve much more than that. The Minister must reject these recommendations and give this House an assurance that the independence of the Combat Poverty Agency will be preserved. I look forward to such an assurance this evening.

**Deputy Máire Hctor:** I will take this matter on behalf of my colleague, the Minister for Social and Family Affairs, Deputy Mary Hanafin.

The Government decided in June 2007 that a review of the Combat Poverty Agency should be undertaken by the Department of Social and Family Affairs in association with other relevant Departments. The review forms part of the Department's value for money and policy review initiative programme for 2006-08. The review, which commenced in December 2007, was overseen by a steering committee which was chaired by Mr. Niall Callan, former Secretary General of the Department of the Environment, Heritage and Local Government and comprised senior officials from relevant Departments and the Combat Poverty Agency.

The review's terms of reference were threefold. First, it was to examine the role of the agency in the light of the emergence since 1986 of comprehensive strategies and programmes for social inclusion and extensive new institutional developments in support of social inclusion. Second, it was to consider the operations of the agency in the context of efficiency and value for money. Third, it was to identify the extent to which newer developments or arrangements may duplicate, overlap or complement the agency's role, report on the ongoing validity of its remit, bring forward proposals as appropriate for enhancement or rationalisation, or both, and make recommendations to the Minister for Social and Family Affairs.

The review was presented to the Minister on 12 September 2008. The Minister, Deputy Hanafin, is considering its findings and recommendations and intends to bring forward proposals to the Government on the future of the agency in the near future. The Combat Poverty Agency has forwarded its views to the Minister and she will take them into account while formulating her proposals.

### County Kerry Bogslide.

**Deputy Jimmy Deenihan:** On the evening of Friday, 22 August 2008, a number of local people, who were working in the Maghanknockane area of the Stacks Mountains, felt trembling on the bog. They found this to be highly unusual as it had never happened previously in the area. Bog movement became more visible the following morning. It gained momentum throughout the afternoon and by evening, a bogslide close to 50 m wide and 12 ft. deep simply flowed down the hillside, following a path of approximately 3 km, along the valley of the Glashareag River. It moved into an area known locally as Scanlon's Bridge. *En route* to Scanlon's Bridge, the bogslide engulfed the bridge leading to the house of Denis Harris. He was cut off for a number of days and was lucky not to have been on the bridge at the time of the slide. His wife Maureen and son Padraig were unable to return home that Saturday and were obliged to stay with family and friends for a number of days. Thanks to Kerry County Council, the bridge was put back into operation after a week or so.

The Scanlon family, including Eamon Scanlon's 94 year old mother, were lucky not to be engulfed in the bogslide. Initially, they were able to remain in their home. However, following further movement of the bog, which came perilously close to their home, they subsequently were moved by Kerry County Council to a house in Tralee. Unfortunately, over the past weekend, their vacated home was burgled, which was a heinous act.

Kerry County Council's workers and engineering staff now have both bridges back in operation and the main through road through Macca is functioning at present. The county council also has constructed a dam 4 km from the source of the slide, which serves as a siltation lagoon that prevents peat silt from moving downstream.

A fish kill occurred in both the Glashoreag River and the upper Smearlagh River during this period. It is estimated that approximately 5,000 fish perished, most of which were juvenile salmon and sea trout and which constitute the next generation for the Feale and Smearlagh rivers. A fish survey is under way at present to determine the impact on the habitat and the extent of the fish kill. This report is expected shortly. It will no doubt take years for these very important and valuable spawning grounds to fully recover.

Shannon Regional Fisheries Board has worked with Kerry County Council to advise on the construction of the two settlement ponds and jointly engaged BMA consultants to assess the present status of the landslide and its possible origins. I hope this report will be completed and available shortly.

Kerry County Council is continuing to remove peat from the upper sections of the Glashoreag river. The company building a windfarm in the area has erected a dam to prevent a further large movement of peat. The company has also commissioned Carlow-based geotechnical consultants AGECE to undertake a study into the cause of the landslide. I hope both of these reports will be available in the near future as it is very important at this stage to allay the fears of the local people, make known the cause of the bogslide and take corrective action.

I ask the Minister to consider helping those people affected by the bogslide, as both the Harris and Scanlon families surely deserve some compensation for the inconvenience caused. A number of people have now been deprived of their fuel for winter because the area of bog they had turf harvested on was removed. Some bags of turf for the winter were also lost. The Minister, through Kerry County Council, should look favourably at helping these people.

I understand there has been another bogslide today in the west of Ireland. These are becoming all too prevalent. It is time we have some national action to prevent these bogslides. Whatever the reason behind them, surely it is possible to take such action. The last landslide in the

Lyreacrompane area was more than 100 years ago and although I realise we had much rain this summer, there must be some reason for such a bogslide. It does not happen by accident.

I appeal to the Minister of State to give a very positive response and outline proposed actions to prevent a reoccurrence of this incident.

**Deputy Máire Hctor:** I will take this matter on behalf of my colleague, the Minister for the Environment, Heritage and Local Government, Deputy John Gormley.

I sympathise very much with the people whose livelihoods have been affected by this bogslide. I understand Kerry County Council is carrying out an investigation into its cause. Unfortunately, the bogslide also resulted in serious damage to habitats and species. The investigation should address whether and to what extent the works associated with a windfarm development in the area contributed to the bogslide.

I will briefly mention the planning history of this case. The planning application, accompanied by an EIA, was lodged with Kerry County Council in December 2002; the council subsequently granted permission for the development in October 2003, subject to 15 conditions. In considering the case on appeal, I understand that An Bord Pleanála sought from the planning applicant a report from a qualified hydrogeologist or other suitable expert regarding the stability of the peat and soil cover on the site and the potential risk of landslides arising from the construction of the proposed development. The applicant submitted a report on site stability in January 2004.

I also understand that in March 2004 the board requested an additional report from the hydrogeologist assessing the impact of the potential construction works on soil stability with particular reference to construction methods and design and construction of turbine foundations. This was supplied in April 2004 and following its consideration the board granted planning permission for this development on 16 June 2004, subject to 15 conditions.

Separate bog slides on 23 August and 3 September 2008 caused damage to two designated European conservation sites — one special area of conservation and one special protection area. The special protection area was designated particularly for the hen harrier, and an area of suitable foraging habitat for this species has been lost. The special area of conservation was designated for salmon and otter habitat. Spawning beds and feeding habitat have been extensively damaged for these species.

The Feale river is recognised as one of the most important salmon rivers in the Shannon catchment. For that reason, the lower River Shannon special area of conservation was extended to include a considerable stretch of the river, including its tributary, the Smearlagh. Several kilometres of the Glashoreag river, which is a tributary of the Smearlagh, were also included in the extended special area of conservation, as they contained good stretches of salmonid spawning beds and nursery areas.

It is estimated that 4 km to 5 km of fish spawning grounds have been destroyed and now lie under a metre or more of silt. Fisheries officers have estimated that it may take ten years for the spawning grounds to recover. There are now no fish in the affected parts of these rivers, and it is feared that silt will travel downstream and cause further damage. The effects on biodiversity may also be significant, as otters in the area, which depend on fish, have lost their food source.

The otter is strictly protected under the European Communities (Natural Habitats) Regulations, 1997 to 2005, and it is an offence to damage or destroy the breeding site or resting place of this species.



[Deputy Máire Hóctor.]

The council is working closely with Shannon Regional Fisheries Board as well as the National Parks and Wildlife Service of the Department. Any restoration plan or measure would have to be screened by NPWS in the interests of necessary compliance with the natural habitats regulations.

### **Farm Waste Management.**

**Deputy John O'Mahony:** I thank the Leas-Cheann Comhairle for allowing me to raise this very important issue with the Minister for Agriculture and Food. I am disappointed the Minister is not here in person as I know thousands of farmers affected by this would have loved for him to answer this question once and for all.

I will highlight two problems relating to the farm waste management scheme introduced two years ago to much fanfare in the Department that are causing panic in the farming community around the country, including my constituency of Mayo. More than 20,000 farmers countrywide who have been approved for funding under the scheme face the impossible task of trying to complete the approved work before the expiration of the approved deadline, which has been set by the Department as 31 December 2008.

I will briefly outline some of the history of the issue. The fault for this impossible task lies firmly with the Government because it put in place a system which was clearly unable to cope with the significant demand that could have been expected in 2006. Despite asking for and receiving an extended deadline, the Government failed to speed up the application process and granting of funds for buildings under this scheme. This has greatly curtailed the time available for farmers to complete the approved works. In doing so, this has left Irish farmers at a distinct disadvantage to EU counterparts.

The progress of such works over the summer months has been confounded by certain unforeseen circumstances, most notably the inclement weather that has seen us having our wettest summer for over 70 years. The Government's misjudgment, inaction and mismanagement of the scheme in this way has seriously affected farmers, as is evidenced by the many queries received by my office and clinics in Mayo and the experience of all Deputies from rural constituencies from all sides of the House to whom I have spoken.

I have also been informed by my MEP colleague, Mr. Jim Higgins, that the Minister has informed him there are no plans to seek a further extension of the scheme. This problem has wider implications than those for the farming community. If no extension is granted to the impossible deadline, thousands more people will be laid off from building industries in January 2009. As well as supporting the farming community, will the Minister remove the risk to these construction jobs at a time when the housing crisis has already caused havoc in the sector? He can do so by going to Europe to seek a deadline extension.

The second issue relating to the farm waste management scheme is the delay in payment by the Department to farmers who have already completed their projects. I have been inundated with queries from farmers put under severe pressure by banks and lending institutions for money they rightly assumed they should get once the approved work was inspected and complete.

On contacting the relevant section in the Department, officials admitted they had been waiting for months for cheques to be signed off. We have all heard rumours to the effect that all funding for the scheme has been drawn down and no one will be paid between now and

December. I call on the Minister to urgently clarify the position. Will he confirm that the farmers in question will be paid immediately?

I attended a meeting in Crossmolina, County Mayo, last night attended by 400 angry farmers who have taken many hits over the years. The issue last night was the closure of the Teagasc office in the town and its transfer to the urban setting of Ballina. The issue is on the Minister's desk. The 400 farmers who attended last night's meeting are an example of members of a rural community who have given their lives to farming and need our support now more than ever. The Minister is not paying them what they are due and he is depriving them of the opportunity to meet the deadlines for the farm waste management scheme. Now he is closing the Teagasc office in Crossmolina. I urge him, once and for all, to stand up and be counted on these major issues.

**Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Tony Killeen):** The Minister for Agriculture, Fisheries and Food, Deputy Brendan Smith, is unable to attend the debate because he was detained longer than he had anticipated fulfilling engagements in Kilkenny as a result of the decision by the Fine Gael Party to refuse a pair today to allow him to undertake important work at the national ploughing championships.

I am pleased to have this opportunity to clarify the current position regarding the end of 2008 deadline for completion of work under the revised farm waste management scheme. The revised scheme was introduced by the Department in March 2006 to assist farmers to meet the additional requirements of the nitrates directive. The amendments to the scheme included, in particular, an increase in the standard grant rate from the previous 40% to 60%, with 70% being available in the four zone C counties of Cavan, Donegal, Leitrim and Monaghan. In addition, the new scheme provided for an increase in the maximum eligible investment ceiling from €75,000 to €120,000 and removed any minimum income requirements from farming from the scheme in order that all small farmers could participate in the scheme.

The immense success of the farm waste management scheme is demonstrated by the 48,580 applications received from farmers by the closing date of the end of December 2006, of which more than 30,000 were received during the final month. More than 42,200 approvals to commence work have issued to date to farmers under the scheme, with the remaining applications either having been withdrawn, refused planning permission or explained by the receipt of multiple applications from a single farmer.

The financial commitment of the Government to the farm waste management scheme is substantial, particularly during these challenging economic times. This is demonstrated by the fact that to date in 2008, €181.8 million has been paid out to farmers under the scheme compared to €21 million in 2006 and €114 million in 2007. The Department is continuing to process payments under the scheme and I hardly need to confirm again that all farmers who complete investment works in accordance with the terms and conditions of the scheme will be paid their full entitlements.

There is no doubt the farm waste management scheme has dramatically transformed the Irish farming infrastructure through this major injection of capital and will leave the sector well positioned to meet the highest international environmental standards required of Irish farming, as well as changing market requirements. It will also continue to strengthen the competitiveness of Irish agriculture.

The deadline of 31 December 2008 for completion of investment works under the scheme is a condition of the EU state aid approval governing the scheme and the European Commission has recently reaffirmed that it expects Ireland to respect this deadline strictly. It should be noted that the farm waste management scheme has been in place since March 2006.

[Deputy Tony Killeen.]

The terms and conditions of the scheme make it clear that payment of grant aid is conditional on the time limit being respected and the Department has consistently held this position since the commencement of the scheme. The Department is issuing its second written reminder to all farmers approved to commence work under the scheme to ensure all work is completed and a payment claim submitted to the Department by the end of this year. No farmer can therefore be unaware of the importance of meeting this deadline.

I thank the Deputy again for giving me an opportunity to clarify the current position on this matter.

The Dáil adjourned at 9.05 p.m. until 10.30 a.m. on Thursday, 25 September 2008.

## Written Answers.

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**The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].**

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*Questions Nos. 1 to 13, inclusive, answered orally.*

*Questions Nos. 14 to 110, inclusive, resubmitted.*

*Questions Nos. 111 to 119, inclusive, answered orally.*

### **Job Losses.**

120. **Deputy John O'Mahony** asked the Tánaiste and Minister for Enterprise, Trade and Employment the contact that she has had with major computer manufacturers over potential closures; and if she will make a statement on the matter. [31039/08]

144. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Enterprise, Trade and Employment the contact that she has had with representatives of companies (details supplied) in view of speculation that jobs could be lost with those firms here. [30840/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 120 and 144 together.

The fact that Dell is undertaking a fundamental review of its manufacturing operations and global business model has been in the public domain for some time. More recently, Hewlett Packard announced plans to implement a restructuring programme for one of its business groups. It is standard IDA practice, where any of its client companies is undertaking restructuring of this type, to engage with the company with a view to mitigating the impact on the company's Irish operations. I can confirm that IDA has been engaged in extensive discussions with the companies concerned at the highest level.

I have been fully briefed on these discussions as they have occurred. I need hardly say that such contacts always proceed on a confidential basis and it is vitally important, if the best possible outcome for the Irish plants is to be secured, that such confidentiality is respected.

The ICT sector has played a hugely significant role in the development of Ireland as the location of choice for foreign direct investment. Specifically, it:

- Directly employs 70,000 people

[Deputy Mary Coughlan.]

- Has enabled the development of sophisticated management and leadership capability in the economy
- Contributes circ. €30 billion to the Irish economy on an annual basis in wages & salaries, services and corporate tax
- Represents 43% of exports, estimated at €46 billion
- Has led the innovation agenda in new technologies and business models
- Has assisted the national science & innovation agenda and
- Has spawned much of the indigenous ICT portfolio development.

The transformation of the Irish economy has been greatly influenced by the scale and quality of ICT related multinational investments over the last number of years. Many companies, both large and small, commenced operations in Ireland with single mandate manufacturing or a services function. They transformed over time to take on new responsibilities in other areas such as complex high end manufacturing and higher value services including Research and Development, and technical support functions.

IDA's ICT portfolio now spans the entire ICT industry from semiconductor design and advanced manufacturing, to telecommunications software to IT Services from many of the world's leading companies and thought-leaders.

Since 2006, IDA has seen significant wins across the sector with no fewer than 43 different projects approved. The projects were spread across the country and with overall investment volumes doubled from 2006 to 2007 yielding an employment potential of 3688 jobs. The capital investment over this period was in the region of circa €700 million while RD&I investments was in excess of €217 million.

The quality of new investments from global companies in Ireland reflects the continuous transformation of the industry and the development of the operating environment in Ireland. Ireland is now an advanced economy with a cost base and living standards comparable to some of the wealthiest nations in the world. We must compete against these developed economies as well as many emerging economies as a location of choice for FDI.

In a time of relative economic turbulence overall cost competitiveness will place some operations in Ireland under pressure as they are benchmarked against sister sites. Lower level or less complex manufacturing operations as well as low end service activities such as call centres are under increasing pressure from lower cost locations such as Eastern Europe and Asia. We can anticipate a churn in the region of 15-20% as the industry transforms and more cost sensitive operations move to alternative locations. IDA expects most of the associated job losses to be offset and replaced by higher level activities.

The risks, however, are not confined to the obvious categories outlined above as Ireland adjusts to the changing economic realities brought about by globalisation of markets and the ever-faster pace of technological change. Rapid industry transformation will lead to earlier product obsolescence and faster replacement needs. The consequence of this is that higher end manufacturing and services operations will not be immune from rationalisation. Ireland must adjust to the changing economic realities brought about by globalisation of markets and the ever-faster pace of technological change. IDA success in developing the ICT sector will hinge on our ability to differentiate ourselves in a meaningful way from our competitors. Given their



remarkable record in meeting similar challenges in the past, I am satisfied that the strategy being pursued by IDA will secure the continued success of this vital sector in the future.

### **Consumer Protection.**

121. **Deputy P. J. Sheehan** asked the Tánaiste and Minister for Enterprise, Trade and Employment her views on whether European law prohibits the banning of credit card surcharges; and if she will make a statement on the matter. [31051/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I have previously advised the House of legal advice received from the Attorney General that specific provisions of the Consumer Protection Act 2007, namely Sections 48 and 49, were not compatible with EU law. In this regard it is important to point out that Sections 48 and 49 prohibit traders from imposing additional charges solely by reason of customers choosing to make payment by one relevant payment method over another and are more comprehensive in their effect than a simple prohibition on credit card surcharges. Accordingly, any interpretation of Sections 48 and 49 as being limited to a prohibition on credit card surcharges would not be correct.

In so far as credit card surcharges are concerned, the Deputy may be aware of the recently promulgated Payment Services Directive, which is concerned with the manner in which payment services are provided throughout the EU. The Directive, whose transposition is the responsibility of my colleague the Minister for Finance, contains particular provisions in relation to payment method charges. Specifically the Directive — whilst stipulating that payment service providers, such as credit card companies, may not prevent retailers from imposing charges for the use of payment instruments, such as a credit card — does give Member States a discretion to prohibit such charges taking into account the need to encourage competition and promote the use of efficient methods of payment. The question as to whether Ireland should exercise this discretion is a matter for the Minister for Finance.

### **Departmental Staff.**

122. **Deputy Joan Burton** asked the Tánaiste and Minister for Enterprise, Trade and Employment if it is intended to effect any reduction in staffing levels in the private or constituency offices of herself or her Ministers of State arising from the requirement to achieve a reduction of 3% in payroll costs; and if she will make a statement on the matter. [30909/08]

123. **Deputy Damien English** asked the Tánaiste and Minister for Enterprise, Trade and Employment her views on whether her Department is overstaffed; if she will take action to reduce staff levels; and if she will make a statement on the matter. [30999/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 122 and 123 together.

Staffing levels in my Department including the requirements of my office and those of my Ministers of State are continually kept under review. Any savings to be made in my Department's Vote for 2009, including those required to achieve the 3% reduction in payroll costs will be determined in the context of the 2009 Budget which will be announced by the Minister for Finance on 14th October. It would be premature for me to comment on the matter further in advance of the Budget being presented to the Dáil.

### **Decentralisation Programme.**

124. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Enterprise, Trade and

[Deputy Joanna Tuffy.]

Employment the progress made regarding the implementation of the programme of decentralisation in respect of her Department and State bodies under the aegis of her Department; if it is intended to proceed with the programme; and if she will make a statement on the matter. [30937/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):**

The Government decided on 8th July last that no further expenditure on the acquisition of accommodation for decentralisation should be sanctioned pending detailed consideration by the Government of two reports: one from the Decentralisation Implementation Group on the feasibility of phased moves by the State Agencies; and one from the Implementation Group of Secretaries General on the governmental and cross-Departmental issues arising from the need to provide facilities for Minister, Ministers of State and officials while in Dublin on business.

I expect that the Minister for Finance will present these to Government over the coming weeks.

The following is a summary of the progress that has taken place, to date, with regard to the programme of decentralisation in relation to my Department and Agencies.

My Department, the Health & Safety Authority and FÁS have interim decentralised offices in place in Carlow, Kilkenny and Birr respectively. A total of 150 persons are involved in these advance moves.

With regards to the permanent decentralised offices for these bodies, sites have been identified and relevant legal and planning issues are being progressed.

With regards to NSAI and Enterprise Ireland, there has been no progress regarding the identification of sites for their permanent decentralised offices. In addition there is a very low interest in relocation amongst staff in those agencies.

Regarding the National Consumer Agency, which was formally established on 1st May 2007, decentralisation plans are currently being progressed.

Finally, IAASA has fully decentralised to Naas, Co. Kildare.

**Industrial Relations.**

125. **Deputy Joe Costello** asked the Tánaiste and Minister for Enterprise, Trade and Employment the legislative or other measures she will take to uphold the right to collective bargaining and in particular the right of a trade union to represent its members; and if she will make a statement on the matter. [30912/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):**

Trade unions who hold a negotiating licence are free to engage in collective bargaining on wages and conditions of employment. Ireland's system of industrial relations is based on a voluntary approach with terms and conditions of employment being determined in the main by a process of voluntary collective bargaining between the parties, without the intervention of the State. The collective bargaining process can cover the entire range of issues arising from the employment relationship.

The State has sought to facilitate the bargaining process through establishing, by legislation, a number of agencies to assist in the resolution of disputes. These agencies are: the Labour Relations Commission, the Labour Court and the Rights Commissioner Service. There are also statutory provisions designed to back up the voluntary process in areas where collective bargaining does not operate effectively. The most important provisions are those concerning Joint Labour Committees and Registered Employment Agreements. In addition, the 2004 Enhanced

Code of Practice on Voluntary Dispute Resolution and the Industrial Relations (Amendment) Act 2001, as amended by the Industrial Relations (Miscellaneous Provisions) Act 2004, provide mechanisms for the resolution of disputes in situations where collective bargaining does not occur and the internal dispute resolution procedures normally used fail to resolve the dispute.

The issue of employee representation was considered in the context of the recent Social Partnership talks. In that context, the draft Agreement provides for the establishment of a review process which will consider the legal and other steps which are required to enable the mechanisms which were established under previous Agreements to operate as they had been intended. The review is to be completed by the end of March 2009 with a view to enactment of the necessary legislation in June 2009.

In the meantime, the Social Partners have agreed a number of measures to prohibit victimisation and incentivisation (i.e. financial or other incentives to encourage persons not to join trade unions), and to provide effective protection and means of redress to employees when engaged in the exercise of their constitutional right to trade union membership or activity on behalf of a Trade Union or non-membership.

### **Departmental Reviews.**

126. **Deputy Jimmy Deenihan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the progress that has been made on the review of competition law; and if she will make a statement on the matter. [30996/08]

143. **Deputy Mary Upton** asked the Tánaiste and Minister for Enterprise, Trade and Employment when the review of the Competition Act 2002 is expected to be completed; the person by whom the review is being carried out; the terms of reference of the review; and if she will make a statement on the matter. [30938/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 126 and 143 together.

The Competition Act, 2002 was introduced on foot of the Report of the Competition and Mergers Review Group which made a number of recommendations in relation to national competition and merger law. In addition to implementing many of those recommendations, the Act consolidated the previous competition and mergers legislation into one statute.

As the majority of the provisions in the Act have been in force for more than five years, it was considered time to review how the legislation is operating in practice. In October, 2007, my Department published advertisements in national newspapers seeking submissions on the operation and implementation of the Act.

A number of submissions have been received from a variety of interested parties, including legal practitioners, trade unions, representative bodies and the Competition Authority. These submissions cover a range of issues, many of a technical nature, which are currently being considered by my officials.

I expect to have a report from my officials by the end of the year.

### **Energy Costs.**

127. **Deputy Olivia Mitchell** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she has communicated concern to other Departments regarding the effect high energy prices are having on Irish businesses and Irish economic competitiveness; and if she will make a statement on the matter. [31027/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The Government is well aware of the importance of secure, competitive and sustainable energy supplies for the business sector and economic competitiveness. The Cabinet Committee on Climate Change and Energy Security compliment regular Cabinet deliberations on competitiveness issues, including energy costs.

My colleague, the Minister for Communications, Energy and Natural Resources, has responsibility for energy policy and the Commission for Energy Regulation has direct responsibility for setting electricity and gas prices for business users in Ireland. My Department works closely with the CER through a Competitiveness Forum, established in 2007, to ensure that competitiveness concerns are taken into account in the decision-making process.

Oil and gas prices are, of course, decided internationally. Ireland is a price-taker in this regard. We have witnessed remarkable fluctuation in energy prices in recent times, with price increases for gas and oil of 130% and 85% respectively in the twelve months to July 2008.

Though Ireland cannot influence world energy prices, we can maximise value for money by increasing competition in the Irish energy market. The Government is already committed to increasing competition in the electricity generation sector, with the target of reducing ESB's market share to below 40% by 2010. The all-island Single Electricity Market, live since November 2007, is designed to create a more attractive electricity market for international investment. The recent sale of two generating facilities and two sites with electricity grid connections to the Spanish electricity company, Endesa, is a significant step to improving competition, giving Endesa approximately a 16% share of the Irish market.

Competition is also being enhanced by the expansion of electricity interconnector capacity. Significant progress has already been made on the East-West interconnector, which will be owned and operated by EirGrid, under the regulatory oversight of the CER. EirGrid is also exploring the possibility of constructing an additional North-South interconnector. Proposals for a 400kv power line between Cavan and Tyrone are currently at the pre-planning consulting stage.

Irish businesses are encouraged to engage with Sustainable Energy Ireland. Last week, SEI launched a major awareness campaign highlighting the possibility of businesses reducing their energy bills by 20% or more through availing of the SEI Energy Assessment service. I understand that five hundred Irish SMEs have already availed of this service, identifying potential energy savings of over €25 million.

My Department continues to engage on these issues in the interests of enterprises. Keeping costs down for businesses in Ireland is essential to maintaining competitiveness in this challenging economic environment.

### **FÁS Training Programmes.**

128. **Deputy Kathleen Lynch** asked the Tánaiste and Minister for Enterprise, Trade and Employment the reason for her decision to cut the FÁS apprenticeship budget by €36 million over the next 18 months particularly at a time when there is a need to retrain and upskill workers; and if she will make a statement on the matter. [30921/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The budget for FÁS is agreed on the basis of detailed discussions between FÁS, my Department and the Department of Finance in the context of the annual Estimates process. The combined Exchequer and National Training Funds originally allocated to apprenticeship training by FÁS for 2008 amounted to approximately €134m. This figure was based on an estimated demand level for training. This figure was subsequently revised downwards by €5.6m to take account

of the 40% fall in new apprenticeship registrations for the eight months of 2008 compared with the same period last year.

Discussions concerning the 2009 budget are still ongoing. Funding will be provided for apprenticeship training on the basis of anticipated demand and the demand level will be closely monitored during the year so that any necessary adjustments can be made.

### **Company Law Review.**

129. **Deputy Denis Naughten** asked the Tánaiste and Minister for Enterprise, Trade and Employment her plans to update the partnership law; and if she will make a statement on the matter. [30588/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy John McGuinness):** The Company Law Review Group (CLRG) was asked, as part of its Work Programme for 2007, to examine the issue of ‘Limited Liability Partnerships’ (LLPs). This follows from concerns, particularly of the legal and auditing professions, about the consequences of unlimited liability on partners in a firm.

The Report of the CLRG on its 2007 Work Programme has been presented to me and laid before the Houses of the Oireachtas.

In its Report, the CLRG outlines the problems which current partnership law is perceived to cause for certain types of business organisation in Ireland and concludes that the problems are real and substantial. The CLRG explores how the introduction of LLP legislation could address these problems and the types of safeguards which might need to be put in place to protect clients, customers and third parties generally, in their dealings with LLPs. The CLRG also considers whether the problems raised by current partnership law can be resolved by other means, without the need to amend the law of partnership.

The CLRG came to the conclusion that a final decision on whether legislation on LLPs should be introduced, and on the shape and form which LLP legislation should take, can only be reached after a full consultation process involving all of those affected by the issues arising. Such consultation should also include consideration of whether the general statutory limitation on twenty members should be maintained. The consultation process will take place during the coming months as part of the CLRG’s 2008-2009 Work Programme. The Group will then reconsider the matter based on the responses received.

I await the CLRG’s further examination of the issue.

In addition to the foregoing, the CLRG examined the concerns of the accounting/auditing profession regarding auditors’ liability and made separate recommendations in this regard. My Department is considering these recommendations.

### **Consumer Protection.**

130. **Deputy Tom Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of meetings she has had with the National Consumer Agency since 21 May 2008; the number of legislative or policy proposals she has received from the agency in relation to Government legislation or proposals; if she is satisfied that the National Consumer Agency is doing everything in its power to protect consumers from rip off prices and unscrupulous practices; and if she will make a statement on the matter. [31010/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I would advise the Deputy that I have met the Chief Executive of the National Consumer Agency on two separate occasions since my initial meeting on 21st May 2008. In addition my officials



[Deputy Mary Coughlan.]

liaise with the Agency on almost a daily basis. A range of issues were discussed in the course of these meetings including the issue of prices, grocery prices and the pricing of UK goods in Ireland. In particular, I discussed with the Chief Executive the initiatives being undertaken by the Agency through its price comparison surveys to raise consumers' awareness of prices, highlighting the value to be found by consumers making strategic decisions in relation to their grocery shopping and as a result encouraging increased competition between retailers.

I very much welcome the fact that the available evidence indicates that the Agency's efforts in raising price awareness among consumers is having a material effect and that more people are changing their shopping habits, spreading their grocery shopping and are now prioritising price considerations when making their decisions on where to shop. Recent research commissioned by the Agency showed that 56% of grocery shoppers are shopping in a particular store based on price and that convenience is no longer the primary reason for choosing a particular grocery store. This significant shift in consumer attitude is reflected in the fact that the price of food, as measured by the Consumer Price Index published by the Central Statistics Office, continues to fall. The CSO's returns show that food prices have fallen for the past three months in a row.

In addition to its initiatives in the area of food prices, the Deputy may also be aware that I recently requested the Agency to undertake a survey into the underlying reasons as to why pump prices for petrol and diesel have not fallen in line with the drop in the wholesale price of oil. Given the impact that transport costs can have on the average household budget, it is incumbent on fuel retailers to explain why the pump price of their products have not reduced proportionately to the reductions in the wholesale price of oil.

Aside from its price awareness initiatives, the Agency has also been active in advocating a fair deal for consumers in a range of other areas. In this regard, the Agency successfully negotiated on behalf of 2,500 concert-goers 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. In addition the Agency advocated on behalf of broadband users and in co-operation with the Advertising Standards Authority of Ireland and the Communications Regulator put in place measures 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 has published specific Guidance and Educational material to assist Multi-Unit Development dwellers.

The mandate given to the National Consumer Agency under the Consumer Protection Act 2007 was specifically framed to enable the Agency to act as a powerful voice for the consumer including raising awareness of consumer welfare and advocating the consumer's case against unscrupulous practices. I welcome the manner in which the Agency is embracing its mandate and I fully support it in its efforts to ensure that consumers do not suffer from unnecessary price increases and unfair commercial practices.

### **FÁS Training Programmes.**

131. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the strategy she has for the restructuring of State financed training programmes to make

them more responsive to changing economic conditions; and if she will make a statement on the matter. [31009/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Several of the agencies for which my Department has responsibility provide training to those in employment or those seeking employment. However the bulk of such training is provided by FÁS, the Training and Employment Authority. The current FÁS Strategy Statement outlines the vision and direction for FÁS for the period 2006 to 2009. The Strategy is reviewed on a regular basis to ensure that the mix of training and employment programmes available respond to the changing needs of the economy, including those of the trainees.

The process of developing the next strategy statement to cover the period 2010 to 2013 has already commenced. This process will involve close collaboration with my Department and include a comprehensive internal and external consultation process involving all relevant stakeholders.

In addition to the FÁS funded and FÁS provided programmes, the Skillnets model provides an effective response to the dramatic economic changes underway. As economic changes impact upon Skillnets networks, programmes are revised to match the priorities of member companies. This process reflects the essential strength of the Skillnets model. The model ensures each network has the flexibility to adapt quickly to change and keep their offering relevant to the needs of Irish industry.

My Department is currently commencing a review into labour market programmes, including training programmes. This review will examine these programmes in terms of efficiency and effectiveness and draw conclusions about the adequacy and balance of resources in the context of current and future labour market policy challenges taking into account the recommendations of the National Skills Strategy.

### **Telecommunications Services.**

132. **Deputy Fergus O'Dowd** asked the Tánaiste and Minister for Enterprise, Trade and Employment her views on whether the lack of next generation broadband infrastructure will inhibit our economic competitiveness; and if she will make a statement on the matter. [31037/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Broadband infrastructure and telecommunications policy is the primary responsibility of my colleague the Minister for Communications, Energy and Natural Resources.

This Government is fully aware of the importance of communications infrastructure for our economic competitiveness. The Government is committed to improving our broadband infrastructure and I would like to make the point that substantial progress has been made. There has been significant changes in the Irish market in recent times, including enhanced enforcement powers for ComReg, progress in local loop unbundling, and increased competition in the Irish broadband market.

With a view to our future needs in the domain of telecommunications, the Department of Communications, Energy and Natural Resources released a consultation Paper on Broadband and NGNs on July 3rd 2008. The Paper sets out an ambitious objective to have ubiquitous access to broadband by next year and that by 2012, speeds equivalent to or higher than those in comparator EU regions will be available over a variety of platforms.

As set out in the Consultation Paper the proposed approach of Government is at two levels. Firstly, Next Generation Broadband will be primarily delivered by private investment. The role

[Deputy Mary Coughlan.]

of Government is to encourage and facilitate this investment across a range of competing technology platforms. To support the necessary investment the Government will ensure a robust regulatory environment is in place. Secondly, Government will invest in infrastructure in a targeted way in specific cases of market failure. It will do so to facilitate public policy goals in key areas, of public service delivery e.g. to make sure we do not see a regional or social Digital Divide develop in our country.

I very much welcome this Consultation Paper and I look forward to the conclusion of the consultation process.

*Question No. 133 answered with Question No. 117.*

### **Internal Audits.**

134. **Deputy Kathleen Lynch** asked the Tánaiste and Minister for Enterprise, Trade and Employment the position regarding the inquiry being carried out into allegations of financial irregularities in FÁS; and if she will make a statement on the matter. [30920/08]

206. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 331 of 10 July 2008 the actions she has taken to seek assurances from the Director General of FÁS that the practices referred to in recent reports have ceased; the response received; if reports from the Director General regarding the implementation of new systems and controls have been received; and if she will make a statement on the matter. [29985/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 134 and 206 together.

Regular Internal Audits are part of the normal governance process of any organisation and I am aware that of the many Internal Audits carried out into both FÁS activities and projects funded by FÁS, some have shown up irregularities and possible occasions of fraud. FÁS has referred two cases of possible fraudulent activity to the Garda Síochána. Some Internal Audits have also indicated areas where management or financial controls could be improved. In my view the process of internal audit is an important, appropriate and normal activity in any organisation.

The Comptroller and Auditor General in his report on non-commercial Semi-State bodies, published in May 2008, reviewed the issues raised in one specific FÁS internal audit report.

I discussed this matter with the Director General of FÁS and expressed my concerns about the issues raised by both the Comptroller and Auditor General and the Internal Audit reports, and in particular, the need to secure value for money in public expenditure.

On my instruction, the Secretary General of my Department wrote to FÁS on 30th June 2008 seeking the formal assurance of the Director General of FÁS that:

- the practices outlined in the FÁS Internal and Comptroller and Auditor General Audit Reports had ceased;
- that adequate systems and controls are in place to prevent any recurrence; and
- requesting details of the remedial actions taken by FÁS in respect of the issues raised by the audit reports, with quarterly progress reports on the implementation of the Audit Reports recommendations.

The FÁS Director General replied on 1st July 2008 confirming that the unacceptable practices referred to in the Audit Reports had ceased and that adequate systems and controls are now in place to prevent any recurrence. The next quarterly report is due at the end of September.

In order to address wider continuing concerns about the management and control systems in place in FÁS generally, and following further discussions with the Chairman and Director General of FÁS, I have also now decided that there should be an external investigation into the effectiveness of the agency's financial management and control systems.

This examination is to ensure that appropriate public procurement procedures exist to prevent or detect irregularities or wrongdoing and, in particular, to examine and report on the activities of the FÁS Corporate Affairs area since 2000. The Comptroller and Auditor General has agreed to carry out such an investigation with a view to producing a special report on the matter.

The Report of the Comptroller and Auditor General will be furnished to me by the Comptroller and Auditor General and will be presented by me to the Dáil in accordance with standard operating procedures.

*Question No. 135 answered with Question No. 117.*

### **Workplace Accidents.**

136. **Deputy Brian O'Shea** asked the Tánaiste and Minister for Enterprise, Trade and Employment her views on the 34% increase in the number of deaths recorded in workplace accidents during 2007; the proposals she has to ensure a reduction in the number of workplace accidents and deaths; and if she will make a statement on the matter. [30925/08]

141. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of workplace accidents and workplace fatalities recorded to date in 2008; the way this compares with the same period in each year from 2002; and if she will make a statement on the matter. [30927/08]

159. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Enterprise, Trade and Employment her views on the significant increase in the number of deaths recorded in workplace accidents in the construction sector during 2007; the proposals she has to ensure a reduction in the number of construction accidents and deaths; and if she will make a statement on the matter. [30926/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** I propose to take Questions Nos. 136, 141 and 159 together.

The number of deaths recorded in workplace accidents during 2007 was 67 compared to 51 in 2006 with a considerable amount of this increase being accounted for by a number of fishing accidents.

Of the 2007 total, 18 occurred in the construction sector. This was an increase of 5 fatal accidents on the 2006 figure. The construction sector ranked third in relation to fatality rates, at 5 per 100,000 workers, in 2007. This figure is higher than the rate of 4.3 fatalities per 100,000 workers in 2006 (the lowest recorded rate for the sector) but maintains the general downward trend in the fatality rate seen since 2002.

There have been 46 workplace deaths reported to the Authority so far in 2008 (22.09.08). For the first eight months, there were 43 workplace deaths. For the first eight months of the previous years, the figures are: 47 in 2007; 42 in 2006; 60 in 2005; 35 in 2004; 45 in 2003; and 40 in 2002.

[Deputy Billy Kelleher.]

Construction and agriculture are consistently the highest risk sectors in which to work, based on the number of fatalities.

Non-fatal accidents, resulting in absence of more than three days from normal work following the accident, are required to be reported to the Authority. There were 7,757 non-fatal work related accidents reported to the Health and Safety Authority in 2007. The most up-to-date comparative figures that are available to the Authority at the moment refer to the first six months of those years. For the first six months of 2008, there were 4,821 non-fatal accidents reported to the Authority. This compares to 3,865 non-fatal accidents reported in the first six months of 2007, 4,001 for the same period in 2006, 3,841 for 2005, 3,419 for 2004, 2,096 for 2003, and 1,823 for 2002.

Safe workplaces can only truly be delivered by those who work in them. Responsibility for safety at work rests ultimately on the shoulders of employers and employees.

However, I am on record as having voiced the Government's concerns at the increase in fatalities both generally and in the construction sector. The Health and Safety Authority is an independent Agency charged with the statutory responsibility for promoting an awareness of health and safety in the workplace and enforcing health and safety legislation.

Based on its own risk assessment, the Authority is prioritising in 2008, the high-risk sectors of agriculture, construction, transportation and storage as well as mines and quarries. It continues to work with employer and employee organisations to make safety and health an integral part of doing business in every workplace.

In relation to the construction sector, I am informed that the Authority has plans to carry out 7,000 construction-site inspections in 2008. Also, it will continue to implement the Safety, Health and Welfare at Work (Construction) Regulations 2006 and the Safe System of Work Plan (SSWP).

I formally launched the Construction Safety Partnership Plan 2008-2010 on Tuesday, 17th June 2008. The Construction Safety Partnership (CSP) includes representatives of the Construction Industry Federation (CIF), Irish Congress of Trade Unions (ICTU), Health and Safety Authority (HSA) and other relevant Agencies and Government Departments and its overall aim is to achieve the highest possible standard of safety, health and welfare in Irish construction.

### **Labour Inspectorate.**

137. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of workplace inspections carried out by the Labour Inspectorate to date in 2008; the way this compares with the same period in 2007; and if she will make a statement on the matter. [30930/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** The number of employment rights inspections/visits/calls undertaken by the Inspection Services of the National Employment Rights Authority in 2008 to date is 21,711. During the same period in 2007 some 7,189 inspections/visits/calls were undertaken.

Of the 21,711 inspections/visits/calls to date in 2008, breaches were detected in 3,502 cases. In the same period in 2007 breaches were detected in 1,349 cases.

To date in 2008, €1.66 million in underpayments of wages due to employees has been recovered by NERA Inspection Services compared to €1.8 million for the corresponding period in 2007.



The outputs and outcomes to date in 2008 reflect both the more focussed and targeted activities being undertaken by NERA in relation to employment rights promotion and compliance and the increased number of NERA Inspectors.

*Question No. 138 answered with Question No. 118.*

### **Job Creation.**

139. **Deputy Charlie O'Connor** asked the Tánaiste and Minister for Enterprise, Trade and Employment her views on the need for job creation initiatives in Tallaght, which is the third largest population centre here; the actions being taken in the matter; and if she will make a statement on the matter. [30589/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The purpose of the strategies and policies being pursued by the Industrial Development agencies in Tallaght is to support enterprise development and provide employment opportunities in the area. The agencies work closely with each other and with local interests thereby using an integrated approach in order to increase the flow of potential investors and promote job creation in Tallaght and south Co. Dublin. A special conference took place on 10 July last. This involved all the key players. A Strategic Plan is now being prepared for the area to address the problems arising from the current economic situation.

The area has a number of attractions including a Third Level Institute and excellent infrastructural facilities at Citywest and Grangecastle. The development of the Grangecastle Business Park and the City West Business Park ensures that the area remains an attractive location for investment. Planning Permission has been approved for an Advance Integrated Circuit Manufacturing and Research facility at Grangecastle — this is the largest planning application to date in the State. This will be an invaluable tool for the future marketing of Grangecastle as a potential source of high quality and large-scale employment for the overall area.

Only last year, Microsoft Corporation selected Grangecastle as the location for its new European data centre involving a \$500 million investment and 75 jobs. This reflects very well on our standing internationally as a global knowledge based economy. It also demonstrates our commitment to growing next generation business in south west Dublin and it shows the suitability of the area for world-class investments. Furthermore, Wyeth Biopharma has established the world's largest biopharma campus facility at Grangecastle and it is investing in dedicated research and development facilities. In June this year, Business Objects announced that it is to invest €29 million in establishing a research and development centre in Citywest. This significant new development will create a research and development team of 100 people over a four-year period.

I am satisfied that the strategies and policies being pursued by the State agencies in the area will continue to be successful in terms of investment and job creation.

140. **Deputy Joe Carey** asked the Tánaiste and Minister for Enterprise, Trade and Employment her Department's estimates for job creation in each of the years 2008, 2009 and 2010; and if she will make a statement on the matter. [30976/08]

150. **Deputy Michael D. Higgins** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of jobs she expects to be created during 2008 in regard to manufacturing and other sectors; the way these compare to figures each year going back to 2002; and if she will make a statement on the matter. [30917/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 140 and 150 together.

Forecasting employment figures is a difficult business and subject to a variety of unforeseen, often extraneous, variables influencing estimates of that nature. However, I still expect employment growth — being the excess of jobs created over jobs lost — to continue in 2008 and beyond, albeit at a slower pace than in previous years. The latest available employment data from CSO indicates that at Quarter 2 2008 there were almost 7,000 additional people in employment compared with the corresponding period in 2007. This is a testament to the resilience of our economy at a time of great uncertainty in global economic conditions, the continued strength of the euro and the dramatic downturn in the construction sector.

The Irish economy is undergoing a certain amount of adjustment and while the rate of employment growth is expected to slow it must be viewed in the context of historically unprecedented numbers of people in work. Since 1997, over half a million new jobs have been created in Ireland and the number in employment exceeds 2.1 million. In the period 2002-2007 the Enterprise Development Agencies created over 156,000 new full time jobs across all sectors — note the table below.

The recently launched “Report of the High Level Group on Manufacturing” contains 26 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. The implementation of the recommendations set out in this report will help to ensure that manufacturing will remain an integral component of our economy providing high value sustainable employment.

In tandem with our focus on adding value to the manufacturing sector, over the last two decades we have developed a very significant Services Sector which now employs two out of every three Irish workers. We are one of the world’s leading service exporting countries and currently ranked the 10th highest exporter of services in the world. Earlier this month, I launched the report of the Services Strategy Group, “Catching the Wave: A Services Strategy for Ireland”. The report sets out new policy proposals on how we can ensure the continued development and growth of Ireland’s services sector. I believe that the implementation of these recommendations will enable Irish service companies to exploit new and exciting opportunities, such as eLearning, business and financial services, professional and consultancy services and others which will lead to significant employment opportunities for our workforce.

Competition for foreign direct investment (FDI) is relentless but Ireland continues to punch above its weight when it comes to attracting overseas investment. The pipeline of new business for which IDA Ireland is competing is strong, as evidenced by a number of high profile recent announcements. Already this year 28 new IDA investments have been announced with the potential to create 2,100 jobs over the coming years.

Looking to the future, neither the Government nor my Department are complacent regarding the varied challenges facing the country’s economy. One of our main tasks is to ensure that Ireland remains an attractive place to do business and to support the development of economic competencies higher up the value chain. In that regard, we continue to work to maintain and enhance our framework competitive conditions, and promote new areas of competitive advantage by developing our R&D, base, investing in critical physical and communications infrastructures, and promoting tertiary education and lifelong learning.

We will continue to pursue policies to promote lifelong learning and up-skilling to improve labour market flexibility and, where necessary, ensure that appropriate training supports are provided for workers in sectors that are no longer competitive should they need to find alternative employment. Our priority remains the creation of high quality, sustainable employment,

driven by companies with higher profitability, that are more technologically advanced and prove a better fit with the competitive characteristics of our economy.

Manufacturing & Services Job Gains in Enterprise Agency Assisted Companies in period 2002-2007

	2002	2003	2004	2005	2006	2007	Total
Manufacturing	14,827	14,430	13,899	15,380	15,528	13,628	87,692
Services	11,379	9,097	11,450	11,847	13,214	11,881	68,868
Total	26,206	23,527	25,349	27,227	28,742	25,509	156,560

*Question No. 141 answered with Question No. 136.*

### **Proposed Legislation.**

142. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment her plans to introduce legislation regarding collective bargaining and agency workers. [30833/08]

161. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the progress made with regard to the implementation of the Temporary Agency Workers Directive, agreed at the Council of Ministers meeting on 23 May 2008; and if she will make a statement on the matter. [30911/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 142 and 161 together.

The issue of employee representation was considered in the context of the recent Social Partnership talks. In that context, the draft Agreement provides for the establishment of a review process which will consider the legal and other steps which are required to enable the mechanisms which were established under previous agreements to operate as they had been intended. The review is to be completed by the end of March 2009 with a view to enactment of the necessary legislation in June 2009.

The Employment Agency Regulation Bill will repeal and replace the Employment Agency Act 1971. The purpose of the Bill is to provide for updated regulation of the employment agency sector including licensing of employment agencies. Adherence to a code of practice setting out standards for the sector will be a condition of qualifying for a licence. The Bill will also provide for the establishment of a Monitoring and Advisory Committee, which will include representatives of the Social Partners, and which will have the task of drawing up the code of practice.

I intend to publish the Bill before the end of 2008.

Ministers of twenty-seven EU Member States reached political agreement at the Employment, Social Policy, Health and Consumer Affairs Council on 9/10 June 2008, on the long-standing issue of the Temporary Agency Work Directive. The Council Common Position on this Directive will now be submitted to the European Parliament, as foreseen by the co-decision procedure.

As the Directive is at present at draft stage, action in relation to its transposition into Irish law can only commence after its adoption and in this connection the draft Directive provides for its transposition into national legislation within a period of three years of its adoption.

*Question No. 143 answered with Question No. 126.*

*Question No. 144 answered with Question No. 120.*

### EU Directives.

145. **Deputy Pat Rabbitte** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of EU Directives for which her Department has responsibility that remain 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 she will make a statement on the matter. [30928/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** There are currently a total of nine Directives due to be transposed by my Department up to 2012. Three of these Directives are currently overdue. The first of these, Directive 2006/42/EC on machinery health and safety requirements, is expected to be transposed by 3 October 2008. It is intended to transpose the second and third overdue Directives, Directive 2006/46/EC on company reporting and Directive 2006/43/EC on statutory audits of annual and consolidated accounts, by 28 November 2008 and 31 December, respectively.

Full details of all current and recent EU Directives are maintained on the Departmental website, [www.entemp.ie](http://www.entemp.ie).

My Department has received 24 Reasoned Opinions from the European Commission relating to Directives since 2002. The outstanding issues concerning all of these Reasoned Opinions have been resolved satisfactorily.

### Statutory Redundancies.

146. **Deputy Joe Costello** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of redundancies notified to her Department during 2007; the number notified to date in 2008; the way this compares with the same period in each year from 2002 to 2007; her views on the rapid increase in the number of redundancies; and if she will make a statement on the matter. [30913/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** The table of figures below shows the actual number of employees who were paid statutory redundancy lump sums on a year by year basis from January 2002 to end August 2008. This does not reflect those who lost their jobs having less than two years service in an employment as this does not qualify for payment under the Redundancy Acts.

My Department carried out an analysis last year in which the average annual level of redundancies for the period 2002-2006 was compared with the level of redundancies in the period 1995-2001. It was found that the level of redundancy had almost doubled and the cause may be attributed to two factors:

Firstly, there were more people at work in the more recent period; this accounted for 20% of the increase in the level of redundancies.

Secondly, the risk of redundancy increased significantly in the second period and this accounted for 80% of the increase in the level of redundancy.

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	23,545

### World Trade Talks.

147. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the Government's response to the collapse in the World Trade Talks in July 2008; her views on having the talks re-opened; and if she will make a statement on the matter. [30933/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Government policy on the Doha Development Round of trade talks at the World Trade Organisation (WTO) is to secure a comprehensive, ambitious and balanced trade agreement. Such an outcome would have been an important fillip to the world economy. It would have delivered tangible gains to Irish exporters, consumers and of course developing countries, especially the least developed countries. This latter point is important because the Doha Round was launched as a development round to provide better economic and trade opportunities for developing countries. Consequently, it is a disappointment that the Ministerial meeting at the WTO last July did not manage to agree the main elements of an agreement, and so pave the way to a final wide ranging trade consensus.

The scope of the negotiations is very wide and covers many areas where Ireland would benefit, for example, in the reduction of tariffs for our manufacturing exports and the removal of barriers for our service providers who trade internationally. In that regard, there were some positive signs at the Geneva Ministerial Meeting. Although the main focus of the Ministerial meeting was to agree a framework for reducing tariffs and domestic support in agriculture and non-agricultural market access (NAMA), it was emerging that the package under discussion could be worth in excess of half a billion euro to Irish exporters of goods and services, to consumers in terms of lower import tariffs and from broader economic benefits. These possible opportunities have to be set against an agreement that would also pose some very serious challenges for us, most notably in regarding proposals on agriculture. Whenever a final outcome to the negotiations is to be assessed the extent of these challenges will be an essential feature in our consideration.

It is difficult to predict what may happen now in the negotiations. Talks are continuing at senior official level in Geneva to see if there is a possibility to move closer to agreement sooner rather than later. However, there are many complex issues still to be ironed out before any package can be presented to Ministers and it seems unlikely that this stage can be achieved in the short term.

The Government remains committed to a balanced outcome to this WTO trade round and we will continue to firmly press our concerns in every Doha related forum. The importance of these, particularly concerning our agriculture sector, will continue to be at the forefront of our negotiating position whenever the talks recommence in a more substantive manner.

### Employment Rights.

148. **Deputy Róisín Shortall** asked the Tánaiste and 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; if she plans additional measures to help bridge the earnings gap between males and females; and if she will make a statement on the matter. [30932/08]

**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.



[Deputy Billy Kelleher.]

From the CSO National Employment Survey for October 2006, average hourly earnings were €20.50 for males and €17.67 for females. These latter figures cover the entire economy in October 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. However, Eurostat acknowledges that these data are provisional and not wholly comparable between Member States.

Addressing the factors behind the gender pay gap is a multifaceted task involving a number of Government Departments and agencies as outlined in the National Women's Strategy, 2007-2016 launched last year by An Taoiseach. Overall coordination of the National Women's Strategy is led by the Department of Justice, Equality and Law Reform.

The Department of Enterprise, Trade and Employment is responsible for a number of actions which are thought to impact upon the gender pay gap.

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.

### **Consumer Protection.**

149. **Deputy Emmet Stagg** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of on-the-spot fines for breaches of consumer law imposed under the terms of the Consumer Protection (Fixed Payment Notice) Regulations 2007; the type of breaches in each case; and if she will make a statement on the matter. [30935/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The Consumer Protection (Fixed Payment Notice) Regulations 2007 (S.I. No. 689 of 2007) came into effect on 13 October 2007. Responsibility for 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, twenty-nine notices have been served by Authorised Officers of the National Consumer Agency. Twenty-eight of these notices were issued 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 issued in respect of an alleged offence under the Retail Price (Beverages in Licensed Premises) Display Order 1999 (S.I. No. 263 of 1999).

Payment was made in accordance with the terms of the fixed payment notice in twenty-eight cases. One trader failed to pay the fixed payment and has been successfully prosecuted by the Agency.

*Question No. 150 answered with Question No. 140.*

### **Departmental Staff.**

151. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the cuts she plans to make in her Department in 2009 to deal with the public finance shortfall. [30834/08]

157. **Deputy Joan Burton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the way it is intended to achieve the reduction of 3% in payroll costs for her Department as announced by the Minister for Finance in July 2008; and if she will make a statement on the matter. [30908/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 151 and 157 together.

Any savings to be made in my Department's Vote for 2009, including reductions in payroll costs, will be determined in the context of the 2009 Budget which will be announced by the Minister for Finance on 14th October. It would be premature for me to comment on the matter in advance of the Budget being presented to the Dáil.

### **Job Creation.**

152. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment her plans to improve competitiveness in respect of manufacturing and service industries with particular reference to the need to encourage ongoing inward investment and job creation; and if she will make a statement on the matter. [31053/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Ireland has transformed as an economy over recent years, and we are well positioned to continue this transformation over coming years. We will rely increasingly on the performance of the enterprise base, particularly the traded sectors to restore the economy to a growth path. Our competitive advantages which served us well in the past such as our skilled and flexible workforce, favourable regulatory environment and pro-enterprise policies will be preserved, developed and exploited to the full. We will also work on developing new sources of competitive advantage in areas such as our knowledge and skills base. We will ensure that our education and training systems are flexible and adaptive and are producing a talented workforce with the right balance of skills to meet the requirements of the changing structure of the economy into the medium to long term.

We will continue to nurture the strong enterprise spirit in the economy and we will shortly bring forward a policy statement on entrepreneurship that will further improve the range and delivery of the extensive support services available to entrepreneurs.

Enterprise policy has traditionally recognised the importance of services exports and I welcome the report of the Services Strategy Group, "Catching the Wave: A Services Strategy for Ireland", which was published on 12th September 2008. This Report sets out to broaden our

[Deputy Mary Coughlan.]

thinking on how services can contribute to our success and identifies strategic aims for future services policy in Ireland. This report will guide the development of our services strategy into the future to exploit the opportunities which this sector presents.

Our manufacturing sector is in transition but is well positioned to meet future challenges. Ireland's manufacturing future depends on a manufacturing sector that is capital intensive, knowledge intensive and skills intensive, focused on developing innovative products, services and solutions and meeting the needs of markets and customers. The report of the High Level Group on Manufacturing identifies the focused actions needed by employers, employees and Government to respond to challenges and take advantage of opportunities to further develop the sector in Ireland. The Government is committed to ensuring the recommendations of this Group receive a high level of priority to ensure that the manufacturing sector continues to evolve and to provide high value added and high quality employment for the future. The Group's report is currently being considered by the Social Partnership Forum as part of the ongoing review of "Towards 2016".

Ireland maintains an open and attractive environment for overseas investment. The IDA continually adjusts its strategy to ensure that its offering to investors matches the changing requirements of the multinational companies it is targeting. Ireland continues to be capable of winning advanced, high value and high skill investments. In the first half of 2008, IDA announced 22 investments with a capital investment of €916m and a potential to create c.1600 jobs.

#### **Product Price Display.**

153. **Deputy Emmet Stagg** asked the Tánaiste and 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 she will make a statement on the matter. [30934/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Price display law is covered by Orders made under 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.

#### **Departmental Agencies.**

154. **Deputy Willie Penrose** asked the Tánaiste and Minister for Enterprise, Trade and Employment the semi-State bodies, boards or agencies for which her Department has responsibility which it is intended to abolish or merge; and if she will make a statement on the matter. [30907/08]

166. **Deputy Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Enterprise, Trade and Employment the plans she has to merge State enterprise bodies. [30836/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 154 and 166 together.

In July this year, the Minister for Finance announced that he had asked for a review of State agencies to be carried out to examine whether they could share services, whether it would be appropriate to absorb some of their functions back into their parent Departments, or whether some agencies should be amalgamated or abolished. The Minister stated that the outcome of this review would be considered by the Government in the Autumn.

The review has not yet been completed and has not been considered by the Government. In the circumstances, it would not be appropriate for me to comment on the matter.

### **Labour Inspectorate.**

155. **Deputy Pat Rabbitte** asked the Tánaiste and 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 she will make a statement on the matter. [30929/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** In accordance with commitments given under Towards 2016, the Social Partnership Agreement, the number of Inspectors was scheduled to increase from 31 to 90. Competitions were held in 2007 for the recruitment of the additional fifty-nine Inspectors and, fifty-nine inspectors have been assigned to NERA from these competitions.

All new inspectors have completed the 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.

Nine Inspectors have left NERA over the past year as a result of promotion or internal and external Departmental transfers and re-assignments. As a result, the total number of NERA Inspectors currently stands at eighty-one.

The panels established in 2007 as a result of the recruitment competitions have now been exhausted. When new panels are established, NERA would be hoping to renew its intake of Inspectors.

156. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of inspections carried out in 2006, 2007 and to date in 2008 by the Labour Inspectorate to ensure that the minimum wage was being paid; the number of breaches detected; the number of prosecutions initiated; and if she will make a statement on the matter. [30931/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** The number of calls/visits/inspections carried out in relation to the National Minimum Wage Act, 2000 during which breaches of the Act were detected and the number of prosecutions initiated is as follows:

[Deputy Billy Kelleher.]

- in 2006: 2,002 calls/visits/inspections were undertaken; in 104 cases breaches were detected and in one case a prosecution was initiated.
- in 2007: 1,942 calls/visits/inspections were undertaken; in 192 cases breaches were detected and no prosecutions were initiated.
- in 2008: 2,532 calls/visits/inspections have been undertaken; in 205 cases breaches have been detected and in one case a prosecution was initiated.

NERA undertook a targeted campaign, which focused on compliance with the National Minimum Wage Act 2000, during the period 14 April to 11 May 2008. Such campaigns, accompanied by awareness and promotional activities, are a significant feature of the National Employment Rights Authority's employment rights compliance and information strategy.

The primary role of the National Employment Rights Authority in the case of breaches of employment rights legislation, is to seek compliance and rectification of any breaches identified, including redress for the employees concerned and payment of any arrears due to those employees.

It should be noted that in the majority of cases employers rectify breaches of employment law and pay underpayments of wages due to employees without prosecution. However, the National Employment Rights Authority reserves the right to initiate prosecutions in respect of breaches of certain employment legislation.

The Deputy should be aware that Rights Commissioners of the Labour Relations Commission also hear complaints concerning breaches of the National Minimum Wage Act 2000.

*Question No. 157 answered with Question No. 151.*

### **Community Employment Schemes.**

158. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will discuss with FÁS the possibility of changing the eligibility criteria for participation on community employment schemes in order to permit persons to spend longer periods on such schemes; if in particular the time stipulation set out in September 2006 will be significantly extended; and if she will make a statement on the matter. [30939/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Community Employment (CE) is an active labour market programme designed to provide eligible long term unemployed people and other disadvantaged persons (including those with a disability) with an opportunity to engage in useful work within their communities on a fixed term basis. CE helps unemployed people to re-enter the active workforce by breaking their experience of unemployment through a return to a work routine and to assist them to enhance/develop both their technical and personal skills.

The aim of CE still remains as an active labour market programme with the emphasis on progression into employment. The programme is managed within this context, with consideration to the availability of resources and the needs of participants and the community. FÁS makes every effort to ensure that differing levels of demand between neighbouring schemes are equalised. FÁS also operates the programme flexibly as far as possible to ensure the continuation of community projects.

In conclusion then, I would say that this Government will continue to support the positive role of CE in meeting the needs of long-term unemployed persons while at the same time



providing essential services to communities. I have no plans to amend the eligibility criteria for participation on Community Employment Schemes, however, the operation of the Scheme is kept under constant review.

*Question No. 159 answered with Question No. 136.*

### Departmental Staff.

160. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of staff employed in respect of the constituency office and the private office of herself and each Minister of State within her Department, broken down by grade; the costs of each office in terms of salaries and expenses for 2007 and the projected costs for 2008; and if she will make a statement on the matter. [30910/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The tables below outline the number of staff by grade in my private and constituency office and in those of each Minister of State within my Department. The cost for 2007 of each such office in terms of salary, overtime and expenses are included together with the projected costs for 2008 to date.

#### Office of the Tánaiste and Minister for Enterprise Trade & Employment

Civil Servants	Political Appointees
1 Private Secretary	2 Special Advisors
3 Executive Officers	1 Press Advisor
8 Clerical Officers	1 Personal Assistant
	1 Personal Secretary
	1 Temp. Clerical Officer

Year	Salaries, Wages and Allowances*	Travel & Subsistence**	Ministerial Allowance	Miscellaneous	Total
2007	1,099,700.40	58,053.27	11,161.20	6,110.78	1,175,025.65
2008 to date***	959,350.03	22,718.16	10,652.79	8,186.95	1,000,907.93

#### Office of the Minister for Labour Affairs

Civil Servants	Political Appointees
1 Private Secretary	1 Personal Assistant
1 Executive Officer	1 Personal Secretary
3 Clerical Officers	2 Civilian Drivers

Year	Salaries, Wages and Allowances*	Travel & Subsistence**	Ministerial Allowance	Miscellaneous	Total
2007	333,209.14	81,433.54	12,001.36	846.95	427,490.99
2008 to date***	252,485.77	73,255.40	8,113.60	3,407.08	337,261.85

[Deputy Mary Coughlan.]

## Office of the Minister for Trade &amp; Commerce

Civil Servants			Political Appointees		
1 Private Secretary			1 Personal Assistant		
1 Staff Officer			1 Personal Secretary		
2 Clerical Officers			2 Secretarial Assistants		
			2 Civilian Drivers		

  

Year	Salaries, Wages and Allowances*	Travel & Subsistence**	Ministerial Allowance	Miscellaneous	Total
2007	404,894.49	114,483.63	15,213.00	2,062.22	536,653.34
2008 to date***	379,060.69	130,957.63	9,605.65	2,594.35	522,218.32

## Office of the Minister for Science, Technology and Innovation

Civil Servants			Political Appointees		
1 Private Secretary			1 Press Advisor		
1 Executive Officer			1 Personal Assistant		
2 Clerical Officers			2 Personal Secretaries (each staff member on a 0.5% worksharing basis)		
			2 Civilian Drivers		

  

Year	Salaries, Wages and Allowances*	Travel & Subsistence**	Ministerial Allowance	Miscellaneous	Total
2007	176,870.95	46,535.60	4,056.80	790.66	228,254.01
2008 to date***	377,432.46	50,446.61	9,127.80	4,766.45	441,773.32

\* The totals provided for Salaries, Wages and Allowances include overtime and Employer's PRSI.

\*\* The totals provided for Travel and Subsistence Expenses include the cost of flights invoiced directly to the Department.

\*\*\* Travel and Subsistence figures are up to end of August '08

There are also two additional Ministers of State who have responsibility in this Department however; they do not have offices in the Department. The Ministers concerned are:

- Minister for Lifelong Learning at the Department of Education and Science.
- Minister for Equality, Disability and Mental Health at the Department of Health and Children.

*Question No. 161 answered with Question No. 142.*

### Consumer Protection.

162. **Deputy Eamon Gilmore** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will make a statement on her visit to the Dublin offices of the National Consumer Agency on 7 August 2008; if she is satisfied that the agency has sufficient powers and resources to provide adequate protection for consumers; the specific steps she will take to deliver on her commitment made during the visit to ensure that Irish consumers get a fair deal

on price, on choice and on quality in their weekly shopping basket; and if she will make a statement on the matter. [30914/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I would advise the Deputy that following my meeting with the Chief Executive of the National Consumer Agency on 7th August, I did issue a public statement reaffirming the Government's determination to ensure that Irish consumers get a fair deal on price, on choice and on quality in their weekly shopping basket. In the course of that statement, I also reaffirmed the Government's strong belief that arming consumers with all the necessary facts and figures to make informed choices in relation to the goods and services that they buy is the best way to ensure that consumers can achieve a fair deal. In this regard I took the opportunity to discuss with the Chief Executive the Agency's initiatives in the area of Price Comparison Surveys.

Since the meeting, the Deputy will be aware that the Agency published its most recent Grocery Price Comparison Survey on the 11th September. The survey found that there has been a significant decrease in the prices of own brand goods across all the retailers in the grocery sector unlike the position in relation to branded products where the price differential between retailers seems to be narrowing.

Research commissioned by the Agency shows that price is becoming more and more of a priority to consumers when making their decisions where to shop. The research showed that 56% of grocery shoppers are shopping in a particular store based on price and that convenience is no longer the primary reason for choosing a particular grocery store. This significant shift in consumer attitude is reflected in the fact that the price of food, as measured by the Consumer Price Index published by the Central Statistics Office, continues to fall. The CSO's returns show that food prices fell by 0.3% in August, the third month in a row that the food price index has fallen. These welcome price decreases are concrete endorsements that the Agency's efforts in raising price awareness among consumers is having a material effect and that more people are changing their shopping habits.

Notwithstanding these developments and other indications of the catalytic effect that consumer behaviour is having by way of enhancing competition among retailers in the grocery sector, there is, as I remarked in my public statement, some way to go particularly in relation to the price differentials in the branded goods area. It also remains a matter of concern that the differential between the price of groceries in Ireland and the price of groceries in Northern Ireland or in the UK remains relatively high given the appreciation in value of the Euro against sterling. In this regard I have requested Forfás to carry out an assessment of the relative cost of doing business in a number of selected locations, including locations in this jurisdiction, Northern Ireland and the UK. I intend to continue to engage with the retail sector on this issue once the results of Forfás' assessment are available.

I welcome the initiatives undertaken by the National Consumer Agency to ensure that Irish consumers have the necessary information to make informed choices in relation to the goods and services that they buy. In conjunction with the Agency, I am determined that progress continues to be made to ensure that consumers get a fair deal and do not suffer from unjustified price increases.

#### **Departmental Staff.**

163. **Deputy Liz McManus** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of staff employed by the Office of the Director of Corporate Enforcement; if she has an outstanding request for additional staff or resources for the office; if these requests will be met; and if she will make a statement on the matter. [30922/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** 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 the remaining four staff were provided earlier this year.

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.

### **Departmental Agencies.**

164. **Deputy Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Enterprise, Trade and Employment the last time the State's enterprise bodies underwent a review of their operations and spending by her Department. [30835/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** My Department engages with the State enterprise bodies on both operational and policy matters on an ongoing basis, and their expenditure and operations are monitored closely throughout the year. There are strict uniform financial procedures in place to ensure proper governance with regard to the funds that are being drawn down. The annual Estimate process also, involves my Department examining agency expenditure in detail.

In addition, there is a formal liaison structure in place between my Department and the Agencies. As part of that structure, senior officials from my Department meet regularly with senior officials from the Agencies to discuss not just budgetary issues but all matters pertaining to their operation. The ongoing nature of this contact ensures close scrutiny of agency expenditure and activities and provides my officials with an overview on the progress of all the various work programmes.

Specific reviews targeted at the particular modus operandi of individual agencies and taking account of their different roles have been undertaken periodically. An expenditure review of Forfás, conducted by my Department in 2002, made a number of recommendations in order to formalise the agency's interactions with my Department, tighten its focus and increase efficiency and transparency. All recommendations arising from this review have been implemented.

In the case of the IDA, an expenditure Review of their Property Programme was carried out by my Department in 2004. This review concluded that the property programme was being managed efficiently and effectively by the Agency and approved of the Agency's policy of disposing of property no longer needed while, at the same time, recognizing the Agency's need to have a set of property solutions available for marketing at any one time.

Enterprise Ireland is engaged in a review process through a series of ongoing reviews of budgetary, programme and corporate procedures. This includes, inter alia, assessment of progress against EI targets associated with agreed agency Strategy and review of specific EI funding schemes/programmes. More specifically, an expenditure review, led by my Department, was completed on Enterprise Ireland's Overseas Office Network in 2004, which made a number of recommendations that have since been adopted.

A Value for Money review of Science Foundation Ireland programmes was recently completed on behalf of my Department, as part of the Government's Value for Money and Policy

Review Initiative. The report, which was published in July of this year, examined the Foundation's funding programmes over the first years of operation. My Department and I are firmly of the opinion that the review will assist in securing value for money and maximising the economic impact from SFI investments.

Performance reviews are, and will continue to be, an integral component, for my Department, in monitoring the activities of the Agencies. A suite of indicators comprising input, output and impact indicators, for the Management Information Framework of my Department is in place and the availability of this information enables managers to measure efficiencies within their own areas. I am satisfied that there exists a vigorous system — both formal and informal — for the ongoing monitoring and review of all aspects of operations and expenditure of the Enterprise Agencies.

### **Import Regulations.**

165. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Enterprise, Trade and Employment the limits that are placed on Ireland with regard to imports into Ireland.  
[30839/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Ireland has an open policy when it comes to international trade. My Department encourages free trade and applies limited restrictions or limitations on imports. Any limitations that are applied are implemented to enable Ireland meet its EU or other international obligations, such as may be agreed by the United Nations. Under the EU Treaty, the Common Commercial Policy (which regulates the EU international trade policy) generally gives the Commission authority to negotiate international trade arrangements with countries outside the Union, based on a mandate from Member States.

Import limitations will normally take the form of either import quotas, sanctions / prohibitions, or licences through which the level of imports of specific goods is monitored. Import limitations may also be applied for certain products such as agricultural produce, firearms/weapons, fireworks/explosives etc., the arrangements for which would be under the remit of other Departments such as the Departments of Agriculture, Fisheries and Food and Justice, Equality and Law Reform.

The Licensing Unit of my Department issues import licences in conjunction with the EU Commission. The following are the principle areas affecting trade in which import limitations/restrictions apply together with details of the applicable EU regulations under which the limitations are applied.

#### *Textiles:*

EU trade policy restricts the importation of certain textiles and textile garments originating in specified third countries into the EU. These goods may not be imported into the EU without an import licence. The following are the main countries involved.

#### *China and Uzbekistan:*

The importation into the EU of certain categories of textiles originating in the Peoples Republic of China and Uzbekistan are subject to double surveillance measures and require an import licence under Commission Regulation (EC) No. 1217/2007 which amended Annex III to Council Regulation (EEC) No. 3030/93 on common rules for imports of certain textile products from third countries.



[Deputy Mary Coughlan.]

*Belarus and North Korea:*

The importation into the EU of certain categories textiles originating in Belarus and North Korea is subject to quantitative quotas under Commission Regulations (EC) No. 1402/2007 and 517/94 and require an import licence.

*Iron & Steel Products:*

The importation into the EU of certain iron and steel products originating in countries outside the EU are subject to either quantitative restrictions, double surveillance or prior surveillance measures (as contained in Commission Decisions No. 2136/97/ECSC, 1401/97/ECSC and 2744/1999/ECSC) and require an import licence.

*Potassium Chloride:*

The importation into the EU of potassium chloride originating in Belarus is subject to anti-dumping measures and requires an import licence under Commission Regulation (EC) No. 1050/2006.

*Sanctions:*

Trade sanctions are increasingly used by the international Community as a means of exerting influence on various issues of international concern. Ireland fully subscribes to its international obligations in this regard. My Department plays a central role in co-ordinating the implementation of the various United Nations and EC measures which have been adopted concerning trade. The impact of these measures on trade is, however insignificant, in the context of our well established international trading alliances. Where financial sanctions are in place, these are managed by the Department of Finance.

*Question No. 166 answered with Question No. 154.*

**Decentralisation Programme.**

167. **Deputy Eamon Gilmore** asked the Tánaiste and Minister for Enterprise, Trade and Employment if it is intended to proceed with the planned decentralisation of the National Consumer Agency to Cork; if her attention has been drawn to the concerns expressed by the agency that it may lose up to 90% of its staff if the move goes ahead; and if she will make a statement on the matter. [30915/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** As the Deputy will be aware, the Government announced in July last that no further expenditure on the acquisition of accommodation for decentralisation should be sanctioned pending detailed consideration by the Government of reports from the Decentralisation Implementation Group and the Implementation Group of Secretaries General.

Without prejudice to the above announcement, my Department is currently in discussions with the Agency in relation to a staff transitional plan to ensure a gradual, phased and managed transition of staff. This plan will ensure the Agency's activities will not be unduly disrupted.

**Social Partnership Agreements.**

168. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the legislative measures she plans to introduce arising from the new social partnership

agreement; the proposed timetable for each such piece of legislation; and if she will make a statement on the matter. [30952/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** I welcome the draft Transitional Agreement reached between Government and the Social Partners on a successor to the first module of Towards 2016. The draft Agreement will now be considered by the parties with a view to ratification and it is my hope that the Agreement will be ratified by all sides.

The draft Agreement provides for a number of commitments, including through legislation proposals, aimed at strengthening protections for employment standards, while also ensuring that Ireland continues to provide an excellent environment for business and job creation. These commitments are being examined within my Department to determine the optimum legislative approach and timeframe for delivery of the policy objectives in the draft Agreement.

For my part, and without seeking to pre-empt in any way the ratification process, I look forward to working with the Social Partners and my Ministerial colleagues in making speedy progress on the commitments entered into under this Agreement, including those requiring legislative enactment. It is difficult to be specific about timetables for legislation as this is primarily a matter for the House and for the Seanad. However, the Deputy may be assured that no effort will be spared to meet the commitments in the Transitional Agreement.

#### **Employment Regulation Orders.**

169. **Deputy Liz McManus** asked the Tánaiste and 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 an order made by the Joint Committee for the Hotel Industry that fixed minimum wage levels for workers in that sector; and if she will make a statement on the matter. [30923/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** In quashing the Employment Regulation Order made by the Labour Court relating to minimum remuneration of workers in the Hotels Sector on 7 February last, the High Court ordered that the matter be remitted to the Hotels Joint Labour Committee. As the Deputy may be aware, the Hotels Joint Labour Committee met in March 2008 and a new Employment Regulation Order was subsequently made for the sector by the Labour Court with effect from 23 May 2008.

The implications of the issues raised during the course of the High Court were considered in the recent Social Partnership talks. The Social Partners have now agreed to the implementation of a number of measures, including the introduction of legislation, to renew and enhance the system for the making of both Employment Regulation Orders and Registered Employment Agreements and to provide for their continued effective operation.

It is my intention to bring forward legislative proposals on the matter at an early date.

#### **FÁS Training Programmes.**

170. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the extent to which she will provide extra resources in the coming year for retraining and upskilling the workforce with particular reference to addressing the requirements arising from job losses over the past number of years; and if she will make a statement on the matter. [31052/08]

171. **Deputy Ciarán Lynch** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she is satisfied that all appropriate retraining opportunities are available for workers who lose their jobs, especially in the construction sector; if she has plans to provide additional training opportunities; and if she will make a statement on the matter. [30918/08]

172. **Deputy Ciarán Lynch** asked the Tánaiste and Minister for Enterprise, Trade and Employment the latest estimates available to her Department from FÁS regarding the potential number of job losses in the construction sector up to the end of 2009; and if she will make a statement on the matter. [30919/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 170 to 172, inclusive, together.

Various labour market projections are available. For example, FÁS, in its latest Quarterly Labour Market Commentary, for Quarter 2 2008 has forecast that construction employment will fall by -6.9% (-19,000) this year and by a further -9.2% (-24,000) in 2009.

This estimated drop in construction employment of around 43,000 would bring it back to 2004 levels. The recent easing of employment growth generally and construction employment in particular comes after many years of extraordinary growth, which could not have lasted indefinitely. For example since 2004, total employment has grown by 273,900 with employment in the construction sector increasing by 50,300.

FÁS and the Department of Social and Family Affairs are working together so they can respond quickly to the increase in unemployment, for example:

- FÁS and the Department of Social and Family Affairs have agreed that redundant workers will be referred immediately to FÁS rather than wait for three months on the Live Register as was the case before. FÁS has also established a training fund to enable a speedy response to identified re-training needs for low skilled and redundant craft workers.
- FÁS is, with the Local Employment Services provided by Area-Based Partnerships, currently gearing up its Employment Services further to provide increased capacity for expected increased referrals from the Live Register.
- FÁS will be providing a range of certified, short, flexible, modular programmes designed to upskill redundant workers so that they can enhance their prospect of securing employment. A number of programmes are already in place and the frequency and range of these will be expanded over the coming months.
- A range of actions are being implemented by FÁS for those affected by the construction slowdown, including:
- FÁS will focus on providing retraining opportunities for:
  - the installation of sustainable technologies
  - environmental activity
  - compliance and regulatory work
- FÁS will also assist individuals in anyway they can in seeking employment abroad in construction in other EU countries. FÁS have held European construction jobs fairs for employers from other EU countries.

Discussions concerning the 2009 budget are still ongoing. The budget for FÁS is agreed on the basis of detailed discussions between FÁS, my Department and the Department of Finance in the context of the annual Estimates process and will be announced on Budget Day.

### **Grocery Industry.**

173. **Deputy Michael D. Higgins** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she has received a report from the Competition Authority following its request to the authority to monitor the operation of the grocery trade on an ongoing basis; and if she will make a statement on the matter. [30916/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Following the repeal of the Restrictive Practices (Groceries) Order 1987 in March 2006, the then Minister requested the Competition Authority to review and monitor developments in the grocery sector in light of the new regulatory environment.

In March this year, the Authority presented to me two reports as part of the Grocery Monitor Project. The first report, A Description of the Structure and Operation of Grocery Retailing and Wholesaling in Ireland: 2001 to 2006 provides a description of the market structure at the wholesale and retail levels of the Irish grocery sector.

The second report is entitled Price Trends in the Irish Retail Grocery Sector: A Description of the Evolution of Retail Grocery Prices between 2001 and 2007. In this report, the Competition Authority has considered the impact of the removal of the Groceries Order by examining the evolution of the aggregate retail grocery price trends since 2001 by analysis of price data published by the CSO.

These reports were noted by Government in April and were published by the Authority shortly thereafter.

At that stage, the Authority indicated its intention to publish a third Report examining the retail planning system as it applies to the retail grocery sector. Following the submission of that Report to me, I brought it to Government in July and this third Report, 'Retail Planning System as applied to the Grocery Sector 2001-2007', was published by the Authority on 10th September 2008. This report identifies a number of features of the retail planning system that affect competition in the grocery sector. It contains seven recommendations aimed at promoting competition in grocery retailing in Ireland.

I would like to advise the Deputy that the three Reports are available on the Authority's website [www.tca.ie](http://www.tca.ie).

### **Construction Sector.**

174. **Deputy Arthur Morgan** asked the Taoiseach the percentage and number of those who have lost their jobs in the construction sector in the past 12 months who are under 25 years of age; and the number of these who do not have a leaving certificate qualification. [30114/08]

**Minister of State at the Department of the Taoiseach (Deputy Pat Carey):** The exact information requested by the Deputy is not available. The Quarterly National Household Survey (QNHS) provides estimates of the number of persons employed in the construction sector on a quarterly basis but does not directly measure job losses per se. Changes in these estimated numbers from one period to another reflect the net change in the stock of persons employed in the sector.

The estimated number of persons under 25 years of age employed in the construction sector in the second quarter of 2007 was 58,100. In the second quarter of 2008 this had fallen to 44,600

[Deputy Pat Carey.]

a reduction of 13,500 over the year. This represents 50.3% of the total reduction in employment in the construction sector during this period.

The estimated number of persons under 25 years of age employed in the construction sector who stated they did not have a leaving certificate or equivalent in the second quarter of 2007 was 15,200. In the second quarter of 2008 this had fallen to 10,200, a reduction of 5,000 over the period.

#### **Taskforce on Active Citizenship.**

175. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the amount of funding allocated in 2008 to implement the recommendations made by the Taskforce on Active Citizenship; and if he will make a statement on the matter. [29263/08]

176. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the number of personnel in his Department employed on the implementation of the Taskforce on Active Citizenship; and if he will make a statement on the matter. [29264/08]

**Minister of State at the Department of the Taoiseach (Deputy Pat Carey):** I propose to take Questions Nos. 175 and 176 together.

An allocation of €200,000 has been set aside for 2008 under Subhead K of the Vote of the Taoiseach's Department to cover administration costs relating to the work of the Active Citizenship Office in co-ordinating the implementation of the recommendations of the Taskforce on Active Citizenship. The Active Citizenship Office has been established under the direction of Government Chief Whip, Mr. Pat Carey, T.D, who has special responsibility for the active citizenship initiative. The Department has assigned 4 staff to the Office.

A substantial number of the recommendations of the Taskforce relate to a number of Departments and funding for activities supporting the recommendations will be carried in the Votes of these Departments. The role of the Office is essentially a steering and co-ordinating role between public sector, community and voluntary sector, business, educational interests and it does not have a role as a grant giving body.

#### **Procurement Procedures.**

177. **Deputy Leo Varadkar** asked the Taoiseach his views on whether the agencies and bodies under the responsibility of his Department comply with the Department of Finance procurement guidelines for goods and services; if he has sought assurances from the agencies and bodies that this is the case in each of the years 2000 to 2007 and to date in 2008; if he has expressed concern to an agency or body that it might be acting inappropriately during that period; if so, the agency or body; and if he will make a statement on the matter. [29265/08]

**The Taoiseach:** I am confident that all agencies and bodies under my Department's responsibility comply fully with the Department of Finance guidelines for goods and services.

The Internal Audit report on the National Forum on Europe, dated December 2006, concluded that the appropriate Department of Finance procurement procedures are being employed for the tendering of services. The Forum Secretariat is currently undertaking a review of all contracts with suppliers to ensure that compliance with the guidelines is on-going.

The CSO operates under its own internal procurement policy. This internal procurement policy was developed to reflect all obligations which CSO purchasers of goods and services must comply with, in accordance with all national and EU guidelines.

The CSO does not have a full-time procurement unit. However, the CSO Procurement Officer, and Corporate Support staff, conduct regular information sessions to ensure that CSO



staff are aware of the relevant rules and regulations, and ‘Value for money’ requirements, with regard to the spending of public monies. The internal Corporate Support Unit also maintains an updated Procurement Information Homepage to reflect any changes in the limits or obligations.

In addition, an internal audit was carried out on the National Economic and Social Development Office (NESDO) earlier this year. The report concluded, *inter alia*, that “all appropriate procedures for financial reporting and procurement have been followed with two exceptions”. The two exceptions related to relatively minor breaches of public procurement procedures relating to the form of procurement adopted and these were remedied.

### Ministerial Travel.

178. **Deputy Liz McManus** asked the Taoiseach the cost and frequency of travel per month by Ministers and Ministers of State since the appointment of the new Government by means of bus transport, rail transport or air transport, by Department and by Minister involved in the travel; and if he will make a statement on the matter. [29266/08]

**The Taoiseach:** The following tables detail all travel for official purposes which has been undertaken by myself and the Ministers of State assigned to my Department, since the establishment of the current Government in May 2008 to the end of August 2008.

To date, there have been no costs incurred in respect of commercial flights. Any costs in relation to the Ministerial Air Transport Service are borne by the Department of Defence.

Details of travel undertaken by the Taoiseach

Date	Frequency	Details
May 2008	1 Return Flight 1 Return Flight	Government Jet — Belfast Government Jet — Cardiff
June 2008	1 Return Flight 1 Return Flight	Government Jet — Brussels Government Jet — Belfast
July 2008	1 Return Flight 1 Return Flight 1 Return Flight	Government Jet — New York Government Jet — Paris Government Jet — Belfast
August 2008	1 Return Flight	Helicopter — Dublin — Omagh — Tullamore

Details of travel undertaken by Minister of State Pat Carey, Chief Whip

Date	Frequency	Details
NIL	NIL	NIL

Details of travel undertaken by Minister of State Dick Roche

Date	Frequency	Details
June 2008	1 Return Flight	Government Jet — Brussels
July 2008	1 Return Flight 1 Return Flight	Commercial Flight — Quebec* Beechcraft — France

\* Minister of State Dick Roche travelled to Quebec in his capacity as Minister of State at the Department of Foreign Affairs. The cost of these flights were met by the Department of Foreign Affairs.

### Northern Ireland Issues.

179. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the plans he has to progress measures, apart from the Good Friday Agreement Committee, for the representation in the Houses of the Oireachtas for citizens from the Six Counties; and if he will make a statement on the matter. [29267/08]

**The Taoiseach:** The Joint Committee on the Implementation of the Good Friday Agreement, which was established in October 2007, provides a valuable forum to members of both Houses of the Oireachtas to discuss the implementation of the Good Friday Agreement and related matters with Members of the Westminster Parliament elected for constituencies in Northern Ireland. In its relatively short time in existence, it has already done very valuable work.

The establishment of a North/South Joint Parliamentary Forum to bring together representatives of the Oireachtas and of the Northern Ireland Assembly which was proposed in the Good Friday Agreement is the next priority for the Government in this area.

It would make a major contribution to dialogue and mutual understanding between North and South. This was discussed at the Sixth Plenary meeting of the North South Ministerial Council last February and progress will be reported at its next meeting scheduled for 3 October next.

The Government also supports ongoing engagement with the unionist parties in Northern Ireland with a view to their future participation in the East/West parliamentary forum.

### Construction Materials.

180. **Deputy Denis Naughten** asked the Taoiseach the cost of steel for use in agricultural buildings; the cost in January 2007 and January 2008; and if he will make a statement on the matter. [29268/08]

**Minister of State at the Department of the Taoiseach (Deputy Pat Carey):** The exact information requested by the deputy is not available as the Central Statistics Office (CSO) does not publish data on the cost of steel for use in agricultural buildings specifically. However, the CSO publishes wholesale price indices, which reflect price changes for a range of building and construction materials across all sectors. These include price indices for “Structural Steel and Reinforcing Metal” and a further breakdown for the individual components, “Structural Steel” and “Reinforcing Metal” separately. No breakdown by sector of use is available.

The percentage price change between January 2007 and January 2008 is provided in the Table below.

Materials	Annual % Change January 2008
Structural Steel and Reinforcing Metal	+ 3.1
Structural Steel	+2.8
Reinforcing Metal	+3.7

### Census of Population.

181. **Deputy Ruairí Quinn** asked the Taoiseach if he has been requested to introduce legislative changes in order to enable the 1926 Census returns to be made open to the public to facilitate historical and sociological research; if he will request the National Archives of Ireland to make the 1926 Census returns available on the internet; and if he will make a statement on the matter. [29269/08]

182. **Deputy Ruairí Quinn** asked the Taoiseach if he will reduce, from 100 years to 50 years, the period of time after which census returns can be made available to the public; and if he will make a statement on the matter. [29270/08]

**Minister of State at the Department of the Taoiseach (Deputy Pat Carey):** I propose to take Questions Nos. 181 and 182 together.

I am aware of the views of the Council of Irish Genealogical Organisations regarding access to the 1926 Census returns.

The position is that the confidentiality of all statistical returns from individuals, households and business is guaranteed by law, and this guarantee is the cornerstone of all CSO surveys, not least Censuses of Population.

The Censuses of Population between 1926 and 1991 were carried out under the 1926 Statistics Act which did not permit any access to Census records, at any time. However, the 1993 Statistics Act repealed the 1926 and 1946 Statistics Acts and provided for the release of census forms for these Censuses 100 years after the date of the relevant Census.

When this provision was debated in the Seanad at the time, the view was expressed that the proposed 100 years period should be reduced to 75, or even 50 years. However, while the retrospective introduction of the 100 years exemption was seen by some as undermining the original guarantee given to householders, it was generally accepted that 100 years was a reasonable compromise in all the circumstances, including having regard to life expectancy considerations.

I am satisfied, therefore, that the 100 years period provided for in the 1993 Act strikes the right balance in facilitating legitimate historical and sociological research on the one hand, while the protecting the confidentiality of Census data and the integrity of CSO procedures on the other.

**Departmental Agencies.**

183. **Deputy Leo Varadkar** asked the Taoiseach the pay and emoluments granted to the chief executive officer or equivalents, of all of the agencies under the control of his Department; and if he will make a statement on the matter. [29271/08]

**The Taoiseach:** The pay and emoluments granted to the Directors of the National Economic and Social Development Office (NESDO) which encompasses the National Economic and Social Forum (NESC), the National Economic and Social Forum (NESF) and the National Centre for Partnership and Performance (NCPP) is as follows:

Title of Agency	Director
	€
Chief Officer of NESDO and Director of NESC	150,712
Director of NESF	114,366
Director of NCPP	114,366

The Director of the National Forum on Europe, who is on secondment from the Department of Foreign Affairs, is paid at Principal Officer level. The post carries an allowance of €13,515.

The Director of the Ireland Newfoundland Partnership was paid €75,000 for 2007.

[The Taoiseach.]

The pay and conditions attached to the Director General of the Central Statistics Office is directly linked to those of the Civil Service general grade of Secretary General. From 1 September, 2008, the annual salary for the post is €221,929.

### Consultancy Contracts.

184. **Deputy Joan Burton** asked the Taoiseach the expenditure by his Department on consultants for each of the past six calendar years including to date in 2008; if he will provide a breakdown of these figures in order to show the amount and proportion of expenditure on consultants which relates to expenditure on public relations, marketing or advertising consultants; and if he will make a statement on the matter. [29272/08]

196. **Deputy Arthur Morgan** asked the Taoiseach the amount that was spent by his Department on consultants in 2007 and to date in 2008. [31652/08]

**The Taoiseach:** I propose to take Questions Nos. 184 and 196 together.

The table below outlines expenditure from my Department's Vote on consultants and the proportions that relate to public relations from 2002 to the end of August 2008. There has been no spend by my Department on consultants relating to marketing and advertising during this period.

Of the total expenditure on Public Relations for this period, 91% related to the National Forum on Europe and 4% to the Taskforce on Active Citizenship.

The figures also include consultancy spend recouped from the Change Management Fund in the Department of Finance in relation to central initiatives in support of public service modernisation under the aegis of my Department.

Year	Spend on Consultancy (incl. PR, Advertising & Marketing)	Spend on Public Relations	PR % of total consultancy spend
	€	€	%
2002	995,032	95,167	10
2003	272,942	54,666	20
2004	477,398	88,858	19
2005	405,188	93,143	23
2006	532,772	72,661	14
2007	663,870	150,524	23
2008 (End of Aug)	639,191	103,100	16

### Departmental Transport.

185. **Deputy Fergus O'Dowd** asked the Taoiseach the number, type, the purchasing and leasing cost and the CO<sub>2</sub> emissions of vehicles acquired by his Department for each of the past three years; and if he will make a statement on the matter. [29558/08]

**The Taoiseach:** My Department does not provide any official vehicles.

### Consultancy Contracts.

186. **Deputy Leo Varadkar** asked the Taoiseach if a company (details supplied) has been awarded contracts by his Department, or any of its agencies, since 2000; the value of the

contracts and the length of contract signed; and if he will make a statement on the matter. [29717/08]

**The Taoiseach:** Neither my Department nor any of its agencies have awarded contracts to the company in question since 2000.

Poster Plan Ltd. was engaged by the National Forum on Europe for an ad mobile in May this year at a cost of €6,950 plus VAT. The Forum also used Poster Plan Ltd's services in January 2008 in the production of a Forum Information Film on the Treaty of Lisbon at a cost of €1,400 plus VAT. No formal contract was awarded and the Forum has no further expenditure of this nature planned.

#### **Departmental Staff.**

187. **Deputy Leo Varadkar** asked the Taoiseach the number of staff sent from his Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if he will make a statement on the matter. [29999/08]

**The Taoiseach:** The Assistant Secretary with responsibility for Economic and Social Policy in my Department chaired the 4th Annual Irish Public Private Partnerships Policy Forum on 19 June, 2008, and was the only member of staff from my Department involved in this event. There were no costs to the Department arising from her participation.

#### **Data Protection.**

188. **Deputy John O'Mahony** asked the Taoiseach the procedures in place to ensure that personal data stored by his Department is secure. [30136/08]

**The Taoiseach:** Sensitive information belonging to members of the public is not generally collected by, or stored, in the Department's electronic systems. A number of specific measures are in place in my Department to protect all data which is held electronically:- Access to personal information held on databases within my Department is controlled by application security and confined to relevant authorised personnel only. Access by users to these systems is granted on an 'as needs only' basis; The Department's computer networks themselves are secured against cyber attacks through the use of security products such as multiple firewalls, anti-virus software and email security tools; Staff supplied with mobile equipment are issued with guidance to ensure devices are secured properly; The hard drives of all laptops are encrypted and do not store Departmental data physically on them; and Strong authentication methods, in addition to username and password, are in place to prevent unauthorised access to the Department's network from mobile devices.

My Department also evaluates and reviews advanced information security products and technologies as they come to market and implements them where appropriate.

189. **Deputy John O'Mahony** asked the Taoiseach the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from his Department in 2007 and to date in 2008; and if he will make a statement on the matter. [30151/08]

**The Taoiseach:** No laptop computers, data storage devices or USB memory sticks have been stolen or lost from my Department in 2007 and to date in 2008.

#### **Pension Provisions.**

190. **Deputy Richard Bruton** asked the Taoiseach if the Central Statistics Office has determined the way the proposed transfer of funds from pension funds of certain non-commercial



[Deputy Richard Bruton.]

State sponsored bodies to the Exchequer would be treated in the Government accounts in that the move adds both liabilities and assets to the Exchequers position; and if the EU have been asked to comment on the impact on the general Government deficit. [30333/08]

**Minister of State at the Department of the Taoiseach (Deputy Pat Carey):** The CSO has not to date been formally asked to determine the treatment in the Government Accounts of the transfer of the assets of funded pension schemes of Non-Commercial State-Sponsored Bodies (NCSSBs) to the State in return for the Government assuming responsibility for future pension payments to beneficiaries on a pay-as-you-go basis.

The Government Accounts and General Government Balance (GGB) are calculated according to the accounting rules of the European System of Accounts (ESA95), as supplemented by the Eurostat Manual on Government Deficit and Debt (MGDD). The rules in this system for recording pension fund transfers are complex, but in general the transfer of the pension fund's assets to the State may be recorded as a receipt in the Government Accounts if: a) the transferring agency is classified outside of the General Government sector (i.e. if it is not controlled by Government or if it covers more than 50% of its costs from its own resources — according to these criteria, most NCSSBs are classified within General Government but some non-profit institutions, including universities, are classified outside), OR b) the transferring agency is classified within the General Government sector, but the pension scheme is established as a trust, legally separate from the agency.

The accounting rules do not recognise an up-front liability for the obligations accrued in the case of pay-as-you-go pension schemes, so no counterpart is recorded to this revenue and the initial up-front GGB impact is positive.

This initial revenue would be offset in the future by the payment of the pension benefits, which would be recorded as Government expenditure at the time of payment. In the longer term the impact on the GGB would therefore be expected to be neutral, provided the scheme is fully funded.

Given the complexity, the CSO would have to determine the treatment of any pension fund transfers on a case by case basis. Generally, Eurostat would only be consulted if a particular scheme was very complex and the accounting treatment was not fully clear. The Government Accounts and the calculation of the GGB are, of course, subject to Eurostat approval so any accounting treatments adopted could subsequently be subjected to Eurostat examination.

### **Departmental Advertising.**

191. **Deputy John Deasy** asked the Taoiseach the expenditure on advertising in the Irish language by his Department and by agencies under the aegis of his Department since the enactment of the Official Languages Act 2003; and if he will make a statement on the matter. [30399/08]

**The Taoiseach:** Since the enactment of the Official Languages Act in 2003, my Department and agencies have spent €2,969.64 on advertisements in Irish alone and €385,681.25 on advertisements in both Irish and English. Assuming that something less than half of the latter cost relates to the content in Irish, the total amount requested by the Deputy is less than €195,810.27.

These costs relate in the main to public notices for events such as the National Day of Commemoration and the 1916 Commemoration, and to public consultation processes such as the recent OECD Review. It has long been the practice of my Department to publish such notices in both of the official languages. This practice pre-dates the enactment of the Official

Languages Act and demonstrates my Department's ongoing commitment to providing a high standard of service in both languages to our customers.

### Departmental Agencies.

192. **Deputy Joan Burton** asked the Taoiseach the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of his Department; and if he will make a statement on the matter. [30618/08]

195. **Deputy Leo Varadkar** asked the Taoiseach the bonuses, merit awards and other payments above the basic salary that have been approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which they made the decision to approve such awards; and if he will make a statement on the matter. [31199/08]

**The Taoiseach:** I propose to take Questions Nos. 192 and 195 together.

#### CSO

The Director General of the Central Statistics Office (CSO) receives no bonuses or merit awards above the basic salary of his post. As an established civil servant, the current Director General will be entitled to a pension/lump sum under current Civil Service pension entitlements on his retirement.

#### NSB

The Chairperson of the National Statistics Board (NSB) receives a set stipend in accordance with Department of Finance scales. No additional payments were made in 2005, 2006, 2007 or 2008.

#### NESC, NESF, NCPP

The position in relation to the NESC, NESF and NCPP is as follows: Pay and Emoluments granted to Directors of NESC, NESF and NCPP:

	Director
	€
NESC	150,712
NESF	114,366
NCPP	114,366

None of the Directors is in receipt of any bonuses, performance or otherwise.

The position in relation to pension is as follows:

- The Chair of the NESDO and NESC receives no pay, bonuses or pension entitlements in respect of his position as either Chair of NESDO or Chair of NESC;
- the terms and conditions of employment, including pension details of the Chair of NESF are under consideration at the moment;
- the Chair of the NCPP has no pension entitlement with NESDO at present;

[The Taoiseach.]

- the Chief Officer of NESDO, who is also the Director of NESC, receives no additional salary, bonus or pension entitlement for his role as Chief Officer. As Director of NESC, he is entitled to an allowance of 16.66% of salary in lieu of pension;
- the Director of NESF is on secondment from the Department of the Taoiseach and is a member of the Civil Service Pension Scheme; and
- the Director of NCPP is on secondment from the Department of Education and Science and is a member of the Civil Service Pension Scheme.

### **Departmental Staff.**

193. **Deputy Joan Burton** asked the Taoiseach the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of him and each Minister of State within his Department; and if he will make a statement on the matter. [30633/08]

194. **Deputy Lucinda Creighton** asked the Taoiseach the number of civil service staff dealing with constituency matters in his office; the number of civil service staff dealing with constituency matters in the offices of Junior Ministers within his Department; and the cost of salaries for these staff per annum. [31135/08]

**The Taoiseach:** I propose to take Questions Nos. 193 and 194 together.

The number of Staff in my Private and Constituency office and in the Offices of my Ministers of State and their costs to the Exchequer are detailed in the tables below:

Cost for 2007

Office	Number of Staff	Grade	Comments	Total Cost including Salary/Allowances/Overtime and Expenses €
Taoiseach's Private Office	13	1 Private Secretary 1 Assistant Principal 2 Assistant P. Sect. 1 Personal Assistant 1 Executive Officer 1 Staff Officer 5 Clerical Officers 1 Usher	All are Civil Servants	679,355.22
Taoiseach's Constituency Office	9	2 Personal Assistants 1 Personal Secretary 1 Executive Officer 1 Staff Officer 4 Clerical Officers	8 Civil Servants 1 non Civil Servant	294,217.76
Private Office of Minister of State and Government Chief Whip	4	1 Private Secretary 1 Executive Officer 1 Staff Officer 1 Clerical Officer	All Civil Servants	232,750.06
Constituency Office of Minister of State and Government Chief Whip	4	1 Personal Secretary 1 Personal Assistant 2 Staff Officers	3 Civil Servants 1 Non Civil Servant	161,683.17
*Private Office of the Minister of State and European Affairs	3	1 Private Secretary 2 Clerical Officers	All Civil Servants	114,830.98

\* The Constituency Office of the Minister of State for European Affairs is based in the Department of Foreign Affairs.

Projected Cost to end 2008

Office	Number of Staff	Grade	Comments	Total Cost including Salary/Allowances/Overtime and Expenses
Taoiseach's Private Office	11	1 Private Secretary 1 Administrative Officer 2 Assistant Private Secretaries 2 Executive Officer 5 Clerical Officers	All are Civil Servants	€ 663,868.12
Taoiseach's Constituency Office	8	3 Personal Assistants 1 Office Manager 2 Personal Secretaries 2 Clerical Officers	6 Civil Servants 2 non Civil Servant	336,276.17
Private Office of Minister of State and Government Chief Whip	4	1 Private Secretary 1 Executive Officer 1 Staff Officer 1 Clerical Officer	All Civil Servants	239,909.42
Constituency Office of Minister of State and Government Chief Whip	5	1 Personal Assistant 2 Secretarial Assistants worksharing 1 Staff Officer 1 Clerical Officer	2 Civil Servants 3 Non Civil Servant	139,796.21
*Private Office of the Minister of State and European Affairs	3	1 Private Secretary 2 Clerical Officers	All Civil Servants	128,508.15

\*The Constituency Office of the Minister of State for European Affairs is based in the Department of Foreign Affairs.



The total costs also includes costing for staff under the previous Taoiseach.

*Question No. 195 answered with Question No. 192.*

*Question No. 196 answered with Question No. 184.*

*Question No. 197 answered with Question No. 117.*

### **Health and Safety Regulations.**

198. **Deputy Bernard Allen** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of inspections carried out by the Health and Safety Authority at the Haulbowline site in the past two years; if the works come under the Safety, Health and Welfare at Work Construction Regulations 2006; and, if so, whether all the duty holders complied with the relevant statutory provisions. [30279/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** I understand that in the last 2 years the Health and Safety Authority has inspected the Haulbowline site on 4 occasions and that construction work at the site came within the ambit of the Safety, Health and Welfare at Work (Construction) Regulations, 2006.

I understand that the Authority advised Cork County Council and its appointed consultants on the nature of monitoring to be conducted at the site and also regarding certain necessary remedial works under the Safety, Health and Welfare at Work (Construction) Regulations, 2006. The site was revisited on several occasions to monitor progress and compliance.

In so far as compliance with the relevant statutory provisions is concerned, I understand that the Authority has, within the period concerned, had no grounds to take enforcement action.

### **Job Creation.**

199. **Deputy Denis Naughten** asked the Tánaiste and Minister for Enterprise, Trade and Employment the progress to date on obtaining alternative employment at the factory (details supplied) in County Roscommon; and if she will make a statement on the matter. [30807/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I understand from Enterprise Ireland that a new owner who will operate a food production activity at the facility is being sought if possible. All of the Industrial Development agencies are assisting in this process at the request of the company in question. Dialogue regarding prospects for the sale of the site is also taking place.

Two companies from Enterprise Ireland's high potential start up portfolio indicated initial interest in utilizing the facility. A detailed site and facility appraisal was prepared and forwarded to the two companies. The resources of the agency are at the disposal of these enterprises and any other potential employer that may be identified.

### **Community Employment Schemes.**

200. **Deputy Joan Burton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the secondary welfare benefits to which participants in community employment schemes are entitled; if she has plans to change the scheme as promised by the Government; and if she will make a statement on the matter. [30830/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Community Employment (CE) is an active labour market programme designed to provide eligible long-term unemployed people and other disadvantaged persons with an opportunity to

[Deputy Mary Coughlan.]

engage in useful work within their communities on a fixed term basis. CE helps unemployed people to re-enter the active workforce by breaking their experience of unemployment through a return to a work routine and to assist them to enhance/develop both their technical and personal skills.

I am informed by my colleague, the Minister for Social and Family Affairs, that depending on their circumstances, people who are participating on Community Employment Schemes may be entitled to the following additional payments (known as secondary benefits) which are provided by a number of different agencies:

- the national and smokeless fuel schemes, rent and mortgage supplements under the supplementary welfare allowance scheme, back to school clothing and footwear allowance from the Department of Social and Family Affairs);
- the medical card (from the Health Services Executive); and
- the local authority differential rent scheme (from the local authorities).

In conclusion then, I would say that this Government will continue to support the positive role of CE in meeting the needs of long-term unemployed persons while at the same time providing essential services to communities. In this regard, we are keeping the operation of the Scheme under constant review.

#### **Departmental Transport.**

201. **Deputy Fergus O'Dowd** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number, type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by her Department for each of the past three years; and if she will make a statement on the matter. [29551/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** My Department only requires the use of one motor vehicle for Departmental purposes. In July 2005 the Department purchased a Renault Kangoo van for €13,450. That vehicle was replaced in July 2008 by another Renault Kangoo van which cost €8,800 net on the trade in of the other van. The technical specifications of the Renault Kangoo van model states that on average the vehicle emits 141 grams of CO<sub>2</sub> per kilometre. The two vehicles purchased by my Department in the past three years have together clocked up approximately 36,416 kilometres, which would give a CO<sub>2</sub> emission figure of 5.13475 metric tonnes for both of the vehicles.

#### **County Enterprise Boards.**

202. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the reason enterprise boards here do not have a standard approach to the payment of grants or loans in respect of the financial support offered by way of employment assistance to start up businesses; her views on the fact that an entrepreneur who lives in Dublin City can receive a €4,000 non-repayable grant, whereas an entrepreneur who lives in south Dublin may obtain up to €8,000 in terms of a low interest loan, all of which must be repaid to the relevant enterprise board; and if she will make a statement on the matter. [29608/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy John McGuinness):** The role of the County and City Enterprise Boards (CEBs) is to provide 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 Boards can support individuals, firms and community groups provided that the proposed projects have the capacity to achieve commercial viability.

The Boards can offer both financial and non-financial assistance to a project promoter. The forms of financial intervention, which are available subject to certain restrictions, include Capital Grants, Employment Grants, and Feasibility Study Grants. Boards are required to ensure that a proportion of their grants are issued in a refundable form. Boards may also take preference shares in companies. The criteria under which financial intervention is available is based primarily on factors such as the sector of the economy in which an enterprise is operating or intends to operate and the size, or proposed size, of the enterprise. The enterprise must be in the commercial sphere, must demonstrate a market for the proposed product/service, must have a capacity for growth and new job creation and must not employ more than 10 people. Boards give priority to enterprises in the manufacturing or internationally traded services sector and they must always give consideration to any potential for deadweight and displacement arising from a proposed enterprise. All Boards operate the above criteria in respect of the financial assistance which they can provide to eligible projects and they are also subject to the same upper limitation levels in relation to the amount of finance which they can provide i.e.

- Capital Grants up to a maximum of 50% of the cost of capital and other investment or €75,000, whichever is the lesser; a portion of the grant in excess of 40% (in the BMW Region) or 35% (in the S&E Region) to be in refundable form;
- Employment grants in exceptional circumstances, a grant of up to €7,500 per new job, to a maximum of 10 new jobs.
- Feasibility study grants up to a maximum of 60% (in the BMW Region) or 50% (in the S&E Region) of the cost of a feasibility study and business plan, subject to an overall limit of €6,350 (in the BMW Region) or €5,100 (in the S&E Region).

However, while the Boards work off an identical suite of financial interventions, there are certain differences between Boards as to how they apply these interventions e.g. the individual level of a grant or the refundability level applying to a grant payment may vary. I am of the view that it is appropriate and feasible to allow individual Boards a level of discretion and flexibility in the way in which they provide financial assistance to enable them to take account of the economic conditions and sectoral demands particular to their area of responsibility and the overall budget available to them in any given year.

### **Consultancy Contracts.**

203. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment if a company (details supplied) has been awarded contracts by her Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if she will make a statement on the matter. [29710/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** My Department and the Offices of my Department have not awarded any contracts to the company involved and consequently the information requested by the Deputy is not relevant in so far as my Department and its Offices are concerned.

The awarding of contracts by the State Agencies that come under the aegis of my Department is an operational matter for the State Agencies concerned and, consequently, I am not in a position to provide the Deputy with the information requested insofar as my Department's State Agencies are concerned.

### Community Employment Schemes.

204. **Deputy Pat Breen** asked the Tánaiste and Minister for Enterprise, Trade and Employment her plans to extend the age extension for participants in community employment schemes; and if she will make a statement on the matter. [29926/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Community Employment (CE) is an active labour market programme designed to provide eligible long term unemployed people and other disadvantaged persons (including those with a disability) with an opportunity to engage in useful work within their communities on a fixed term basis.

Participation on Community Employment has an upper age limit of 65 years of age, i.e. a CE participant/Supervisor can remain on CE until the day before their 66th birthday, provided they meet all other eligibility requirements. FÁS cannot make funding available to a Sponsor for any participant or Supervisor aged 66 years or over. To do so would mean that the state would effectively be double-funding both the CE place and the participant's state pension simultaneously.

The aim of CE still remains as an active labour market programme with the emphasis on progression into employment. The programme is managed within this context, with consideration to the availability of resources and the needs of participants and the community. FÁS makes every effort to ensure that differing levels of demand between neighbouring schemes are equalised. FÁS also operates the programme flexibly as far as possible to ensure the continuation of community projects.

In conclusion then, I would say that this Government will continue to support the positive role of CE in meeting the needs of long-term unemployed persons while at the same time providing essential services to communities. In this regard, we are keeping the operation of the Scheme under constant review.

### Health and Safety Authority.

205. **Deputy Denis Naughten** asked the Tánaiste and Minister for Enterprise, Trade and Employment the plans she has to review the legislative basis of the Health and Safety Authority; and if she will make a statement on the matter. [29969/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** I wish to inform the Deputy that I have no such plans at this time.

*Question No. 206 answered with Question No. 134.*

### Departmental Staff.

207. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of staff sent from her Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if she will make a statement on the matter. [29992/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I can confirm that no staff from my Department attended the conference in question — the 4th Irish Public Private Partnership Policy Forum held in the Gresham Hotel on the 19th June 2008.

As attendance at conferences by staff of the agencies under the aegis of my Department is a day to day matter for the agency concerned, I have no function in this area.

### **FÁS Training Programmes.**

208. **Deputy Joe Costello** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of people participating on FÁS courses at present; the cutbacks proposed for the coming year; the reduction in the number of places proposed for Dublin; and if she will make a statement on the matter. [30017/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** As at the end of August, the number of people participating on FÁS courses was 40,504. It is not possible to accurately predict the number of participants for 2009 since discussions concerning the 2009 budget are still ongoing.

### **Medical Education.**

209. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment if EEA nationals must be given preference over non-EEA nationals when competing for positions as medical or surgical interns in the health service; and if she will make a statement on the matter. [30037/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The recruitment of interns is governed by European Community Preference rules and priority must therefore be granted to applicants who are nationals of the EEA Member States ahead of applicants who are nationals of third countries. I am advised by my colleague, the Minister for Health and Children, that this requirement is being implemented by the Health Service Executive and the employing hospitals concerned.

### **Data Protection.**

210. **Deputy John O'Mahony** asked the Tánaiste and Minister for Enterprise, Trade and Employment the procedures in place to ensure that personal data stored by her Department is secure. [30129/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** My Department is very conscious of its obligations under the Data Protection Acts, and adopts a proactive approach to ensuring that personal data stored by it is kept secure. Physical safeguards, a secure ICT infrastructure and staff awareness programmes play a key role in supporting data protection in my Department. Regarding ICT this is a continuous process, involving a combination of appropriately skilled people and the implementation of best-practice processes and technologies. Last year, my Department conducted a comprehensive review of ICT security across the Department and its Offices. The findings of the report now form a significant part of my Department's new ICT Strategy (2008-2010) and a programme of work is currently being undertaken which is designed to deliver ongoing improvements in the security of the Department's ICT systems, thereby minimising the risk of compromising data and/or security breaches. This includes a programme of data protection and security awareness workshops, two of which have already taken place.

There are a total of fourteen Data Controllers who are responsible for all aspects of personal information held in my Department. These appointments are reviewed annually to ensure that all existing and new areas of work within my Department are registered with the Data Protection Commissioner. All induction courses for new staff members include a segment on data protection. In September 2007 all staff in my Department were issued with a Human Resources Management Handbook in hard copy format, which includes a dedicated section concerning the provisions of data protection legislation, and highlighting the obligations and responsibilities for



[Deputy Mary Coughlan.]

staff in this area. These obligations were reiterated to all staff by way of an Office Notice in November 2007, and data protection awareness continues to be actively promoted on an ongoing basis in my Department.

211. **Deputy John O'Mahony** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from her Department in 2007 and to date in 2008; and if she will make a statement on the matter. [30144/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** My Department's records indicate the following:

- 2007 — One BlackBerry device reported stolen.
- 2008 to date — One laptop reported stolen, one laptop reported missing, one BlackBerry device reported stolen.

There have been no USB flash drives reported lost or stolen.

My Department invoked the facility to automatically wipe all data from the BlackBerry devices as soon as they were reported missing and immediately cancelled the subscription with the service provider. The two laptops were reported not to contain any sensitive data at the time of their loss.

In a recent case where a laptop containing personal data relevant to my Department was stolen from an official of the Office of the Comptroller and Auditor General, the data in question had been supplied to that Office in encrypted format. However, it was not possible for my Department to retain control over the data once it had been delivered to that Office. The loss has been reported to the Data Protection Commissioner.

#### **Work Permits.**

212. **Deputy Fergus O'Dowd** asked the Tánaiste and Minister for Enterprise, Trade and Employment the position regarding an application for an employment permit by a person (details supplied) in County Meath; and if she will make a statement on the matter. [30165/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** The Employment Permits Section of my Department has informed me that they have requested some additional information from the employer in this case. On receipt of that information this application will be considered further.

#### **Decentralisation Programme.**

213. **Deputy Denis Naughten** asked the Tánaiste and Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 232 of 9 July 2008, the position regarding the situation; and if she will make a statement on the matter. [30190/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The Government decided on 8th July last that no further expenditure on the acquisition of accommodation for decentralisation should be sanctioned pending detailed consideration by the Government of two reports: one from the Decentralisation Implementation Group on the feasibility of phased moves by the State Agencies; and one from the Implementation Group of Secretaries General on the governmental and cross-Departmental issues arising from the need to provide facilities for Minister, Ministers of State and officials while in Dublin on business.

I expect that the Minister for Finance will present these to Government over the coming weeks.

In the meantime, FÁS has leased a floor of a building within the Birr Technology Centre to accommodate staff in the decentralised location. Currently there are 23 Head Office staff based in these premises, which has capacity for approximately 40 staff.

### **Job Losses.**

214. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 148 of 9 April 2008, the services in place to support persons in Arklow being made redundant by a company (details supplied). [30235/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** IDA Ireland is actively working with Arklow Chamber of Commerce and Wicklow County Council and the management of Allergan to promote Arklow as a location for a replacement industry or alternative project. IDA has met the management of the company to begin the process of seeking a replacement industry by requesting a profile of the workforce and conducting a detailed audit of the facilities. IDA has also met with the Arklow Chamber of Commerce and Wicklow County Council to profile the strengths and attractions of the location and to put a value proposition in place to allow the agency to effectively market the location abroad.

With regard to Arklow and County Wicklow in general, IDA Ireland continues to promote the area for new business and is currently in negotiation with investors seeking to relocate and expand at the IDA business park in Arklow.

The role of FÁS, the State training agency, is particularly important in assisting those who are being made redundant. FÁS has already been in contact with the company and is providing advice and training opportunities for the employees being made redundant. FÁS is making its full range of services available to the workers, which includes:

- Top level agreement with the company on responsibilities and actions;
- Intensive interviews, individually and/or in groups, with affected workers that will outline the range of supports and services available;
- Preparation of a 'Skills Analysis Report' by FÁS based on identified workers' needs and local opportunities;
- Referral by FÁS of affected workers to jobs, training courses or other options;
- Establishment by FÁS of special or customised training courses where necessary; and
- On-going support and action to keep redundant workers 'in touch with the labour market'.

FÁS is presently conducting a skills analysis of all members of the Allergen workforce. Following completion of this exercise, Enterprise Ireland, along with Wicklow CEB, will assess the skills base and meet with the employees to discuss their options outlining how EI and the CEB can best serve their needs.

Enterprise Ireland has supported indigenous industry in Arklow and has given substantial financial support (€782,000) to the Arklow Enterprise Centre.

A significant number of Enterprise Ireland supported companies in Co. Wicklow are actively growing their businesses and creating employment. In 2006 and 2007 EI approved financial

[Deputy Mary Coughlan.]

funding of €4.8m and €3.9m respectively to Wicklow-based firms that are committed to increasing their sales exports and employment.

I am confident that the strategies and policies being pursued by the State Development agencies and other interested parties together with the ongoing commitment of Government to regional development will continue to bear fruit in terms of investment and employment for Co. Wicklow in general and Arklow in particular.

### National Training Fund.

215. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the training which was funded by way of the National Training Fund in 2007 and to date in 2008. [30362/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The National Training Fund supports a range of training schemes administered by organisations such as FÁS, Enterprise Ireland, IDA Ireland, SFADCo and Skillnets.

FÁS delivers training programmes to assist the long-term unemployed, early school leavers, people with disabilities and the socially excluded gain access to the Labour Market. FÁS also delivers apprenticeship training and training for those in employment through its “One Step Up” programme.

Skillnets is an enterprise-led support body dedicated to the promotion and facilitation of learning as a key element in sustaining Ireland’s national competitiveness. Skillnets supports networks of enterprises to engage in training under the Learning Networks Programme. These Learning Networks are led and managed by the enterprises themselves and have created and delivered training programmes across a broad range of industry and service sectors nationwide.

NTF funding for Enterprise Ireland helps to fund a broad spectrum of training initiatives for Small Medium Enterprises (SMEs). Programmes supported under this initiative include both in-company training as well as a broad range of tailored industry sector programmes. Training Grants provided by the IDA are focused on assisting training programmes that will constitute a significant upgrading of the skills base of existing client companies and which will make a substantial contribution to the Irish companies long term competitiveness.

The table below sets out the funding received in respect of training from the National Training Fund in 2007 and to date in 2008.

	2007	2008 to date
	€000	€000
FÁS — Training People in Employment (incl Apprenticeship Training)	164,589	114,507
FÁS — Training People for Employment	194,937	150,809
FÁS — Workplace Education Fund	3,046	2,282
Training Networks Programme (Skillnets)	23,827	20,500
IDA Ireland — Training Grants to Industry	1,100	1,007
Enterprise Ireland — Training Grants to Industry	3,160	2,000
SFADCo — Training Grants to Industry	0	45
Continuing Professional Development Pilot (IEI)	405	450
Other Training Schemes	1,259	461

### Departmental Advertising.

216. **Deputy John Deasy** asked the Tánaiste and Minister for Enterprise, Trade and Employment the amount spent on advertising in the Irish language by her Department and by agencies under the aegis of her Department since the enactment of the Official Languages Act 2003; and if she will make a statement on the matter. [30392/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The amounts spent on advertising in the Irish language since the enactment of the Official Languages Act 2003 by my Department and the Offices of my Department are as follows:

Year	Amount Spent
	€
2003	9,271.75
2004	28,407.20
2005	42,164.69
2006	67,002.08
2007	54,678.00
2008 (To Date)	45,523.93
Total	247,047.65

I am not in a position to supply the information requested by the Deputy in relation to the Agencies that come under the aegis of my Department as any such advertising costs would be operational matters for the Agencies concerned, where I have no function.

My Department is fully committed to the implementation of the Official Languages Act 2003 and is already fulfilling many of its requirements even though the Department has not yet been formally notified by the Department of Community, Rural and Gaeltacht Affairs to draw up a Statutory Scheme outlining the Department's plans for compliance with the Act.

### FÁS Training Programmes.

217. **Deputy Michael Ring** asked the Tánaiste and Minister for Enterprise, Trade and Employment the plans she has to allow persons with disabilities to remain on FÁS schemes for unlimited periods; her further plans to facilitate persons with disabilities to remain on the schemes indefinitely in view of the fact that many of these people find it almost impossible to secure employment; and if she will make a statement on the matter. [30460/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Community Employment (CE) is an active labour market programme designed to provide eligible long-term unemployed people and other disadvantaged persons (including those with a disability) with an opportunity to engage in useful work within their communities on a fixed term basis. CE helps unemployed people to re-enter the active workforce by breaking their experience of unemployment through a return to a work routine and to assist them to enhance/develop both their technical and personal skills.

In July 2006 my Department published its Sectoral Plan under the Disability Act, 2005. One of the key highlights of this Plan was the increased participation rates of people with disabilities on CE over the period of the Plan and the raised CE participation limits for people with disabilities in order to provide additional training to assist progression to employment:

[Deputy Mary Coughlan.]

- For people with disabilities under 55 years of age, the participation limit was raised by one year from 3 to 4 years; and
- For people with disabilities over 55 years of age, the participation limit was also raised by one year from 6 to 7 years.

The aim of CE still remains as an active labour market programme with the emphasis on progression into employment. The programme is managed within this context, with consideration to the availability of resources and the needs of participants and the community. FÁS makes every effort to ensure that differing levels of demand between neighbouring schemes are equalised. FÁS also operates the programme flexibly as far as possible to ensure the continuation of community projects.

In conclusion then, I would say that this Government will continue to support the positive role of CE in meeting the needs of long-term unemployed persons while at the same time providing essential services to communities. In this regard, we are keeping the operation of the Scheme under constant review.

218. **Deputy Michael Ring** asked the Tánaiste and Minister for Enterprise, Trade and Employment her plans to establish a FÁS scheme for persons with disabilities; the long term schemes available for persons with disabilities; and if she will make a statement on the matter. [30463/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** As part of Government policy on mainstreaming all FÁS Services are open to people with disabilities. In this regard the services and programmes in place may be summarised as follows:

*Main Services provided by FÁS:*

FÁS operates training and employment programmes; provides a recruitment service to job-seekers and employers; an advisory service for industry; and supports community based enterprises. Services for people with disabilities are mainstreamed within this context. Programmes for people with disabilities are ‘demand-led’ in that take up of same is voluntary, and there is no element of penalty involved for those who do not wish to engage, for whatever reason.

People with disabilities may call into a FÁS Employment Services Office or Local Employment Service Office to meet with an Employment Services Officer or Mediator who will provide them with full information, advice and guidance in relation to training and employment. People with disabilities, who meet the entry criteria, are able to participate in the full range of FÁS programmes and services, including mainline training provision. For example, there are currently 5,942 participants, or 28 % of total participants, with disabilities on Community Employment. FÁS also provides a range of positive action measures to assist the entry into employment of people with disabilities. These include:

*Specialist Training Providers*

FÁS contracts with 20 specialist training providers, such as the National Learning Network, in 55 centres to deliver vocational training to people with disabilities who require more intensive support than would be available in the mainline options. This training is provided exclusively to people with disabilities within a segregated setting. A budget of €54.95m is being provided to specialist training provision in 2008.



### *Supported Employment Programme*

The Supported Employment Programme is an open labour market initiative providing people with disabilities, who are 'job-ready', with supports to help them access the open labour market. It is implemented by sponsor organisations, on behalf of FÁS, which employ Job Coaches to provide a range of supports tailored to the individual needs of a jobseeker. A review of the programme has recently been carried out and a FÁS Action Plan on foot of reforms recommended in the review is nearing completion. A budget of €8.8m is being provided to the programme in 2008.

### *Wage Subsidy Scheme*

The Wage Subsidy Scheme provides financial incentives to employers, outside the public sector, to employ people with disabilities who work more than 20 hours per week. The scheme provides payment of a wage subsidy to the employer to compensate for the reduced productivity of the disabled worker. The scheme is designed to provide incentive to employers to look more closely at the potential of people with disabilities to meet their labour force requirements. A review of this scheme has also been carried out and a response to the review recommendations is currently under consideration. For 2008, a budget of €10.5m is being provided to the scheme.

### *Employee Retention Grant Scheme*

The Employee Retention Grant Scheme is available to private sector employers when an employee acquires a disability whether occupational or not. It provides funding to identify accommodation or training to enable the employee to remain in their current position, or to re-train them to take up another position within the organisation.

### *Workplace Equipment Adaptation Grant*

The Workplace Equipment Adaptation Grant is available to employers in the private sector who need to adapt equipment or the workplace to accommodate people with disabilities. The maximum grant provided is €6,350 and covers minor building modifications such as ramps or accessible toilets; assistive technology; amplifiers for telephones, etc.

### *Job Interview/Induction Interpreter Grant*

The Job Interview/Induction Interpreter Grant is available to cover the costs of an interpreter up to a maximum of €106.68 for a three-hour period for interview and induction purposes, where an interviewee or new staff member is deaf, hard of hearing, or has a speech impediment.

### *Personal Reader Grant*

The Personal Reader Grant is available for the blind or visually impaired who require assistance with job-related reading, this is a grant to permit the employment of a personal reader. FÁS will pay a fee per hour for this service, in line with the national minimum wage for a maximum of 640 hours per annum.

### *Disability Awareness Training Support Scheme*

The Disability Awareness Training Support Scheme assists the integration of people with disabilities into the workplace and helps to eliminate mistaken perceptions about them. It is available to all companies in the private sector who are interested in employing, retaining or

[Deputy Mary Coughlan.]

relating to people with disabilities. Funding of up to 90% of training costs is available in the first year, and up to 80% of costs in subsequent years, with an annual limit of €20,000 payable to an organisation. To avail of this funding training must be carried out by a FÁS approved training organisation or trainer.

The combined budget in 2008 for the Employee Retention Grant Scheme, Workplace Equipment Adaptation Grant, Job Interview Interpreter Grant, Personal Reader Grant and Disability Awareness Training Support Scheme amounts to €2.1 million. This gives a total budget of € 76.350 million for disability-specific programmes.

FÁS schemes and programmes are monitored and kept under regular review as part of overall employment and training policy for people with disabilities under the Sectoral Plan of the Department of Enterprise, Trade and Employment.

### **Departmental Agencies.**

219. **Deputy Joan Burton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of her Department; and if she will make a statement on the matter. [30611/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The basic salary and emoluments granted to the chief executive officer of all of the public agencies under the aegis of my Department are sanctioned by the Department of Finance, in line with recommendations of the Review Body on Higher Remuneration in the Public Sector, Reports No. 42 and 43.

In addition to the above, the CEO of Science Foundation Ireland is paid an allowance in the nature of pay on a personal basis (as approved by the Department of Finance) in recognition of his international research experience and expertise.

CEOs of all agencies are eligible to apply for a performance related bonus award of up to 20% of annual salary in line with guidelines set down by the Department of Finance.

CEOs of the following agencies under the aegis of my Department have the use of a car for official business:

- FÁS
- Forfás,
- IDA Ireland
- Enterprise Ireland
- Science Foundation Ireland
- Shannon Free Airport Development Co.

Each CEO is a member of the superannuation scheme of their respective agency.

### **Departmental Staff.**

220. **Deputy Joan Burton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each

such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of her and each Minister of State within her Department; and if she will make a statement on the matter. [30626/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The tables below outline the number of staff by grade in my private and constituency office and in those of each Minister of State within my Department. The cost for 2007 of each such office in terms of salary, overtime and expenses are included together with the projected costs for 2008 to date.

Office of the Tánaiste and Minister for Enterprise Trade & Employment

Civil Servants	Political Appointees
1 Private Secretary 3 Executive Officers 8 Clerical Officers	2 Special Advisors 1 Press Advisor 1 Personal Assistant 1 Personal Secretary 1 Temp. Clerical Officer

Year	Salaries, Wages and Allowances*	Travel & Subsistence**	Ministerial Allowance	Miscellaneous	Total
2007	1,099,700.40	58,053.27	11,161.20	6,110.78	1,175,025.65
2008 to date***	959,350.03	22,718.16	10,652.79	8,186.95	1,000,907.93

Office of the Minister for Labour Affairs

Civil Servants	Political Appointees
1 Private Secretary 1 Executive Officer 3 Clerical Officers	1 Personal Assistant 1 Personal Secretary 2 Civilian Drivers

Year	Salaries, Wages and Allowances*	Travel & Subsistence**	Ministerial Allowance	Miscellaneous	Total
2007	333,209.14	81,433.54	12,001.36	846.95	427,490.99
2008 to date***	252,485.77	73,255.40	8,113.60	3,407.08	337,261.85

Office of the Minister for Trade & Commerce

Civil Servants	Political Appointees
1 Private Secretary 1 Staff Officer 2 Clerical Officers	1 Personal Assistant 1 Personal Secretary 2 Secretarial Assistants 2 Civilian Drivers

[Deputy Mary Coughlan.]

Year	Salaries, Wages and Allowances*	Travel & Subsistence**	Ministerial Allowance	Miscellaneous	Total
2007	404,894.49	114,483.63	15,213.00	2062.22	536,653.34
2008 to date***	379,060.69	130,957.63	9,605.65	2,594.35	522,218.32

## Office of the Minister for Science, Technology and Innovation

Civil Servants	Political Appointees
1 Private Secretary 1 Executive Officer 2 Clerical Officers	1 Press Advisor 1 Personal Assistant 2 Personal Secretaries (each staff member on a 0.5% worksharing basis) 2 Civilian Drivers

Year	Salaries, Wages and Allowances*	Travel & Subsistence**	Ministerial Allowance	Miscellaneous	Total
2007	176,870.95	46,535.60	4,056.80	790.66	228,254.01
2008 to date***	377,432.46	50,446.61	9,127.80	4,766.45	441,773.32

\* The totals provided for Salaries, Wages and Allowances include overtime and Employer's PRSI.

\*\* The totals provided for Travel and Subsistence Expenses include the cost of flights invoiced directly to the Department.

\*\*\* Travel and Subsistence figures are up to end of August '08

There are also two additional Ministers of State who have responsibility in this Department however; they do not have offices in the Department. The Ministers concerned are:

- Minister for Lifelong Learning at the Department of Education and Science.
- Minister for Equality, Disability and Mental Health at the Department of Health and Children.

### Unfair Dismissals.

221. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment if a person (details supplied) in County Kildare whose employment was terminated recently has entitlements under unfair dismissal legislation; and if she will make a statement on the matter. [30640/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** The Unfair Dismissals Acts, 1977 to 2007 protect employees from being unfairly dismissed from their jobs by laying down criteria by which dismissals are to be judged unfair and by providing an adjudication system and redress for an employee whose dismissal has been found to be unfair.

To qualify under the Unfair Dismissals Acts, an employee is normally expected to have at least one year's continuous service with the employer. A claim for redress under the Acts may be submitted initially to either of the adjudicative bodies specified in the Acts i.e. a Rights Commissioner or the Employment Appeals Tribunal within 6 months of the date of dismissal (this can be extended to 12 months in exceptional circumstances). Either party may appeal a

determination of the Employment Appeals Tribunal to the Circuit Court. Redress may take the form of either financial compensation, re-instatement or re-engagement, whichever the relevant adjudicative body considers appropriate having regard to all the circumstances.

Alternatively, it is always open to individuals to seek professional legal advice on the remedies available under the common law in relation to dismissal. However, an individual is not entitled to recover both damages at common law for “wrongful dismissal” and redress under the Unfair Dismissals Acts for “unfair dismissal”.

If the reason for dismissal was related to any of the nine grounds of discrimination under the Employment Equality Acts 1998 to 2008, the employee may wish to consider making a complaint of discrimination under those Acts to the Equality Tribunal. The Employment Equality Acts are administered by the Department of Justice, Equality and Law Reform through the Equality Authority. However it is important to note that redress is not available under more than one of the above-mentioned pieces of legislation.

An explanatory booklet on the Unfair Dismissals Acts is available on the National Employment Rights Authority’s website at [www.employmentrights.ie](http://www.employmentrights.ie) or by contacting the Employment Rights Information Unit of the Authority at (059) 9178990 or on Lo-call 1890 80 80 90.

### **Community Employment Schemes.**

222. **Deputy Bernard Allen** asked the Tánaiste and Minister for Enterprise, Trade and Employment if a participant in a community employment scheme, on reaching the age of 64, can have their period of employment extended until they reach old age pension age. [30688/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Community Employment (CE) is an active labour market programme designed to provide eligible long-term unemployed people and other disadvantaged persons (including those with a disability) with an opportunity to engage in useful work within their communities on a fixed term basis. CE helps unemployed people to re-enter the active workforce by breaking their experience of unemployment through a return to a work routine and to assist them to enhance/develop both their technical and personal skills.

Participation on Community Employment has an upper age limit of 65 years of age, i.e. a CE participant/Supervisor can remain on CE until the day before their 66th birthday, provided they meet all other eligibility requirements. FÁS cannot make funding available to a Sponsor for any participant or Supervisor aged 66 years or over.

The aim of CE still remains as an active labour market programme with the emphasis on progression into employment. The programme is managed within this context, with consideration to the availability of resources and the needs of participants and the community. FÁS makes every effort to ensure that differing levels of demand between neighbouring schemes are equalised. FÁS also operates the programme flexibly as far as possible to ensure the continuation of community projects.

In conclusion then, I would say that this Government will continue to support the positive role of CE in meeting the needs of long-term unemployed persons while at the same time providing essential services to communities. In this regard, we are keeping the operation of the Scheme under constant review.

### **Industrial Development.**

223. **Deputy Michael Ring** asked the Tánaiste and Minister for Enterprise, Trade and



[Deputy Michael Ring.]

Employment the number of site visits (details supplied) to County Mayo conducted by the Industrial Development Authority to date in 2008. [30712/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** IDA Ireland is the agency with statutory responsibility for the attraction of foreign direct investment to Ireland and its regions. The marketing of individual areas, for new or expansion FDI investments and jobs is a day-to-day operational matter for the Agency.

I have been informed by the Agency that to date in 2008 there have been three first time site visits to Mayo. For reasons of confidentiality and commercial sensitivity, details of prospective clients are not disclosed.

While IDA Ireland can and does encourage clients to visit particular locations, the final decision on where to visit or locate is taken in all cases by the clients.

### Employment Levels.

224. **Deputy Michael Ring** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of people employed in companies supported by the Industrial Development Authority at a location (details supplied) with comparison figures for each of the past five years. [30713/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The Forfás Annual Employment Survey reports on job gains and losses in companies that are supported by the industrial development agencies. Data is compiled on an annualised basis and is aggregated at county level. Figures for 2008 will not be available until early 2009.

The numbers employed in IDA supported companies in Co Mayo in each year of the 5 year period 2003-2007 are shown in the following tabular statement.

Table showing numbers employed in IDA supported companies in Co Mayo in each year 2003-2007 inclusive.

YEAR	2003	2004	2005	2006	2007
Numbers in employment	3,468	3,213	3,058	2,973	3,004

### Industrial Development.

225. **Deputy Michael Ring** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will ascertain from the Industrial Development Authority the position regarding a project (details supplied) in County Mayo; the number of units available in total at that location; the number that have been occupied; if there is active interest in the location by investors; and if she will make a statement on the matter. [30714/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** 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 the Minister of the day has any involvement.

I have been informed by IDA Ireland that the Agency acquired 37 acres of land at Westport for development into a flagship Business & Technology Park. The Agency has invested a total of €3.5m on site development and a landscaping programme for the Park.

### Company Closures.

226. **Deputy Joan Burton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the steps she has taken to ensure that a plant (details supplied) in County Tipperary remains open in view of the fact that the plant is economically viable and that forty four jobs are directly at stake; and if she will make a statement on the matter. [30832/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The company in question is a client of Enterprise Ireland. The agency has been working with the company particularly over the last three years. However, in the middle of August this year, the company informed its staff and then publicly announced that it intended to close as of 31 October 2008.

Enterprise Ireland will continue to work with the company to assist in whatever way possible. I am aware that opportunities for alternative work for the staff are already being explored within the parent company.

### FÁS Training Programmes.

227. **Deputy Olwyn Enright** asked the Tánaiste and Minister for Enterprise, Trade and Employment the steps that she and FÁS have taken to ensure that apprentices who are made redundant can complete their remaining phases and achieve a craft certificate; and if she will make a statement on the matter. [30889/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Given the significant reduction in construction related activity and the subsequent increase in the numbers of construction workers who have been made redundant, I am very conscious of the need to try and accommodate apprentices in the completion of their apprenticeships.

To achieve this, both my Department and FÁS have been actively examining this issue and have put in place a series of actions to facilitate redundant apprentices in completing their studies. These include the following:

- Through their Employment Services Division, FÁS are focusing on assisting redundant apprentices to source employment, in order that they can complete their apprenticeship by receiving the appropriate on-the-job training and undertaking the associated competence-based assessments.
- As an interim measure, FÁS now allows apprentices who are made redundant to progress to their next off-the-job training phase of their apprenticeship, without having to do the next on-the-job phase first.
- FÁS have put into place a register of Redundant Apprentices by Trade in order to identify these people at the earliest possible point in time and FÁS have prioritised the need to locate an employer to sponsor the completion of the Apprentices “off-the-job” training.
- FÁS will not allow employers who make an apprentice redundant to subsequently recruit another apprentice in the same trade before the apprenticeship period of the redundant apprentice has expired
- FÁS has met with the Construction Industry Federation (CIF) to discuss the impact of the slowdown in the Construction Industry on the Apprenticeship Programme. The CIF agreed to consult with members and to report back to FÁS with their views and proposals.

[Deputy Mary Coughlan.]

- FÁS have opened discussions with relevant bodies and authorities regarding the accreditation of on-the-job work experience and competency based assessments where the apprentice has obtained employment abroad.
- FÁS will explore the feasibility of creating new apprenticeships in those highly skilled occupations, which have become extensively required in the Construction Industry (e.g. glazing, insulation).

My Department and FÁS will continue to monitor the trends and activities in the industry and will work with all of the relevant stakeholders to ensure timely and satisfactory responses to assist redundant apprentices to complete their apprenticeships.

### Departmental Staff.

228. **Deputy Lucinda Creighton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of civil service staff dealing with constituency matters in her office; the number of Civil Service staff dealing with constituency matters in the offices of Junior Ministers within her Department; and the cost in salaries for these staff per annum. [31128/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The table below outlines the number of Civil Servants in my Constituency Office and those of my Junior Ministers within the Department. The table also sets out the salary pay scale for each staff member:

Constituency Office	Grade	Salary (Pay Scale) per annum
Tánaiste and Minister for Enterprise, Trade & Employment	1 Executive Officer	€31,394–€49,809
	1 Clerical Officer	€24,397–€39,558
	1 Clerical Officer (on a 0.8% worksharing basis)	€24,397–€39,558
Minister for Science, Technology and Innovation	1 Clerical Officer	€24,397–€39,558
Minister for Trade and Commerce	1 Clerical Officer	€24,397–€39,558
Minister for Labour Affairs	No Civil Servants	

### Job Creation.

229. **Deputy Dinny McGinley** asked the Tánaiste and Minister for Enterprise, Trade and Employment the efforts being made to bring industrial employment to Donegal; and if she will make a statement on the matter. [31146/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Donegal is a target location for the IDA with the County now competing for a different type of business to labour intensive manufacturing, which had been the key target over the past four decades. Overseas investors are 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 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. Most recently, with the support of Údarás na Gaeltachta, Forward Emphasis International is set to expand its workforce by 100 at a new facility in the Gaoth Dobhair Business Park with Euro Iompú Teo also set to expand its workforce by 100 in Gaoth Dobhair. A major investment by Radox Laboratories, in Dungloe, will lead to the creation of a further 135 jobs.

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.

### **Work Permits.**

230. **Deputy Michael Ring** asked the Tánaiste and Minister for Enterprise, Trade and Employment when a decision will be made on an appeal for an employment permit by a person (details supplied) in County Mayo. [31173/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** It is current Government policy to issue new employment permits for highly skilled, highly paid positions or to non-EEA nationals already legally resident in the State on existing valid employment permits. There are some exception categories under this policy, including ethnic restaurants, where a limited number of applications for fully trained head chefs are being considered. However, it is considered in this instance that a suitable employee from the

[Deputy Billy Kelleher.]

enlarged EU can fill the position this employer seeks to fill. Having examined the appeal, the Appeals Officer has upheld the original decision in this case.

### **Departmental Agencies.**

231. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the bonuses, merit awards and other payments above the basic salary they have approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which they made the decision to approve such awards; and if she will make a statement on the matter. [31192/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Bonuses, merit awards and other payments above basic salary for the heads of State Agencies and Boards under the aegis of my Department, are not approved directly by me.

However, the Secretary General of my Department recommends for approval and onward transmission to the Department of Finance, performance related awards for certain senior Office holders in the following bodies:

- The Labour Court
- The Labour Relations Commission
- The Office of the Director of Corporate Enforcement
- The National Employment Rights Authority
- The Competition Authority
- The National Consumer Agency (prior to the appointment of the Board in 2007)

In Agencies where there is a Board in place, performance related awards of up to 20% of annual salary are agreed and approved for the CEO of the respective Board in line with agreed guidelines.

### **Industrial Development.**

232. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of site visits by the Industrial Development Authority to Mallow, County Cork; the initiatives being undertaken to attract new enterprises to Mallow; and if she will make a statement on the matter. [31215/08]

233. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of site visits by the Industrial Development Authority to Mitchelstown, County Cork; the initiatives being undertaken to attract new enterprises to Mitchelstown; and if she will make a statement on the matter. [31216/08]

237. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of site visits by the Industrial Development Authority to Fermoy, County Cork; the initiatives being undertaken to attract new enterprises to Fermoy; and if she will make a statement on the matter. [31220/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 232, 233 and 237 together.



IDA Ireland is the agency with statutory responsibility for the attraction of foreign direct investment (FDI) to Ireland and its regions. The marketing of individual areas for new or expansion FDI investments and jobs is a day-to-day operational matter for the Agency. While I may give general policy directives to the Agency, I am precluded under the Industrial Development Acts from giving directives regarding individual undertakings or from giving preference to one area over others.

I have been informed by the Agency that to date in 2008, there have been no site visits by potential investors to either Mallow, Michelstown or Fermoy. While IDA Ireland can and does encourage clients to visit particular locations, the final decision on where to visit or locate is taken in all cases by the clients.

In line with the National Spatial Strategy, IDA Ireland is focused on delivering investments to all of the Gateway and Hub locations. Mallow is a hub town. Through its network of overseas offices, the Agency is marketing the North Cork region which includes the towns of Mallow, Kanturk, Charleville, Newmarket, Millstreet, Fermoy and Mitchelstown to prospective investors across the full range of IDA targeted sectors, such as Pharmaceuticals, Medical Technologies, Information and Communications Technologies (ICT) and Internationally Traded Services.

In June 2007 Sanmina-SCI, a leading electronics contract manufacturer, announced it is to undertake a €30 million investment for the transformation of its Fermoy facility into a manufacturing and design Centre-of-Excellence for the medical industry. Up to 50 highly skilled engineering and other professional positions will be created as a result. It will also consolidate the existing employment in Fermoy, further enhance the facility's position within the parent company and will make it a flagship operation within Sanmina-SCI.

In addition to attracting new foreign direct investment, IDA continues to work closely with its existing clients in North Cork to encourage them to expand their operations.

234. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of site visits by the Industrial Development Authority to Youghal, County Cork; the initiatives being undertaken to attract new enterprises to Youghal; and if she will make a statement on the matter. [31217/08]

235. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of site visits by the Industrial Development Authority to Cobh, County Cork; the initiatives being undertaken to attract new enterprises to Cobh; and if she will make a statement on the matter. [31218/08]

236. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of site visits by the Industrial Development Authority to Midleton, County Cork; the initiatives being undertaken to attract new enterprises to Midleton; and if she will make a statement on the matter. [31219/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 234 to 236, inclusive, together.

IDA Ireland is the agency with statutory responsibility for the attraction of foreign direct investment (FDI) to Ireland and its regions. The marketing of individual areas for new or expansion FDI investments and jobs is a day-to-day operational matter for the Agency. While I may give general policy directives to the Agency, I am precluded under the Industrial Development Acts from giving directives regarding individual undertakings or from giving preference to one area over others.

[Deputy Mary Coughlan.]

IDA Ireland has informed me that so far this year there has been one site visit to Cobh but none to either Youghal or Midleton. While IDA Ireland can and does encourage clients to visit particular locations, the final decision on where to visit or locate is taken in all cases by the clients. In this connection, I would like to add that in the same period 37 visits have been made by new and existing companies looking at setting up new or additional functions in the greater Cork area including Little Island, Carrigtwohill and Ringaskiddy.

IDA Ireland is actively promoting the greater East Cork region (which also includes locations such as Little Island, Carrigtwohill, Midleton, Youghal, Carrigaline & Ringaskiddy) to prospective investors across the full range of IDA targeted sectors, such as Pharmaceuticals, Medical Technologies, Information and Communications Technologies (ICT) and Internationally Traded Services via its network of overseas offices and project divisions.

*Question No. 237 answered with Question No. 232.*

### **State Property.**

238. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the original cost to the Exchequer of the Industrial Development Authority lands in Monasterevin, County Kildare; if the lands were offered to Kildare County Council; if so, the price they were offered at; the reason the sale did not proceed; the plans the IDA has for the lands in view of the fact that there has been no visit by an IDA itinerary to the site for the past five years; and if she will make a statement on the matter. [31275/08]

239. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the original cost to the Exchequer of the Industrial Development Authority lands at Athy, County Kildare; if the lands were offered for sale to Kildare County Council; if so, the price they were offered at; the reason the sale did not proceed; the plans the IDA has for the lands in view of the fact that no itinerary has visited the site for the past five years; and if she will make a statement on the matter. [31276/08]

240. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the original cost to the Exchequer of the Industrial Development Authority lands at Kildare Town, County Kildare; if the lands were offered to Kildare County Council; the price they were offered at; the reason the sale was not completed; the plans the IDA has for the lands in view of the fact that no itinerary has visited the site in a number of years; and if she will make a statement on the matter. [31277/08]

241. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the original cost to the Exchequer of the Industrial Development Authority lands purchased in Castledermot, County Kildare; if these lands were offered for sale to Kildare County Council; if so, the price the lands were offered for; the reason for the sale not proceeding; the plans the IDA has for the lands in view of the fact that there has been no itinerary visits to the site in the past five years; and if she will make a statement on the matter. [31278/08]

242. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she or her Department has had meetings with the Industrial Development Authority or the local authority of Kildare County Council to discuss proposals to develop the unused IDA lands within the county where there has been no itinerary visits or no proposals for the use of such unused lands for at least the past five years; if she or her Department discussed with the IDA or the local authority a partnership agreement for the provision of incubation

units for small and medium enterprises on these sites; and if she will make a statement on the matter. [31279/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 238 to 242, inclusive, together.

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 the Minister of the day has any involvement.

I am informed by IDA Ireland that, at present, the Agency has approximately 2.27 hectares remaining available in Monasterevin, approximately 1.77 hectares remaining available in Athy, (Woodstock), and approximately 1.53 hectares remaining available in Castledermot. The Agency has no lands in Kildare town.

I understand that the Board of IDA approved the sale of all these lands to Kildare County Council at its Board meeting on April 9th 2003. However, this transaction was never finalised due to a failure in negotiations.

IDA informs me that it is currently reviewing the future use of the lands. As part of this review, the Agency has written to Kildare County Council in recent weeks to determine the Council's interest in the acquisition of these lands.

For reasons of confidentiality and commercial sensitivity the cost of acquiring land by IDA are not divulged. In addition, I would like to add that IDA Ireland is regularly in communication with Kildare County Council on a variety of issues.

IDA Ireland is an active participant on the Kildare County Development Board, at which all local development issues are discussed.

#### **Community Employment Schemes.**

243. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the extent to which she expects to increase funding for community employment schemes in 2009; and if she will make a statement on the matter. [31508/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Community Employment (CE) is an active labour market programme designed to provide eligible long term unemployed people and other disadvantaged persons with an opportunity to engage in useful work within their communities on a fixed term basis. CE aims to facilitate unemployed people to re-enter the active workforce by breaking their experience of unemployment through a return to a work routine and to assist them to enhance/develop both their technical and personal skills.

The aim of CE still remains as an active labour market programme with the emphasis on progression into employment. The programme is managed in a flexible way within this context, with consideration to the availability of resources and the needs of participants and the community. Funding for Community Employment Schemes for 2009 will be dealt with in the context of the forthcoming Budget.

#### **Services and Manufacturing Sectors.**

244. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the extent to which policy has become more reliant on exports from the services sector; if studies have been carried out to identify the expected impact of higher costs in respect of exports in the service area; and if she will make a statement on the matter. [31509/08]

246. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the extent to which the manufacturing sector has contributed to exports in each of the past five years; if the actions are being taken to address issues currently or likely to negatively impact on this sector in the future; and if she will make a statement on the matter. [31511/08]

247. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the trend established in respect of export growth in each of the past five years; and if she will make a statement on the matter. [31512/08]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy John McGuinness):** I propose to take Questions Nos. 244, 246 and 247 together.

In the period 2003-2007, annual growth in total Irish exports has averaged 6.7%. In relation to Merchandise exports, the growth has averaged 2%, while Services exports grew at an average of 15.3% during this period. Services exports have risen steadily from 31% of total exports in 2003 to 43% in 2007. Of total exports of €154.4bn in 2007, our trade surplus was an extremely healthy €23.3 bn, the biggest surplus in any of those 5 years. This very positive trend was achieved despite poor economic growth in many of our trading partners and also against the backdrop of adverse exchange rate trends in our two biggest export markets, the United States and the United Kingdom, due to the rise of the Euro against both the US Dollar and Sterling.

In relation to manufacturing, this sector is in transition but is well positioned to meet future challenges. Ireland's manufacturing future depends on a manufacturing sector that is capital intensive, knowledge intensive and skills intensive, focused on developing innovative products, services and solutions and meeting the needs of markets and customers. The report of the High Level Group on Manufacturing, which was launched by Minister Micheál Martin, in April last, identifies the focused actions needed by employers, employees and Government to respond to challenges and take advantage of opportunities to further develop the sector in Ireland.

That report contains 26 recommendations, directed at the 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
- The restoration of cost competitiveness, which is of critical importance.
- The establishment of a Manufacturing Forum to progress the implementation of the recommendations outlined in the report and to act as a strong advocate and champion for the manufacturing sector.

The Government is committed to ensuring that the recommendations of this Group receive a high level of priority to ensure that the manufacturing sector continues to evolve and to provide high value added and high quality employment for the future. The report is currently being considered by the Social Partnership Forum, as part of the ongoing review of "Towards 2016".

In relation to Services, almost two thirds of the Irish workforce is currently employed in services and Ireland is now the 10th highest exporter of services in the world. The future performance in services activities will therefore be increasingly important to overall growth in the economy.

The Services Strategy Group, which was set up last year by Forfas and my Department, published its report — "Catching the Wave: A Services Strategy for Ireland", earlier this

month. The report sets out new policy proposals on how the State can ensure the continued development and growth of Ireland's services sector. It deals with the following issues:

- The impact of services on the national economy
- Developing a Strategic Framework for Services
- Exploiting opportunities for services to optimise impact on the national economy
- Putting in place a support framework
- Implementing a Services Strategy.

The recommendations in this report will guide the development of our services strategy into the future, to exploit the opportunities that this sector presents.

245. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the extent to which her policy is focused less on manufacturing; and if she will make a statement on the matter. [31510/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** While the Services Sector is clearly an important and growing source of employment and exports, the Manufacturing Sector is and will continue to be an integral component of the Irish economy. The sector continues to be a significant employer — the latest available data on manufacturing employment compiled by the Central Statistics Office (Earnings and Labour Costs Release) published in May 2008 indicates that at Quarter 4 2007, there were over 225,000 persons directly employed in manufacturing which equates to 11% of total employment. In addition the sector sustains an additional 165,000 through secondary employment in associated services. In 2006 the sector was accountable for approx 23% of total economic output. Our manufacturing sector continues to perform strongly and 2007 represented a very good year with production growing by 7.5 per cent, the highest annual change since 2002.

Not only does manufacturing contribute directly to employment, economic output and exports but it is also a key driver of innovation and technological advance. It increases opportunities for attracting and embedding research and development activities, collaboration with the higher education sector and stimulating networks. Ireland's management capability, high quality outputs, productivity growth and project management skills have evolved as a result of our success in attracting high quality foreign direct investment in manufacturing and in stimulating the growth of indigenous firms with a focus on exports.

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. The model of manufacturing in developed economies has changed and Irish enterprises are adapting to those changes and engaging in higher value added activities in order to compete in the global marketplace. 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. Innovation and the productivity gains that flow from it are the new foundations for competitiveness. Irish manufacturers who engage in specialised, sophisticated, high technology and value added activities can continue to compete successfully on international markets.

The recently launched Report of the High-Level Manufacturing Group contains some 26 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. In addition the group recommends the establishment of a Manufacturing Forum to take responsibility to progress the implementation of the



[Deputy Mary Coughlan.]

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.

The Social Partners agreed, as part of the recently concluded review of Towards 2016, that a manufacturing Forum should be established in line with the recommendation of the High Level Group. This matter will be progressed by my department in consultation with the Department of An Taoiseach and the Social Partners.

*Questions Nos. 246 and 247 answered with Question No. 244.*

### **FÁS Training Programmes.**

248. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of courses available for retraining or upskilling of the workforce in each of the past five years; the extent to which such places have been taken up in each year; her plans to provide extra resources in this respect; and if she will make a statement on the matter. [31513/08]

250. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of extra re-training or upskilling places expected to be provided the coming year; the extent to which this is expected to address job losses in the past five years; and if she will make a statement on the matter. [31515/08]

251. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the resources available for the retraining of the workforce in view of recent job losses; the number of training or upskilling places available; and if she will make a statement on the matter. [31516/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 248, 250 and 251 together.

Over the past five years my Department's two key training providers FÁS and Skillnets provided upskilling and retraining to the following numbers of people:

Year	FÁS*	Skillnets	Total Trainees
2003	55,577	4,875	60,452
2004	47,543	4,875	52,418
2005	51,636	4,875	56,511
2006	48,947	23,058	72,005
2007	88,161	48,719	136,880

\* Figures exclude FÁS Services to Business trainees except for 40,499 in 2007.

It should be noted that the training provided by FÁS is split between their Training Services Division, which focuses on the provision of training to help people secure employment and their Services to Business Division, which focuses on the provision of training to people in employment. It should also be noted that training figures for the FÁS Service to Business Division are only currently available for 2007.

In 2008 the funding channelled through my Department for upskilling both those in employment and those seeking employment is expected to provide training to approximately 136,000 people. As can be seen from the above figures a substantial increase in the provision of training has occurred since 2004. My Department's budget for the provision of training those in employ-

ment has increased more than tenfold from approximately €7 million in 2004 to an expected €77 million this year.

It is not possible at this present time to accurately predict the number of available training places for 2009. Details of funding for next year will become available following the publication of the Budget for 2009.

FÁS, acting in conjunction with other relevant state agencies, has in place an early response team to implement procedures to deal with retraining of redundant workers. This allows FÁS to provide a range of proactive job-related services, supports and programmes, to assist individuals to return to the labour market. FÁS have already initiated the provision of a range of certified, short, flexible, modular programmes designed to upskill redundant workers so that they can enhance their prospect of securing employment.

A particular focus is being placed on providing support and retraining opportunities to construction workers who have been made redundant. A range of actions are being implemented by FÁS for those affected by the construction slowdown, including:

- Focusing on providing retraining opportunities for redundant construction workers in emerging areas within the construction sector. This will include retraining in the following:
  - The installation of sustainable technologies
  - Environmental activity
  - Compliance and regulatory work
- FÁS will also assist individuals in anyway they can in seeking employment abroad in construction in other EU countries. FÁS have held a European construction jobs fairs for employers from other EU countries.
- Ensuring continuity in the apprenticeship system by assisting apprentices who have been made redundant complete their training.

**Job Losses.**

249. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the extent of job losses in the past five years; the number of replacement jobs created during the same period; and if she will make a statement on the matter. [31514/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The table below sets out the numbers in employment/unemployment and the number of redundancies in the years 2004 to 2008.

	2004	2005	2006	2007	2008
Employment	1,834,600	1,931,600	2,021,100	2,101,600	2,108,500 (Q2)
Employment Growth	44,500	97,000	89,500	80,500	6,900 (Q2)
Unemployment	84,600	86,500	92,800	100,300	115,500 (Q2)
Redundancies	25,041	23,156	23,684	25,459	23,545 (Jan-Aug)

Source: CSO, QNHS Quarter 2 Dec–Feb 2008 (Employment/Unemployment) D/Enterprise, Trade and Employment (Redundancies) Employment has increased by 273,900 in the five-year period.

*Questions Nos. 250 and 251 answered with Question No. 248.*

252. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the efforts that have been made to identify areas seriously affected by job losses in recent years; her plans to put in place measures to address the accruing economic issues; and if she will make a statement on the matter. [31517/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Employment and unemployment are measured by the Quarterly National Household Survey and published by the Central Statistics Office. While an increase in unemployment (22,600) is recorded throughout the country in the last two years, this is more than exceeded by the increase in employment (87,500) in all regions in the same period bar a slight decrease in the Mid-West region.

FÁS and the Department of Social and Family Affairs are working together so they can respond quickly to the increase in unemployment, for example:

- FÁS and the Department of Social and Family Affairs have agreed that redundant workers will be referred immediately to FÁS rather than wait for three months on the Live Register as was the case before. FÁS has also established a training fund to enable a speedy response to identified re-training needs for low skilled and redundant craft workers.
- FÁS is, with the Local Employment Services provided by Area-Based Partnerships, currently gearing up its Employment Services further to provide increased capacity for expected increased referrals from the Live Register.
- FÁS will be providing a range of certified, short, flexible, modular programmes designed to upskill redundant workers so that they can enhance their prospect of securing employment. A number of programmes are already in place and the frequency and range of these will be expanded over the coming months.
- A range of actions are being implemented by FÁS for those affected by the construction slowdown, including –
- FÁS will focus on providing retraining opportunities for redundant construction workers in emerging areas within the construction sector, such as:
  - the installation of sustainable technologies
  - environmental activity
  - compliance and regulatory work
- FÁS will also assist individuals in anyway they can in seeking employment aboard in construction in other EU countries. FÁS have held European construction jobs fairs for employers from other EU countries.

Strong, balanced regional development and a thriving culture of entrepreneurship in all parts of Ireland are key strategic objectives for the Department and the development agencies under its remit. The Agencies are working to ensure that the economy and jobs continue to grow even in the current more challenging environment and have had some notable successes already to report this year. The pipeline of new business for which IDA Ireland is competing is as strong as at any time in recent years.

In respect of IDA Ireland, winning FDI requires focused co-operation and collaboration between all key stakeholders including Institutes of Technology, Universities, Research

Institutes, Local Authorities, Government Departments, Employers/Industry Organisations, Chambers of Commerce, Utility Providers (e.g. Eirgrid / Bord Gáis etc.), Infrastructure Providers (e.g. NRA), Service Providers, Construction Industry, and Sister Agencies such as SFI, Enterprise Ireland, Forfás and FÁS. IDA has a close working relationship with its sister agencies.

IDA Ireland, as part of a renewed focus on securing FDI, has targeted new sources of FDI in Mumbai, Shanghai, Boston, and Sth California. It has also increased its resources in our London and Atlanta offices.

In addition, IDA Ireland has an active programme of client engagement to support the existing clients and secure additional investments. In this respect it pays particular attention to clients in vulnerable sectors in regional locations and works with them to continue to secure their investment in Ireland.

### Consultancy Contracts.

253. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the amount that was spent by her Department on consultants in 2007 and to date in 2008. [31646/08]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** €2,426,857 was spent by my Department on consultants in 2007 and €781,465 was expended on consultants in the first 6 months of 2008.

These figures relate to consultancies as defined in the Department of Finance December 2006 “Guidelines for the Engagement of Consultants and Other External Support by the Civil Service”.

### National Development Plan.

254. **Deputy Joe Costello** asked the Minister for Finance the sections of the national development plan that he proposes to retain; the sections he proposes to defer; the reduction in capital spending on the NDP expected in 2008; and if he will make a statement on the matter. [29430/08]

**Minister for Finance (Deputy Brian Lenihan):** In response to the deteriorating position of the public finances, the Government decided on 8th July 2008 to introduce a range of cost-saving measures in 2008 and 2009 including some capital savings. As I indicated to the Dáil in July 2008, the capital savings in 2008 and 2009 are as set out in the table below:

Capital Savings 2008 and 2009

	€ million	Description
<i>2008</i>		
Arts Sport and Tourism	4	Deferral of some tourism and cultural projects
Environment, Heritage and Local Government	40	Defer Gateways Innovation Fund (GIF)
Finance Group — OPW	75	Mainly decentralisation
Transport	20	Savings across a range of capital projects
<i>2009</i>		
Environment, Heritage and Local Government	100	Defer Gateways Innovation Fund (GIF)
Finance Group — OPW	105	Mainly decentralisation
Various Vote Groups	105	Various capital projects deferred

[Deputy Brian Lenihan.]

Other issues relating to capital investment under the NDP are now being considered in the context of the Budget.

### **Flood Relief.**

255. **Deputy Joe Costello** asked the Minister for Finance his plans for dealing with the threat of flooding on the northside of Dublin; if the anti-flooding measures for the final stretch of the River Tolka at Distillery Road will be put in place; and if he will make a statement on the matter. [29683/08]

257. **Deputy Thomas P. Broughan** asked the Minister for Finance his plans to introduce national anti-flooding measures in view of the recent floods in Riverside Estate, Dublin 17 and in Kinsealy and Balgriffin in Fingal County and across the country; and if he will make a statement on the matter. [30081/08]

361. **Deputy Joe Costello** asked the Minister for Finance his proposals to assist the people and the areas affected by the recent flooding in Dublin. [29682/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** I propose to take Questions Nos. 255, 257 and 361 together.

The Office of Public Works is advancing a programme of Flood Risk Management measures in co-operation with other relevant Departments and the Local Authorities.

OPW has a programme of works at various stages of design and execution to deal with localised flood risk from rivers. These are being undertaken in partnership with the responsible Local Authorities. OPW also maintains rivers and channels, which are part of Arterial Drainage Schemes constructed since 1945. Local Authorities have responsibility for the maintenance of certain rivers, where drainage works were completed prior to 1945.

OPW is also undertaking a number of measures in furtherance of the Government policy of preventing the creation of future risk where possible. These include the preparation, in partnership with the Department of Environment, Heritage, and Local Government, of Guidance on the Management of Flood Risk in Planning and Development and the preparation of Catchment Flood Risk Management Plans, which will include predictive flood hazard and flood risk maps. The Commissioners have published historic flood risk maps at [www.floodmaps.ie](http://www.floodmaps.ie) as well as information for people who may be at risk of flooding, on how to plan and prepare to protect their property and mitigate loss at [www.flooding.ie](http://www.flooding.ie), and have assisted the Department of Environment, Heritage and Local Government in drafting best practice procedure guidelines for Local Authorities for the management of emergency response to flood events.

The Department of Agriculture, Fisheries and Food, deals with coastal flood risk and is developing flood risk maps in respect of coastal areas. It also deals with coastal erosion, which is sometimes associated with flooding.

The recent flooding in August and September which occurred in several areas including some on the Northside of Dublin, was mainly due to the inability of the urban drainage systems in the various areas to convey the exceptional volumes of water resulting from the concentrated heavy downpours, where in some cases almost a month's rainfall fell in a period of 4-6 hours, rather than from rivers for which the Office of Public Works (OPW) has direct responsibility. OPW officials are, however, examining the matter and any measures considered necessary will be discussed with the Department of Environment, Heritage and Local Government, which together with Local Authorities has responsibility for urban drainage systems.



OPW, together with Dublin City Council, is confident that the measures undertaken since the completion of the River Tolka Flooding Report in 2003 have brought the level of protection in the Distillery Road area up to the accepted standard of protection, i.e. protection against a flood with a 1% probability of occurring in any given year. All of the recommendations contained in the Report for that area have now been implemented.

Local residents from the Tolka Road area asked Dublin City Council in 2006 to have the wall replaced on the right bank downstream of Distillery Bridge to Luke Kelly Bridge. The Council had the existing wall assessed as a result, and the assessment confirmed that the wall was in good condition. In the circumstances, therefore, the replacement of the wall could not be undertaken as a flood relief measure by the OPW under the Flood Relief Programme.

256. **Deputy Phil Hogan** asked the Minister for Finance the actions he will take in respect of the recent flooding in Carlow; and if he will make a statement on the matter. [29873/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The Office of Public Works has prepared a flood relief scheme for Carlow which is broken into three stand alone phases. As the works in Phase A (consisting of works on the east bank of the Barrow River, North of its confluence with the Burrin River, and also works along the North bank of the Burrin River) are in the same area of the town as elements of the proposed Main Drainage Scheme, it was agreed that the Phase A flood relief works be incorporated into the main drainage works, with funding provided by OPW. The tender assessment process for these works is not yet completed, but the appointment of a contractor is imminent, and flooding which occurred recently in the Centaur Street / Kennedy Street / John Street area of Carlow will be addressed by these works.

In relation to the recent flooding at Graiguecullen (which is on the left bank of the Barrow River and is scheduled for inclusion in Phase B of the proposed Flood Relief Scheme), Carlow County Council is currently in the process of identifying certain intermediary works which might be carried out in order to address flooding in this area.

*Question No. 257 answered with Question No. 255.*

258. **Deputy Jack Wall** asked the Minister for Finance the funding available to persons who suffered property and personal losses due to the recent floods; and if he will make a statement on the matter. [30495/08]

259. **Deputy Jack Wall** asked the Minister for Finance his plans to compensate families who suffered property as well as personal losses due to the recent floods; if so, the mechanism available to families to apply for such funding; and if he will make a statement on the matter. [30501/08]

317. **Deputy Róisín Shortall** asked the Minister for Finance his views on a request by Dublin City Council and other local authorities for humanitarian aid in respect of those affected by flooding in August 2008; the amounts so far allocated by local authorities; and if he will make a statement on the matter. [30551/08]

342. **Deputy Joanna Tuffy** asked the Minister for Finance if there is State aid being provided to people effected by the recent flooding; and if he will make a statement on the matter. [30961/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** I propose to take Questions Nos. 258, 259, 317 and 342 together.

[Deputy Martin Mansergh.]

The Department of Social and Family Affairs are providing assistance to people, arising from the recent flooding emergencies through the Community Welfare Officer Network. I do not have any information on the amount, if any of humanitarian aid allocated by Local Authorities.

260. **Deputy Michael Ring** asked the Minister for Finance if funding was allocated for an area (details supplied) in County Mayo to relieve flooding; if so, the amount the amount disbursed; and if not, the reason therefor. [30506/08]

261. **Deputy Michael Ring** asked the Minister for Finance if funding was allocated for an area (details supplied) in County Mayo to relieve flooding; if so, the amount disbursed; and if not, the reason therefore. [30507/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** I propose to take Questions Nos. 260 and 261 together.

A request for funding based on a Consultant's report has been received. OPW is not satisfied, on the basis of the information currently available, that there is a sustainable case to provide funding for the works proposed. A meeting is being arranged with Council Officials to discuss the matter.

#### **Garda Stations.**

262. **Deputy Niall Collins** asked the Minister for Finance the position regarding projects (details supplied) in County Limerick. [30892/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** Commencement of these projects will depend on the availability of resources and the priority accorded to the project by the Garda Síochána and the Department of Justice, Equality and Law Reform.

263. **Deputy Jimmy Deenihan** asked the Minister for Finance if a contractor has been appointed to commence work on Castleisland Garda Station; and if he will make a statement on the matter. [31139/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** Tenders for the construction of a new Garda Station at Castleisland, Co. Kerry are under consideration at present.

Commencement of this project will depend on the availability of resources and the priority accorded to the project by the Garda Síochána and the Department of Justice, Equality and Law Reform.

#### **Architectural Heritage.**

264. **Deputy Emmet Stagg** asked the Minister for Finance, further to his response to Parliamentary Question No. 907 of 10 July of 2008, if the completion of the phase two restoration works to Maynooth Castle will enhance visitor numbers thereby requiring the acquisition of land adjoining the castle for facilities for visitors; and his views on whether both of these are interrelated to the successful operation of the castle as a tourist and heritage site. [31255/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** There are no specific plans at present to provide additional facilities at Maynooth Castle having regard to visitor numbers and funding priorities generally.

### **Tax Code.**

265. **Deputy Eamon Gilmore** asked the Minister for Finance if he will confirm that a sporting body which avails of the exemption to stamp duty under section 105 of the Finance Act 2007 is also subject to the provisions of section 54 of the same Act, in cases when a transaction falls on or after the dates specified by the Act; and if he will make a statement on the matter. [29284/08]

**Minister for Finance (Deputy Brian Lenihan):** Section 105 Finance Act 2007 provides for a stamp duty exemption, subject to conditions, on the conveyance, transfer or lease of lands to an approved sports body. An approved sports body is an “approved body of persons” within the meaning of section 235(1) Taxes Consolidation Act 1997.

Section 54 of the Finance Act 2007 made changes to Schedule 15 Taxes Consolidation Act 1997 which lists bodies that are exempt from Capital Gains Tax. Paragraph 37 provides that an approved body (within the meaning of section 235(1)) is exempt from Capital Gains Tax to the extent that the proceeds of the disposal giving rise to the gain or, if greater, the consideration for the disposal under the Act have been or will be applied to the sole purpose of promoting athletic or amateur games or sports. As such, a sporting body can avail of both reliefs if it satisfies the conditions in relation to each provision.

266. **Deputy Niall Collins** asked the Minister for Finance if a person who is importing a second hand vehicle from the United Kingdom for personal use can present themselves and the vehicle for inspection and payment of the relevant taxes to any vehicle registration office of the Office of the Revenue Commissioners or if they have to do so at the office located nearest to their place of residence; and if he will make a statement on the matter. [29297/08]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that a vehicle imported from the United Kingdom can be declared for registration at any Vehicle Registration Office irrespective of where the individual or purchaser is living or located.

### **Decentralisation Programme.**

267. **Deputy Niall Collins** asked the Minister for Finance the status of the decentralisation by the Office of the Revenue Commissioners to Newcastle West in County Limerick; the staff that will be assigned and posted to Newcastle West; and if he will make a statement on the matter. [29298/08]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners that they currently have forty-eight (48) staff located in temporary accommodation in Limerick, ready to decentralise to Newcastle West. This team will relocate to Newcastle West as soon as the building is available for occupation. It is currently expected the building will be completed in late 2008. Revenue do not anticipate any difficulty in filling the full quota of fifty (50) staff required for Newcastle West.

### **Flood Relief.**

268. **Deputy Tom Sheahan** asked the Minister for Finance if he will ensure that the Office of Public Works carry out remedial works to the boundary wall of a person (details supplied) in County Kerry as soon as possible; and if he will make a statement on the matter. [29303/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The Office of Public Works does not have a maintenance responsibility in relation to the Kealnagower River and does not propose to undertake works to the wall in question.

### Departmental Transport.

269. **Deputy Fergus O'Dowd** asked the Minister for Finance the number, type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by his Department for each of the past three years; and if he will make a statement on the matter. [29553/08]

**Minister for Finance (Deputy Brian Lenihan):** My Department does not purchase or lease vehicles.

I have been informed by the Office of the Revenue Commissioners that they purchased the following vehicles in the years 2005 to 2007.

#### Year 2005 Revenue Commissioners

Make /Model	No Purchased	Total Cost	Emissionsg CO <sub>2</sub> /km
		€	
DAF 95XF FF Fitted with Dyson Commander CL500H	1	279,184	Euro 4/5*
DAF CF. 75.310 Road Vehicle Fuel Tanker	1	155,137	Euro 4/5*
Nutech co ltd Volvo Scanning Unit	1	2,410,860	Euro 4/5*
Opel Vectra	3	53,161	175
Ford Mondeo 1.8l petrol	6	107,042	182
Ford Mondeo 2.0 LX	1	21,269	193
Ford Mondeo Ghia 2.5 L	1	30,000	244
Ford Focus 1.6	1	17,875	172
Fiat Ducato 2.3 JTD	3	45,941	208
Ford Transit 350 Jumbo	2	48,754	209
Citroën Berlingo 1.9 D	2	20,931	181
Ford Galaxy 1.9TD	1	29,463	211
Total spend in 2005		3,219,617	

\* European Union standard measurement of truck emissions.

#### Year 2006 Revenue Commissioners

Make /Model	No Purchased	Total Cost	Emissionsg CO <sub>2</sub> /km
		€	
Ford Mondeo 1.8l petrol	8	144,208	182
Toyota Avensis 1.8	11	209,627	171
Citroën Berlingo 1.9 D	3	31,396	181
Fiat Ducato 2.3 JTD	1	18,436	208
Total spend in 2006		403,667	

No vehicles were purchased by the Revenue Commissioners in 2007.

The Office of Public Works have informed me that they are currently collating the information in respect of purchases made by them in the years 2005 to 2007 and as soon as this information is available they will forward it directly to the Deputy.

### **Tax Code.**

270. **Deputy James Bannon** asked the Minister for Finance the measures he has put in place to replace the excise duty refund which amounts to 34.5 cent per litre of diesel for public transport services (details supplied); and if he will make a statement on the matter. [29605/08]

271. **Deputy James Bannon** asked the Minister for Finance his views on a proposed alternative to the fuel excise refund which is non-tax based and should therefore comply with the EU state aid legislation as operated in the UK to support public transport services; and if he will make a statement on the matter. [29606/08]

280. **Deputy Fergus O'Dowd** asked the Minister for Finance his plans to introduce a replacement fuel rebate scheme for school transport operators; and if he will make a statement on the matter. [30008/08]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 270, 271 and 280 together.

The 2003 EU Energy Tax Directive contained special derogations that allowed specific excise duty reliefs to be applied in a number of Member States. In Ireland's case, these derogations allowed for reduced rates of excise duty for fuel used for public transport services, including school transport services. These derogations expired on 31 December 2006. Ireland, along with other Member States, sought retention of its derogations beyond that date, but the European Commission, who is the deciding authority, refused such requests.

Consequently, the Finance Act 2008 made the legislative changes to withdraw the relief in respect of fuel used for public passenger transport vehicles. The relief will be withdrawn with effect from 1 November 2008 and the appropriate full excise rates will apply from that date.

The Department of Transport and other relevant line Departments, in conjunction with my Department, have examined the implications of this. They have explored alternative mechanisms that might be used to direct Exchequer resources toward such services from that date, subject of course to compatibility with competition and EU State Aid requirements. Any such expenditure decision on this matter will be made in the context of the Estimates process now underway.

### **Betting Industry.**

272. **Deputy Joe Costello** asked the Minister for Finance the number of licences issued to bookmakers in each of the past ten years; the criteria governing the issuing of such licences; the tax to date from bookmakers in each of the past ten years; and if he will make a statement on the matter. [29642/08]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that the number of licences issued to bookmakers and the betting tax paid by bookmakers in each of the past 10 years for which figures are currently available is set out in the following table:



[Deputy Brian Lenihan.]

Year	Betting Tax Paid	Licences issued
	€	
2007 (Prov)	36,437,009	704
2006	54,295,658	496
2005	45,850,201	588
2004	45,552,353	535
2003	38,422,170	584
2002	47,952,219	560
2001	68,066,165	582
2000	58,868,555	600
1999	67,804,494	495
1998	66,202,324	571
1997	57,804,983	572

To obtain a bookmaker's licence a person must first obtain a Certificate of Personal Fitness from the Superintendent of An Garda Síochána for the area in which the person resides.

A person who has obtained a Certificate of Personal Fitness must make application, within 21 days of the issue of the certificate, to the Revenue Commissioners under Section 7 of the Betting Acts, 1931 and 1994. The application must be accompanied by:

- The relevant Certificate of Personal Fitness.
- A tax clearance certificate issued under Section 242 of the Finance Act 1992 as amended.
- A remittance of the appropriate licence fee, currently €250.
- A photograph of the applicant.

### **Flood Relief.**

273. **Deputy Pat Breen** asked the Minister for Finance further to Parliamentary Question No. 84 of 8 May 2008 if the feasibility study has been completed by the Office of Public Works; the action he will take in an area (details supplied) in County Clare; and if he will make a statement on the matter. [29675/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The feasibility study has now been completed and the report is currently being finalised. The study found that the cost of the works required to the embankments would outweigh the benefits that would accrue.

In view of this finding, and the fact that no dwellings are protected by the structures, the carrying out of the works by the Commissioners of Public Works cannot be justified having regard to existing commitments for priority flood relief works elsewhere.

### **Consultancy Contracts.**

274. **Deputy Leo Varadkar** asked the Minister for Finance if a company (details supplied) has been awarded contracts by his Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if he will make a statement on the matter. [29712/08]

**Minister for Finance (Deputy Brian Lenihan):** Since 2000, no contracts have been awarded to the company in question by my Department or by the following bodies:

- The Special EU Programmes Body
- Valuation Tribunal
- Office of Revenue Commissioners
- Office of the Comptroller and Auditor General
- Office of the Appeals Commissioners
- Office of Public Works
- State Laboratory
- Valuation Office
- Public Appointments Service
- Office of the Commission for Public Service Appointments
- Office of the Comptroller and Auditor General

My responsibility for other bodies does not include the daily operational activities of these bodies.

I have also been informed that the following bodies did not award such contracts to the company in question in the period since 2000.

- Office of the Ombudsman
- Office of the Information Commissioner
- Office of the Commissioner for Environmental Information
- Standards in Public Office Commission.

#### **Tax Code.**

275. **Deputy Richard Bruton** asked the Minister for Finance the circumstances in which VAT can be refunded to persons doing small home improvements or one-off building; if a more generous regime of VAT rebate applies in Northern Ireland; and if he will make a statement on the matter. [29761/08]

**Minister for Finance (Deputy Brian Lenihan):** The position is that the VAT regime generally and the rate of tax applying to the supply of goods and services are subject to the requirements of EU VAT law with which Irish VAT law must comply.

I am advised by the Revenue Commissioners that the rate at which Irish VAT is charged on the supply of buildings and on the service of carrying out home improvements is generally the reduced rate of 13.5%, while the VAT rate on the supply of materials used in buildings and in home improvements is normally the standard rate of 21%. When VAT is charged to persons who are registered for VAT, those persons are entitled to reclaim that VAT subject to the normal rules. However, when VAT is charged to persons acting in a private and personal capacity, those persons are not entitled to reclaim it.

[Deputy Brian Lenihan.]

Accordingly, VAT cannot be refunded to private persons constructing one-off buildings or doing home improvements. An exception is made, however, in the case of certain goods supplied to disabled persons. The Value-Added (Refund of Tax) Order 1981, SI No. 428 of 1981, enables VAT on qualifying goods to be refunded where the goods are purchased for the exclusive use of disabled persons suffering a specified degree of disablement. Building constructed or adapted exclusively for use by disabled persons may qualify for a VAT refund. Refunds are dealt with on a case by case basis by the Revenue Commissioners depending on the circumstances of the goods and the disability of the person concerned.

I would also point out that a scheme of disabled persons grants is operated by local authorities with capital provision from the Department of the Environment, Heritage and Local Government. These grants are designed to meet the needs of persons who are either physically handicapped or are suffering from severe mental illness. Where a new dwelling is being bought or built a maximum grant of €12,700 is payable. In the case of adaptation of an existing dwelling, 95% of the approved cost of the works is available up to an effective maximum grant of €30,000. Full details of the scheme and the conditions applicable are available from the local authority in whose area the dwelling is situated.

In so far as a comparison with the position in Northern Ireland is concerned, the position is that in Northern Ireland and in the UK generally the rate at which VAT is charged on the supply of a building designed as a dwelling is the rate of 0%, while the VAT rate on the renovation or alteration of qualifying residential premises is generally the UK reduced VAT rate, which is 5%. Furthermore, when certain building services are supplied to disabled persons VAT can be charged at the rate of 0%.

Under the EU VAT Directive a Member State may retain a 0% rate and a reduced rate of VAT on supplies of goods and services where those rates applied on 1 January 1991. However, Member States cannot now extend a 0% rate to supplies of other goods and services, and can only extend the reduced rate to supplies of goods and services where this is specifically allowed for in the VAT Directive. Accordingly, I am not in a position to extend the 0% rate of VAT to the ‘one-off building’ of homes or on small home improvements.

**276. Deputy Róisín Shortall** asked the Minister for Finance the circumstances under which a PAYE taxpayer may qualify for tax relief or credits on expenditure on childcare; the amount of tax expenditures that have been paid by the Exchequer to employees and employers in each of the past three years for which figures are available on childcare costs; the number of employees and employers who benefited in each of these years with a breakdown, in respect of employees, of total amounts claimed by salary brackets; the upper ceilings that apply on the total amounts that can be claimed; the circumstances in which employees may qualify for tax relief or credits if their employer does not provide a childcare service and the employee pays a private childcare provider; and the steps he is taking to address this inequity in the tax system vis-a-vis small and large employers and their employees. [29767/08]

**Minister for Finance (Deputy Brian Lenihan):** The existing legislation does not provide for any circumstances in which any taxpayer may qualify for tax relief or credits for expenditure incurred on childcare. However, I assume the Deputy’s question refers to the benefit-in-kind exemption where employers provide free or subsidised childcare for their employees. This exemption applies where an employer provides such childcare facilities “in-house” or in other premises made available by the employer. The exemption also applies if an employer provides childcare facilities jointly with other employers. The exemption also covers situations where an

employer makes a contribution to the capital costs of an independent supplier of childcare facilities.

I am advised by the Revenue Commissioners that as taxpayers are not required to provide details of the receipt of this benefit-in-kind in their tax returns, there is no basis on which an estimate of the cost to the Exchequer of this tax exemption, or of the numbers availing of it, can be provided.

In the case of employers, the expense of providing or subsidising childcare facilities for employees is allowable as a deduction in arriving at profits for tax purposes. However, the employer's tax return of income does not contain an entry in respect of this item and the employer's profit and loss account does not normally distinguish between this particular expense and other employment-related expenses. In these circumstances, there is also no basis on which a reliable estimate of numbers involved can be provided.

There is no upper ceiling on the tax exempt amount of the benefit-in-kind that employers can provide through the provision of childcare facilities.

While a small enterprise might not be able to provide childcare facilities on its own, the legislation allows such an enterprise to join with other employers to provide co-located facilities, contributing proportionately to costs, and jointly providing the childcare service. In this way, smaller enterprises can collectively address the differences of scale in the provision of facilities. This reduces the potential for any inequity in the system as between small and large firms and their employees.

#### **Architectural Heritage.**

277. **Deputy Phil Hogan** asked the Minister for Finance when finance will be approved to repair the tower at Grangefertagh, Johnstown, County Kilkenny; and if he will make a statement on the matter. [29894/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** Significant repair works were carried out at the Round Tower at Grangefertagh in 2003. Apart from ongoing maintenance, there are no plans for further repair works in the immediate future.

#### **Tax Code.**

278. **Deputy Richard Bruton** asked the Minister for Finance if he will extend the tax exemption that applies to pensioners on low income who earn deposit interest in order that an exemption will also apply to exit taxes which are levied on the maturity of certain savings bonds and other savings products; and if he will make a statement on the matter. [29929/08]

308. **Deputy Michael Ring** asked the Minister for Finance the plans he has to address the anomaly that exists between the way savings and saving bonds are dealt with in respect of State pension holders; and if he will make a statement on the matter. [30445/08]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 278 and 308 together.

I assume that the questions refer to the exemption from Deposit Interest Retention Tax (DIRT) in certain circumstances and the application of exit taxes under the "gross roll up" regime.

Since the enactment of the Finance Act 2007, individuals are exempt from Deposit Interest Retention Tax (DIRT) on their savings income provided they or their spouse are aged 65 or over, or permanently incapacitated, and their total income in a year (including the savings

[Deputy Brian Lenihan.]

income) is below the annual exemption limit — currently €20,000 in the case of a single person and €40,000 in the case of a married couple. In any case where DIRT was deducted and the individual would otherwise qualify for the exemption, he or she is entitled to claim a refund of that tax directly from the Revenue Commissioners after the end of the tax year.

In the case of investment products which are linked to life assurance policies or to collective investment funds in which an individual has invested, the “gross roll up” regime applies under which the investor’s funds may accumulate tax free while invested in the policy or fund. However, an exit tax at 23 per cent applies on the sale or redemption, or at the end of the 8 year period following the acquisition of the investment. This 23 per cent tax is the only tax paid on the income and gains accumulated in the policy or the fund over this period. There is no provision for exemption or refund of this tax other than to non-resident investors or to permanently incapacitated persons.

The Deputies will be aware that it is customary for a Minister for Finance not to comment on possible tax changes in advance of the Budget which is due to be delivered on 14 October 2008.

### **Departmental Staff.**

279. **Deputy Leo Varadkar** asked the Minister for Finance the number of staff sent from his Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if he will make a statement on the matter. [29994/08]

**Minister for Finance (Deputy Brian Lenihan):** Four officials from the Department of Finance attended the 4th Annual Public Private Partnership Forum, held on Thursday the 19th June 2008. As they were all due to speak at the forum no charge was incurred by the Department in respect of their attendance. One officer of the Revenue Commissioners attended the forum at a cost of €592.90.

In addition, two members of staff of the National Development Finance Agency attended the forum. One of these was a speaker at the conference and consequently did not pay an attendance fee. In respect of the second member of staff who attended the forum, a reduced fee of €470.09 was paid as the NDFA had a speaker at the conference. There were no other costs incurred by the NDFA in relation to this forum.

*Question No. 280 answered with Question No. 270.*

### **Tax Code.**

281. **Deputy James Bannon** asked the Minister for Finance if changes to penalties imposed on the personal representatives and estate of a deceased non-compliant taxpayer, which were incorporated into Irish Law in response to the provisions of the European Convention on Human Rights Act 2003 and have been implemented here since 18 March 2008, will be back-dated with the result that Revenue will not seek recovery of any penalty element for a deceased person’s personal representatives and will discontinue proceedings for recovery of such penalties if they have been initiated since that date but penalties already agreed do not appear to be subject to refund or full recognition in view of the fact that imposing penalties on deceased taxpayer’ estates is contrary to Article 6 of the European Convention of Human Rights; and if he will make a statement on the matter. [30014/08]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners that they have reviewed their procedures in relation to the imposition of penalties in relation

to tax settlements for deceased persons. Arising from this review, revised procedures apply with effect from 18 March 2008 (the date of publication of the new procedures). In accordance with these new arrangements, where the taxpayer dies before a settlement has been agreed with Revenue, Revenue will not seek recovery of any penalty element from the deceased's personal representatives (and will discontinue proceedings for recovery of such penalty if they have been initiated).

I should point out that where a settlement that includes a penalty element has been agreed between Revenue and a deceased taxpayer prior to his/her death (or where a penalty has been awarded in proceedings finalised prior to the taxpayer's death), and that penalty remains unpaid or not fully paid as at the date of death, Revenue will continue to proceed against the personal representatives of the deceased for the recovery of that unpaid penalty. There is no change to existing Revenue practice in these particular circumstances.

I am also advised by the Revenue Commissioners that settlements finalised before 18 March 2008 will not be reopened. These negotiated settlements, made in good faith by both parties, will generally have involved unreserved letters of offer and acceptance and are considered to be binding.

### **Budget Submissions.**

282. **Deputy Bernard J. Durkan** asked the Minister for Finance if he has received pre-budget submissions from a society (details supplied); his views on this application; and if he will make a statement on the matter. [30056/08]

**Minister for Finance (Deputy Brian Lenihan):** I have received a pre-Budget submission from the Irish Deaf Society. Its contents will be considered in the context of the forthcoming Budget and Finance Bill. As Deputies are aware it would not be appropriate for me to comment in advance of the Budget on possible Budget decisions.

### **Tax Code.**

283. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance the tax reliefs available to homeowners under the shared ownership scheme in respect of the 25% to 60% proportion of their home which is owned by their local authority and rented to them. [30104/08]

**Minister for Finance (Deputy Brian Lenihan):** In accordance with the provisions of Section 473 of the Taxes Consolidated Act 1997, tax relief is available to an individual in respect of rent paid on a 'residential premises' that, during the period in respect of which the rent is paid, is his or her main residence. However, relief is expressly not available under this provision in respect of rent paid to a local authority. Accordingly, there are no tax reliefs available to homeowners in respect of the rent relating to the proportion of their home that is rented to them by their local authority under the shared ownership scheme.

284. **Deputy Jack Wall** asked the Minister for Finance if he will arrange to have a P21 furnished to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [30111/08]

**Minister for Finance (Deputy Brian Lenihan):** I have been advised by the Revenue Commissioners that they have issued a request to the taxpayer for the necessary information to enable a review of liability to be carried out. A P21 will issue on receipt of the required information.



285. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) in County Kildare is due a tax rebate; and if he will make a statement on the matter. [30112/08]

**Minister for Finance (Deputy Brian Lenihan):** I have been advised by the Revenue Commissioners that they have issued a request to the taxpayer for the necessary information to enable a review of liability to be carried out. Any tax overpaid will be refunded when the review is completed.

#### **Data Protection.**

286. **Deputy John O'Mahony** asked the Minister for Finance the procedures in place to ensure that personal data stored by his Department is secure. [30131/08]

**Minister for Finance (Deputy Brian Lenihan):** My Department complies with the Data Protection Act and is registered as a data controller with the Data Protection Commissioner under Section 16 of the Data Protection Acts, 1988 and 2003. My Department has a limited number of disclosees to whom data may be disclosed and the Department consults with the Office of the Data Commissioner on these matters.

All of my Department's databases and systems that hold data utilise controls which limit access solely to those authorised to carry out certain prescribed functions. In relation to paper files stored in my Department, appropriate levels of security are applied to ensure confidentiality.

287. **Deputy John O'Mahony** asked the Minister for Finance the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from his Department in 2007 and to date in 2008; and if he will make a statement on the matter. [30146/08]

**Minister for Finance (Deputy Brian Lenihan):** My Department has had one memory stick reported lost in 2007 and one memory stick reported stolen in 2008. No departmental data was on the devices at the time. No laptop computers or data storage devices have been reported lost or stolen.

#### **Decentralisation Programme.**

288. **Deputy Denis Naughten** asked the Minister for Finance, further to Parliamentary Question No. 213 of 24 April 2008, the position regarding this matter; when he expects construction to begin; and if he will make a statement on the matter. [30186/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The Decentralisation Implementation Group has recently provided Government with a report on the current status of the decentralisation programme. Policy in regard to the programme will be clarified when Government has completed its examination of this report and other information currently being compiled. I will be in a better position at that stage to advise in relation to the Roscommon project.

The Preferred Tenderer submitted an application for planning permission to Roscommon County Council on 11 July 2008.

289. **Deputy Denis Naughten** asked the Minister for Finance further to Parliamentary Question No. 102 of 9 July 2008, when the project will go to tender; the time-line for the construction of the permanent accommodation; and if he will make a statement on the matter. [30187/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The Decentralisation Implementation Group has recently provided Government with a report on the current status of the decentralisation programme. Policy in regard to the programme will be clarified when Government has completed its examination of this report and other information currently being compiled. I will be in a better position at that stage to advise in relation to the Claremorris project.

#### **Tax Yield.**

290. **Deputy Michael Noonan** asked the Minister for Finance the estimated yield in 2009 from a 1% increase in both the higher rate and the standard rate of income tax; and if he will make a statement on the matter. [30221/08]

**Minister for Finance (Deputy Brian Lenihan):** Using the data in the Pre-Budget 2009 income tax ready reckoner, a 1% increase in both the higher rate and the standard rate of income tax would yield about €920 million in a full year.

The yield quoted is provisional, subject to revision and estimated to the nearest €5 million. The ready reckoner is available on my Department's website, at [www.finance.gov.ie](http://www.finance.gov.ie).

291. **Deputy Michael Noonan** asked the Minister for Finance the estimated yield in 2009 from a 1% increase in each rate of VAT; and if he will make a statement on the matter. [30222/08]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that, based on data currently available, the estimated yield in a full year arising from a 1% increase in the 13.5% and 21% VAT rates is €315 million and €454 million respectively.

#### **Public Sector Pay.**

292. **Deputy Michael Noonan** asked the Minister for Finance the percentage increase in the public sector pay bill in 2009 from the payment of full increments to all public servants; and if he will make a statement on the matter. [30223/08]

**Minister for Finance (Deputy Brian Lenihan):** No increased provision will be made in the paybill for increments.

Year-to-year increases in allocations would not normally be granted to allow for increments. In the normal way, the overall cost of increments for some staff on incremental scales should be offset by reductions in cost arising from retirements or other movements by staff on higher incremental points and their replacement by staff on lower points.

#### **Tax Yield.**

293. **Deputy Michael Noonan** asked the Minister for Finance the estimated yield in 2009 from a one cent increase per litre of petrol and other fossil fuels, a one cent increase in the relevant alcohol measure for spirits, beer and wine and a one cent increase on a 20 package of cigarettes and other tobacco products; and if he will make a statement on the matter. [30224/08]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that, based on data currently available, the estimated yields in 2009 from a one cent increase in excise (VAT inclusive) on the products referred to are as follows:

[Deputy Brian Lenihan.]

Increase of 1 cent (VAT inclusive) — Estimated Yield in a Full Year

	€m
Unleaded Petrol (per litre)	21.6
Auto Diesel (per litre)	23.1
Marked Gas Oil (per litre)	14.0
Kerosene (per litre)	10.8
Auto LPG (per litre)	0.01
Other LPG (per litre)	0.5
Spirits (per half glass)	4.2
Beer (per pint)	8.0
Wine (per 75cl bottle)	0.7
Tobacco (per 20 cigarettes, with pro rata increases for other tobacco products)	2.1

### Decentralisation Programme.

294. **Deputy Jack Wall** asked the Minister for Finance the position of the decentralisation of the Office of the Revenue Commissioners to Athy, County Kildare; the number of staff employed in Athy; the progress in obtaining a permanent building in Athy; the time scale involved in the further roll out of his staff to the town; and if he will make a statement on the matter. [30244/08]

**Minister for Finance (Deputy Brian Lenihan):** The Government decided on 8th July last that no further expenditure on the acquisition of accommodation for decentralisation should be sanctioned pending detailed consideration by the Government of two reports: one from the Decentralisation Implementation Group's report on the feasibility of phased moves by the State Agencies; and one from the Implementation Group of Secretaries General on the governmental and cross-Departmental issues arising from the need to provide facilities for Ministers, Ministers of State and officials while in Dublin on business.

I am advised by the Revenue Commissioners that prior to the Government decision temporary office space had been acquired in Athy, under a 7-year lease. The lease commenced on 1 November 2007 and the office was officially opened on 1 February 2008.

Seventy three (73) staff have taken up duty in Athy. Further offers will be made through the Central Applications Facility (CAF) to make use of all the available accommodation.

295. **Deputy Jack Wall** asked the Minister for Finance the cost of the transfer of the Office of the Revenue Commissioners to Athy, County Kildare; the final cost of the proposed move; and if he will make a statement on the matter. [30245/08]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners that the total cost to date of the move to Athy is €1,175,584. This figure is made up of property costs borne by the OPW of €1,052,010 and non-property costs borne by Revenue of €123,574. Revenue are not in a position at this stage to give final cost figures for this move.

### Tax Code.

296. **Deputy Bernard J. Durkan** asked the Minister for Finance the Capital Gains Tax or other tax liability accruing to the estate of a deceased person (details supplied) in County

Limerick, who died on 11 February 2005; the reason for the accrual of interest on outstanding taxes; and if he will make a statement on the matter. [30309/08]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners that following the death of the person named, it was disclosed to the Revenue Commissioners that three sites had been sold by the deceased without the payment of Capital Gains Tax.

Computations of tax and interest due were submitted by agents of the estate on 18 April 2008 on site disposals in the tax years 1996/1997, 1999/2000 and 2004.

Section 1080 TCA 1997 provides that any tax charged will carry interest from the due date until payment. Section 1047 TCA 1997 provides that the executors are responsible for any liability arising in respect of the deceased. The tax plus statutory interest as agreed with the agent for the estate was paid on 12 May 2008.

297. **Deputy Bernard J. Durkan** asked the Minister for Finance when a tax refund will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [30315/08]

**Minister for Finance (Deputy Brian Lenihan):** I have been advised by the Revenue Commissioners that they do not have sufficient information to deal with the taxpayer's claim at this time. The taxpayer can contact Mr Vincent Murphy, Kildare Revenue District at (059) 8643214 in relation to the matter.

#### **Pension Provisions.**

298. **Deputy Richard Bruton** asked the Minister for Finance the pension schemes for which a full guarantee on pension payments will be offered in return for acquiring the accumulated assets in the funds; the total value of these funds; and the purposes to which these acquired funds will be devoted. [30316/08]

**Minister for Finance (Deputy Brian Lenihan):** Discussions are in train with the trustees/administrators of the funded pension schemes of the five older universities and certain non-commercial semi-State bodies (SSBs), which have funded pension schemes, with a view to providing consistency and clarity for the future in terms of meeting the liabilities of the schemes.

This follows consideration some time ago of the pension difficulties facing those universities by a working group under the Higher Education Authority, which recommended such discussions. The background to this is that all funded schemes must now meet minimum funding standards under EU law unless they are covered by the State. This has presented problems for the universities and non-commercial SSBs with funded pension schemes where the State ultimately carries the liability but where this is not clear enough to warrant exemption under EU law. In that context, and provided all the schemes concerned agree, it is proposed that the assets of those schemes would be transferred to the State along with the liabilities which would then be met, effectively, by the State on a pay as you go basis in the future. The terms and conditions of the schemes would be no better nor worse than the members would be entitled to anyway. If agreement is reached, legislation to give effect to all this would be required.

I am informed that the estimated value of the assets of the funds in question at end-2007 was in the region of 2.3 billion euro, but this will have changed in the interim and is subject to market fluctuations.

**Tax Code.**

299. **Deputy Michael D. Higgins** asked the Minister for Finance the registered name and the International Maritime Organisation registered number of each commercial vessel that is currently registered as a qualifying ship by an Irish Shipowner in order to avail of what is popularly known as tonnage tax under the provisions of the Finance Act 2002 and subsequent amendments thereto. [30330/08]

333. **Deputy Brian O'Shea** asked the Minister for Finance if he will identify by registered name or the International Maritime Organisation registered number of each commercial vessel that is registered as a qualifying ship by an Irish ship owner in order to avail of tonnage tanks under the provision of the Finance Act 2002 and subsequent amendments thereto; and if he will make a statement on the matter. [30686/08]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 299 and 333 together.

Tonnage tax provides an alternative method for calculating the shipping related profits of a company for Corporation Tax purposes. The profits are calculated by reference to the tonnage of the ships used in a company's shipping trade and once calculated, using the tonnage tax method, are subject to the 12½ per cent Corporation Tax rate.

Companies availing of the tonnage tax regime are required to complete a supplementary form to the CT1 tax return form made annually to the Revenue Commissioners. They are obliged to provide details on the supplementary form of all ships qualifying for the tonnage tax regime.

I have been informed by the Revenue Commissioners, that under the Revenue Customer Service Charter, information provided by its customers must be treated in strictest confidence. Unfortunately the information sought by the Deputy cannot, therefore, be provided by the Revenue Commissioners. However, I can confirm that at present 20 companies (and approximately 100 qualifying ships) are included in the Irish tonnage tax scheme.

300. **Deputy Richard Bruton** asked the Minister for Finance if Agri-Environmental Science, which is a level eight degree within the UCD Department of Agricultural Science, is a course which makes graduates eligible for stamp duty relief for young farmers; and if not, if he will take steps to add it to the list of qualifying courses. [30332/08]

302. **Deputy Brian Hayes** asked the Minister for Finance if his attention has been drawn to the fact that certain qualifications within the degree in agriculture at National university of Ireland are not recognised by the Revenue Commissioners in the young trained farmers scheme for the purposes of granting stamp duty relief on the transfer of land; the reason that this is the case; and if he will make a statement on the matter. [30360/08]

360. **Deputy Seán Sherlock** asked the Minister for Finance if he will review the list of agricultural science courses which qualify for stamp relief to recognise the level eight degree in agricultural science at UCD as fulfilling the requirements for stamp duty relief in Budget 2009; and if he will make a statement on the matter. [31530/08]

363. **Deputy Brian Hayes** asked the Minister for Finance if his attention has been drawn to the fact that some National University of Ireland University College Dublin agriculture degrees are not recognised by other State agencies, such as the Revenue Commissioners for the purposes of stamp duty relief for young farmers; if he could get clarification on this matter (details supplied) from the NUI and HEA; and if he will make a statement on the matter. [30361/08]

365. **Deputy Michael Creed** asked the Minister for Finance if he will review the list of courses qualifying for stamp duty relief for young farmers and installation aid and thereby ensure that the level eight degree in agri environmental science at University College Dublin qualifies; and if he will make a statement on the matter. [31687/08]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 300, 302, 360, 363 and 365 together.

The Stamp Duties Consolidation Act 1999, as amended, provides for a Stamp Duty Exemption on the purchase of farm land by Young Trained Farmers. To qualify for the relief, an individual must, on the date of execution of the instrument of transfer, be under 35 years of age and hold a relevant qualification.

The relevant qualifications are set out in Schedules to the Act. A degree in Agri-Environmental Science awarded by University College Dublin is not a specified qualification for the purposes of the relief. However, the legislation provides that the Revenue Commissioners will treat another qualification as a relevant qualification where Teagasc certifies that:

- a. the other qualification corresponds to a relevant qualification, and
- b. the other qualification is deemed by the National Qualifications Authority of Ireland to be at least at a level equivalent to the specified relevant qualifications.

Teagasc has examined the Agri-Environmental Sciences Degree and has taken the view that it does not have sufficient production agriculture and farm business management content in the core modules to meet the stamp duty relief and installation aid requirement as “young trained farmers”. However, it is recognised that some students may have chosen production agriculture and farm business management as their options/electives in the degree programme. Teagasc and UCD have agreed on a list of options/electives, when achieved as components of, or additions to the Agri-Environmental Sciences Degree that will enable Teagasc to issue letters of equivalence for stamp duty relief and installation aid.

I would suggest that any individual with concerns about this Degree contacts UCD to determine, firstly, if the options/electives he has completed meet the above requirements and, secondly, what additional option/electives he must undertake in order to meet the qualification requirements for stamp duty relief and installation aid. Otherwise the general position is that an Agri-Environmental Sciences degree holder is treated as holding a non-agricultural award and may be required to complete the new FETAC Level 6 Advanced Certificate in Agriculture course programme with Teagasc in order to meet the qualification requirements.

### **Flood Relief.**

301. **Deputy Willie Penrose** asked the Minister for Finance the position regarding a flood relief scheme for the catchment area of the Mornington River; when he will give approval in order to allow these very necessary works to proceed; and if he will make a statement on the matter. [30342/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** A scheme has been prepared by the Commissioners of Public Works.

Mornington is one of a number of schemes which the Commissioners are planning. Progress with these schemes will depend on the availability of funds for Flood Risk Management measures, and will be decided in the light of the budget provisions.

*Question No. 302 answered with Question No. 300.*



### Architectural Heritage.

303. **Deputy Olwyn Enright** asked the Minister for Finance the position regarding the work done on a site (details supplied) in County Offaly since its purchase by the State in 2003; the amount spent on the property each year since that date; the plans and timescale for the future development of the property; and if he will make a statement on the matter. [30369/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** Durrow Abbey House and lands were purchased in 2003. The amount of money spent on the property each year since that date is as follows:

Year	2004	2005	2006	2007	2008 to date
Amount	€148,367	€565,481	€358,660	€547,614	€156,374

Works to date include the renovation of the Church, the relocation of the High Cross, the commissioning and launching of the Durrow Conservation Plan, archaeological excavations, fencing, security, and site clearance by the Gate Lodge. Ongoing conservation works continue at the site.

It is hoped in the future to provide visitor facilities which would incorporate the restoration of the Gate Lodge, and plans for this are well advanced.

### Departmental Advertising.

304. **Deputy John Deasy** asked the Minister for Finance the amount spent on advertising in the Irish language by his Department and by agencies under the aegis of his Department since the enactment of the Official Languages Act 2003; and if he will make a statement on the matter. [30394/08]

**Minister for Finance (Deputy Brian Lenihan):** The following table sets out the details of expenditure on advertising by my Department and the Offices under its aegis in the Irish language in the period to which the Deputy refers.

Name of Office	€,000
Commission for Public Service Appointments	13
Comptroller and Auditor General	4
Department of Finance	59
Office of the Appeals Commissioner	0
Office of the Ombudsman	24
Office of Public Works	*
Office of the Revenue Commissioners	243
Public Appointments Service	699
State Laboratory	0
Valuation Office	0

\* In the time available the Office of Public Works was unable to collate the information sought. I have asked that office to communicate the relevant information direct to the Deputy.

### Tax Code.

305. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) will be furnished with a P21 for 2007; and if he will make a statement on the matter. [30407/08]

**Minister for Finance (Deputy Brian Lenihan):** I have been advised by the Revenue Commissioners that a PAYE balancing statement form P21 for the year 2007 will issue shortly to the taxpayer.

306. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) will be furnished with a P21 for 2007; and if he will make a statement on the matter. [30408/08]

**Minister for Finance (Deputy Brian Lenihan):** I have been advised by the Revenue Commissioners that a PAYE balancing statement form P21 for the year 2007 will issue shortly to the taxpayer.

#### **Departmental Staff.**

307. **Deputy Pat Breen** asked the Minister for Finance further to Parliamentary Question No. 129 of 24 June 2008, if a permanent operator will be in place as and from 1 October 2008 to operate the Civil Service crèche (details supplied) in County Clare; and if he will make a statement on the matter. [30417/08]

**Minister for Finance (Deputy Brian Lenihan):** The current position regarding the Ennis Civil Service Crèche was set out in my reply to your Parliamentary Question on 18 June 2008. I can confirm that the Board of the Civil Service Childcare Initiative is currently finalising details with a new operator with a view to them reopening the Ennis Crèche early in October 2008. Once the opening date is finalised the new operator will be advertising locally giving all contact details for the crèche.

*Question No. 308 answered with Question No. 278.*

#### **Tax Code.**

309. **Deputy Richard Bruton** asked the Minister for Finance if tax relief will be extended to cover the cost of park and ride car parking expenses used to facilitate people switching from their private car to public transport; and if he will make a statement on the matter. [30488/08]

310. **Deputy Jack Wall** asked the Minister for Finance his plans to allow tax concessions for persons that can verify annually the use of park and ride facilities in relation to their employment in view of their efforts to improve the carbon footprint; and if he will make a statement on the matter. [30498/08]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 309 and 310 together.

As the Deputies know, the policy objective underlying the existing tax exemption for employees, in respect of a monthly / annual bus or train pass provided by their employers, is to encourage taxpayers to use public transport when travelling to and from work and, thus, contribute to the easing of traffic congestion and to the improvement of the environment.

Regarding the proposition that the scheme should be expanded to include the cost of parking facilities at train stations, the extension of the scheme in this manner would involve additional loss of tax revenue and it is not clear that it would contribute significantly to a reduction in traffic congestion.

#### **Telecommunications Services.**

311. **Deputy Tom Sheahan** asked the Minister for Finance his views on whether a telephone

[Deputy Tom Sheahan.]

is a luxury or a necessity; and his further views on whether internet access is a luxury or a necessity. [30517/08]

**Minister for Finance (Deputy Brian Lenihan):** I am not clear on the context in which the Deputy is asking the question. If it relates to communications policy, it is a matter for the Minister for Communications, Energy and Natural Resources.

#### **Departmental Staff.**

312. **Deputy Denis Naughten** asked the Minister for Finance if there is a cross-Border secondment process in place for civil servants; the plans he has to review this situation; and if he will make a statement on the matter. [30528/08]

**Minister for Finance (Deputy Brian Lenihan):** Under the UK-Irish exchange programme scheme, civil servants from Ireland may be temporarily transferred to the UK civil service (including the Northern civil service) for six months and vice versa.

Civil servants may also avail of secondment arrangements subject to certain conditions. Secondment is normally at the discretion of the relevant Department/Office. I have no plans to review the current arrangements with regard to cross-border secondments.

#### **National Development Plan.**

313. **Deputy Arthur Morgan** asked the Minister for Finance the concerns the European Commission has raised regarding the State's failure to conduct a strategic environment assessment on the national development plan; and the elements of the NDP that will be suspended if the Commission complaint is upheld. [30539/08]

**Minister for Finance (Deputy Brian Lenihan):** The question of undertaking a Strategic Environmental Assessment (SEA) was considered during the preparation of the National Development Plan 2007-2013 (NDP). The outcome of this consideration, which included taking legal advice, was that an SEA was not required because the new plan is:

- primarily a strategic document setting out levels of financial investment across a range of areas;
- is not unduly prescriptive regarding projects to be undertaken over its lifetime; and
- does not set the framework for future development consent.

On 27 June 2007, the European Commission sent a letter of formal notice seeking information on the NDP and its status as it was their opinion that the NDP appeared to be a Plan or Programme subject to the SEA Directive. A reply was sent to the Commission in September 2007 setting out our position that the NDP is not subject to the SEA Directive.

The Commission sent a revised letter of formal notice on the 3rd of April last. This was examined in detail and a reply sent to the Commission in July 2008 confirming our considered opinion that the NDP was not subject to the SEA Directive.

Environmental sustainability is built into the NDP as one of the strategic policy goals that will inform all of its investment priorities. This goal will be underpinned by the integration of all required environmental considerations into the planning and execution of capital projects, including formal Environmental Impact Assessments where appropriate.

**Tax Yield.**

314. **Deputy Jack Wall** asked the Minister for Finance the taxes raised by betting levies for each year from 2001 to 2007 and to date in 2008 from on course betting, from off course turf accountant office betting and from other forms of betting such as gambling and gaming; and if he will make a statement on the matter. [30543/08]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that the relevant information available relates to receipts of Betting Duty, Bookmaking Premises Duty and Bookmakers Licences Duty. Bets placed with bookmakers in the State are liable to Betting Duty at 1%. However, an exemption applies to the Betting Duty in relation to bets accepted by on-course bookmakers at horserace or greyhound race meetings but the exemption does not extend to bets accepted by on-course bookmakers by any means of telecommunications. Bets placed with the Tote are also exempt from betting duty.

Figures of the total duties collected from 2001 to 2007, and to date in 2008 where available, in relation to Bookmakers together with the excise duty on Gaming, Gaming Machines and Amusement Machine Licences are as follows:

## Betting Duty, Bookmaking Premises Duty and Bookmakers Licences Duty

Year	Betting Duty Net Receipts	Bookmakers Licences Net Receipts	Bookmaking Premises Net Receipts
	€	€	€
2001	68,066,165	146,921	342,829
2002	47,952,219	139,813	343,548
2003	38,422,170	145,124	368,980
2004	45,552,353	131,474	329,080
2005	45,850,201	147,500	400,900
2006	54,295,658	123,750	386,840
2007 (Prov)	36,437,009	177,000	529,720
End Aug 2008 (Prov)	27,384,415	N/A	N/A

## Gaming, Gaming Machines and Amusement Machine Licences

Year	Gaming Net Receipts	Gaming Machines Net Receipts	Amusement Machines Net Receipts
	€	€	€
2001	75,962	1,966,967	805,217
2002	80,439	2,019,282	854,221
2003	70,090	2,918,210	921,993
2004	62,590	2,337,600	795,827
2005	58,500	2,372,965	833,630
2006	59,110	2,778,377	794,584
2007	61,805	2,754,685	781,080

315. **Deputy Jack Wall** asked the Minister for Finance the estimated turnover of betting shops for each of the years from 2001 to 2007 and to date in 2008; and if he will make a statement on the matter. [30545/08]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that the estimated turnover based on betting duty receipts from 2001 to 2007 and to the end of the second quarter of 2008 is detailed in the table below. It should be noted the rate of duty was 10% up to 1 July 1999 when it was reduced to 5%. The rate was reduced to 2% with effect from 1 May 2002 and to 1% from 1 July 2006. Quarterly payments were introduced in 2005. In calculating the annual turnover based on receipts, allowances were made for the change in collection dates in 2005 to quarterly and for the various rate changes over the years.

Estimated Turnover based on Betting Duty Receipts

Year	Estimated Turnover
	€m
2001	1,361
2002	1,566
2003	1,921
2004	2,278
2005	2,701
2006	3,405
2007	3,648
2008 (half year)	1,857

### Budget Submissions.

316. **Deputy Jack Wall** asked the Minister for Finance the meetings he or his officials have had or plan to have with the Minister of Arts and Tourism and or his Department to discuss the house and greyhound fund; the meetings that took place between previous Ministers of the two Departments in each of the years from 2001 to 2007 and to date in 2008; and if he will make a statement on the matter. [30546/08]

**Minister for Finance (Deputy Brian Lenihan):** The Minister meets his colleague, the Minister for Arts, Sport and Tourism, continually in carrying out the normal business of Government. In examining policy and expenditure for the Arts, Sport and Tourism programme, the Horse and Greyhound Fund would have been raised, along with other issues, during these discussions. Any such meetings in previous years would have arisen in the context of the Budget in the various years concerned.

*Question No. 317 answered with Question No. 258.*

### Road Signage.

318. **Deputy Tom Hayes** asked the Minister for Finance the purpose of the sign erected opposite the Convent Bridge in Clonmel, County Tipperary and the costs involved. [30553/08]

**Minister for Finance (Deputy Brian Lenihan):** It is customary, on Public Projects, to erect signs advising people of the project being carried out and the parties involved in the project in the event that the public might have queries they wish to have addressed. In this case the project was identified on the sign in question as the Suir River (Clonmel West) Drainage Scheme and identified the Office of Public Works, Clonmel Borough Council, South Tipperary County Council and Waterford County Council as the Public Bodies involved. Mott MacDonald Pettit were identified as the Consulting Engineers on the project. The sign in question cost €3,100 excluding VAT.

**Tax Code.**

319. **Deputy Arthur Morgan** asked the Minister for Finance the cost per annum of a 1% reduction in the 13.5% VAT tax band. [30584/08]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that, based on data currently available, the estimated cost in a full year of reducing the 13.5% VAT tax band by 1% is €315 million.

**Income Statistics.**

320. **Deputy Arthur Morgan** asked the Minister for Finance the number of taxpayers who earn more than three times the average industrial wage. [30585/08]

**Minister for Finance (Deputy Brian Lenihan):** The current average industrial wage is estimated at €34,000. The number of income earners on income tax records who earn more than €102,000 (three times €34,000) is estimated at 143,800 based on projected 2008 incomes.

The figure is an estimate from the Revenue tax forecasting model using actual data for the year 2005 adjusted as necessary for income and employment growth for the year in question. It is therefore provisional and likely to be revised. It should be noted that a married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

**Tax Code.**

321. **Deputy Arthur Morgan** asked the Minister for Finance the cost of increasing the PAYE tax credit from €1,830 to €1,921.50. [30586/08]

**Minister for Finance (Deputy Brian Lenihan):** Using the data in the Pre-Budget 2009 income tax ready reckoner, an increase in the employee (PAYE) credit from €1,830 to €1,921.50 would cost about €130 million in a full year. The cost quoted is provisional, subject to revision and estimated to the nearest €5 million. The ready reckoner is available on my Department's website, at [www.finance.gov.ie](http://www.finance.gov.ie).

**Tax Collection.**

322. **Deputy Thomas P. Broughan** asked the Minister for Finance the amount collected in taxation for each category of petrol and diesel for each year from 2002 to date in 2008; and if he will make a statement on the matter. [30602/08]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that the amounts of tax revenue collected from Mineral Oil Tax and VAT on Petrol and Auto Diesel for the years 2002 to August 2008 inclusive are as follows:

Estimated Duty yield from Petrol and Auto Diesel

Mineral Oil Tax	2002	2003	2004	2005	2006	2007 Provisional	2008 End August Provisional
	€m	€m	€m	€m	€m	€m	€m
Petrol	854.2	853.8	970.7	1,001.9	1,026.4	1,051.3	724.6
Auto Diesel	660.2	731.5	870.7	920.5	1,016.7	1,076.3	738.2
Total	1,514.4	1,585.3	1,841.5	1,922.4	2,043.1	2,127.6	1,462.8



[Deputy Brian Lenihan.]

Estimated VAT yield from Petrol and Auto Diesel

	2002	2003	2004	2005	2006	2007	2008 End August
	€m	€m	€m	€m	€m	€m	€m
Petrol	286	296	342	393	440	465	352
Auto Diesel	30	32	38	46	53	57	46
Total	316	329	380	439	493	522	398

*Note:* The VAT yield from Petrol and Auto Diesel is estimated, as the information to be furnished on VAT returns does not require the yield from particular sectors of trade to be identified. It should also be noted that the VAT content of purchases of Auto Diesel is a deductible credit for business in the Irish VAT system.

The figures provided in this reply for VAT receipts for 2008 are estimates of the amount of VAT yield that would be generated by the volume of clearances of oil products up to the end of August. Mineral Oil Tax is paid in the month of clearance of the product but, depending on the nature of the registration status of a trader, VAT returns can be made monthly, bi-monthly, quarterly, half yearly or annually and this will dictate the point in time when VAT on sales will actually be paid.

### Departmental Agencies.

323. **Deputy Joan Burton** asked the Minister for Finance the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of his Department; and if he will make a statement on the matter. [30613/08]

**Minister for Finance (Deputy Brian Lenihan):** Apart from the bodies staffed and headed by civil servants which report to me and where the remuneration arrangements are identical with those in Department and Offices, only the following body would seem to be comprehended by the Deputy's question:

#### *Special EU Programmes Body*

The salary scale for the Chief Executive is currently Stg £60,017 to Stg £83,439. There is an annual bonus structure in place in which the Chief Executive can be awarded up to a maximum of £8,000 dependant on assessment of performance by the Department of Finance and the Department of Finance and Personnel in Northern Ireland (assessed against previous year objectives). For 2008, the maximum bonus will rise to £10,000.

With regard to pension, as a member of the North/South Pension Scheme (a defined benefit scheme based on final salary), an annual pension of n/80ths of final salary will be payable on retirement. A lump sum will also be payable on retirement of 3 times the annual pension.

### Departmental Staff.

324. **Deputy Joan Burton** asked the Minister for Finance the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of him and each Minister of State within his Department; and if he will make a statement on the matter. [30628/08]

**Minister for Finance (Deputy Brian Lenihan):** The staffing of my private and constituency office is set out below:

## Private Office

Title	Number	Civil Servant
Administrative Officer	1	Y
Executive Officer	2	Y
Staff Officer	1	Y
Clerical Officer	5	Y

## Constituency Office

Title	Number	Civil Servant
Executive Officer (on Higher Executive Officer duties plus allowance retained from former duties)	1	Y
Clerical Officer	2	Y
Personal Assistant	1	N
Personal Secretary	1	N

In my constituency office, there are 3 civil servants and 2 people employed on a contract basis for the duration of my tenure. All staff in my private office are permanent civil servants, with one working part-time.

In 2007, salary and related allowance payments amounted to €634,516. Overtime for the same period was €37,086. The amount paid in expenses for foreign and domestic travel, official entertainment and miscellaneous for the same period was €53,130. Currently we do not keep separate records for the Private and Constituency Offices, so it is not possible to list these costs separately.

To date in 2008, salary and related allowance payments amounted to €398,108. Overtime for the same period was €29,019. The amount paid in expenses for foreign and domestic travel, official entertainment and miscellaneous for the same period was €34,655.

In relation to the Minister of State with responsibility for the Office of Public Works the information requested is supplied in the tables below.

## Minister of State's Private Office — 2007

## Tom Parlon

Title	Number	Civil Servant	Political Appointee
Executive Officer	1	Y	
Technical Officer	1	Y	
Staff Officer	1	Y	
Clerical Officer (not all at the same time)	4	Y	

Salary Costing: €109,663.55

Overtime Costing: €Nil

Expenses Costing: €11,408.71

[Deputy Brian Lenihan.]

## Noel Ahern

Title	Number	Civil Servant	Political Appointee
Higher Executive Officer	1	Y	
Executive Officer (1 for a short period as private secretary new private secretary at HEO level)	2	Y	
Technical Officer (for short period while EO being trained)	1	Y	
Clerical Officer (not all at the same time)	5	Y	

Salary Costing: €115,990.80

Overtime Costing: €2,711.65

Expenses Costing: €5,068.82

## Minister of State's Constituency Office — 2007

## Tom Parlon

Title	Number	Civil Servant	Political Appointee
Personal Assistant	1		Y
Personal Secretary	1		Y

Salary Costing: €46,757.17

Overtime Costing: €4,138.73

Expenses Costing: €19,790.30

## Noel Ahern

Title	Number	Civil Servant	Political Appointee
Personal Assistant	1		Y
Personal Secretary	1		Y
Executive Officer	1	Y	
Clerical Officer	2	Y	

Salary Costing: €109,615.67

Overtime Costing: €2,003.82

Expenses Costing: €1,040.08

## Minister of State's Private Office — 2008

Noel Ahern

Title	Number	Civil Servant	Political Appointee
Higher Executive Office	1	Y	
Executive Officer	1	Y	
Clerical Officer (not all at the same time)	3	Y	

Salary Costing: €67,508.41

Overtime Costing: €971.05

Expenses Costing: €8,917.91

Dr. Martin Mansergh

Title	Number	Civil Servant	Political Appointee
Higher Executive Office	1	Y	
Executive Office	1	Y	
Clerical Officer (not all at the same time)	4	Y	

Projected Salary Costing: €132,224.41

Existing Overtime Costing: €934.07 (to date)

Expenses Costing: €5,068.82 (to date)

## Minister of State's Constituency Office — 2008

Noel Ahern

Title	Number	Civil Servant	Political Appointee
Personal Assistant	1		Y
Personal Secretary	1		Y
Executive Officer	1	Y	
Clerical Officer	2	Y	

Salary Costing: €85,188.48

Overtime Costing: €Nil

Expenses Costing: € Nil

Dr. Martin Mansergh

Title	Number	Civil Servant	Political Appointee
Personal Assistant	1		Y
Personal Secretary	1		Y

Projected Salary Costing: €61,738.38

Existing Overtime Costing: € Nil (to date)

Expenses Costing: € Nil (to date)

[Deputy Brian Lenihan.]

2007

Each Minister of State during 2007 had two civilian drivers that cost €73,642.08 in salaries and €8,055.81 in expenses in total for the year.

2008

Each Minister of State during 2008 had two civilian drivers and the projected cost for year 2008 is €64,327.85 in salaries and actual expenses to date are €420.63.

It might be noted that the Minister of State Noel Ahern TD took up duty with responsibility for OPW on 13th June 2007 and that Minister of State Martin Mansergh TD took up duty with responsibility for OPW on 14th May 2008.

#### **Tax Code.**

325. **Deputy Bernard J. Durkan** asked the Minister for Finance when a P45 will issue to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [30641/08]

**Minister for Finance (Deputy Brian Lenihan):** I have been advised by the Revenue Commissioners that a form P45 has been submitted by the taxpayer's employer to Revenue. A copy of the form issued to the taxpayer on 19 September 2008.

#### **Social Insurance.**

326. **Deputy Paul Kehoe** asked the Minister for Finance the reason the income tax details in respect of a person (details supplied) in County Wexford and subsequent PRSI contribution payment have not been passed to her Department for 1993/1994, 1994/1995 and 1995/1996. [30648/08]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners that the taxpayer's accountant requested by letter dated 5 July 2007 that the person in question be provided with a breakdown of PRSI charged for 1993/1994, 1994/1995 and 1995/1996 to assist her in negotiations with the Department of Social and Family Affairs. A letter containing the PRSI charges for the aforementioned years issued to the individual on the 6 July 2007.

#### **Departmental Expenditure.**

327. **Deputy Finian McGrath** asked the Minister for Finance if he will examine a proposal (details supplied). [30652/08]

**Minister for Finance (Deputy Brian Lenihan):** Any proposals that are made in relation to public expenditure will be considered in the normal way.

#### **Tax Yield.**

328. **Deputy Arthur Morgan** asked the Minister for Finance the annual contribution of tax from the betting industry. [30659/08]

329. **Deputy Arthur Morgan** asked the Minister for Finance the amount of tax paid by the betting industry in the last year and the tax paid on actual bets as opposed to profits. [30660/08]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 328 and 329 together.

I have been informed by the Revenue Commissioners that the information furnished on tax returns does not generally require the yield from a particular sector or sub-sector of economic activity to be identified. In these circumstances the amount of tax revenues collected in respect of the activities specified in the question cannot be readily identified from the overall yield from these taxes. Accordingly, the specific information requested by the Deputy is not readily available and could not be obtained without conducting a protracted examination of the Revenue Commissioners' records.

However, the amount of Betting Duty paid for 2007 was €36.44 million, €177,900 was paid on Bookmakers Licences and €529,720 was paid on Bookmaking Premises Duty.

330. **Deputy Arthur Morgan** asked the Minister for Finance the estimated yield from re-introducing a direct tax on betting of 10%. [30661/08]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that the amount of Betting Duty paid for 2007 was €36.44 million, As the rate in that year was 1 per cent, one could at first glance assume that the yield from a 10 per cent rate would be around tens times that amount.

However, such a figure would not be realised. Although the onus is currently on the industry to pay betting duty at the 1 per cent rate, it is extremely unlikely that the industry could afford to carry a ten per cent rate betting duty. The reduction in recent years from 2 per cent to 1 per cent was designed to eliminate the incentive for more and more customers to bet tax free on the internet and at the same time to eliminate tax driven competition that was damaging small local betting offices.

If the rate were to be payable by the customer, one would have to factor in the effects of a significant rise in betting duty on customer behaviour. Given that it is not feasible to tax on-line betting services provided by operations outside the State, which are taxed in the state where the operation is based, it is likely that significant numbers of bettors would turn to on-line gambling to avoid the duty. In addition such a rate would be likely to encourage the re-emergence of illegal betting.

331. **Deputy Arthur Morgan** asked the Minister for Finance if a tax can be set on online betting and on-course betting. [30662/08]

**Minister for Finance (Deputy Brian Lenihan):** Betting duty is payable by the bookmaker. Therefore, were a bookmaker to establish an on-line betting operation within the State, the bookmaker would be liable to pay betting duty at the normal 1% rate.

While a tax could be set on on-course betting, the on-course levy currently stands at zero having been exempted under Section 68 of the Finance Act 2002. It was exempted in the context of the reduction in the off-course duty at that time and the importance of supporting attendances at race meetings.

#### **Tax Code.**

332. **Deputy Arthur Morgan** asked the Minister for Finance the number of C2 certificate workers who have registered as unemployed in the last six months. [30663/08]

**Minister for Finance (Deputy Brian Lenihan):** A C2 is a certificate of authorisation issued by the tax office to a sub-contractor who applies for and qualifies for one. C2s generally are



[Deputy Brian Lenihan.]

valid for two tax years. An individual, partnership or company may qualify for a C2. The tax office can withdraw a C2 at any time.

A sub-contractor who holds a C2 is entitled to receive payments gross (without deduction of Relevant Contracts Tax at 35%) from a principal contractor, subject to the principal contractor applying for and receiving a relevant payment card from the tax office in respect of the contract.

I am advised by the Revenue Commissioners that they would not be made aware of the number of such sub-contractors who have registered as unemployed in the last six months.

*Question No. 333 answered with Question No. 299.*

334. **Deputy Michael Ring** asked the Minister for Finance the level of travel tax imposed on persons who travel from here by aeroplane and boat; if this tax is applied to persons travelling via Northern Ireland to other countries; the rate of this tax in respect of each of the past 10 years; the amount collected from this tax in each of the past 10 years; and if he will make a statement on the matter. [30723/08]

**Minister for Finance (Deputy Brian Lenihan):** Since the £5 travel tax was abolished in Budget 2000 there have been no Irish Government taxes levied on travel by aeroplane or boat into or out of Ireland.

#### **Contraband Seizures.**

335. **Deputy Róisín Shortall** asked the Minister for Finance the number of contraband cigarettes seized by the Customs and Excise Service on Saturday 11 March 2006 at a location (details supplied) in Dublin 11. [30741/08]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners that there is no record of a seizure of contraband cigarettes by Customs & Excise Officers on Saturday 11 March 2006 at the particular location referred to in the question.

However, Revenue records show that on Saturday 4 March 2006 a quantity (920) of cigarettes was seized on foot of a search warrant at a lock up premises in the area referred to in the question. The individual referred to was a lessee of the premises and was interviewed in connection with the seizure.

#### **Tax Code.**

336. **Deputy Brian O'Shea** asked the Minister for Finance the proposals he has to extend tax-free status to offshore islands; and if he will make a statement on the matter. [30746/08]

**Minister for Finance (Deputy Brian Lenihan):** I take it that the Deputy is referring to the submission from Udaras na Gaeltachta to the Commission on Taxation recommending a special tax incentive scheme for offshore Islands.

The purpose of the Commission on Taxation is to review the structure, efficiency and appropriateness of the Irish taxation system. The work of the Commission will set the framework within which tax policy will be set for the next decade. I believe that it is important that the Commission take a strategic, considered and balanced perspective that recognises the evolving challenges we face. It is also important that the Commission retain an independent role in the course of their deliberations and for this reason I do not feel it is appropriate to comment on individual proposals made to the Commission at this stage.

### Flood Relief.

337. **Deputy Michael Ring** asked the Minister for Finance further to Parliamentary Question No. 179 of 4 December 2007 the outcome of the Office of Public Works contact with a local authority regarding an option to alleviate a flooding problem at a location (details supplied) in County Mayo; the timeframe in which this problem will be rectified; and the measures that will be used. [30819/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** Following contact between the Office of Public Works and Mayo County Council, works to the existing storm drainage system were identified as a possible option to alleviate the flooding problem. As responsibility for this system lies with the Council, it is a matter for that authority to address.

### Tax Code.

338. **Deputy Joan Burton** asked the Minister for Finance the grants schemes or reductions in VAT charges in existence for the support of sports clubs attempting to purchase buses or mini-buses; if he will introduce or enhance such schemes in the near future; and if he will make a statement on the matter. [30831/08]

**Minister for Finance (Deputy Brian Lenihan):** In relation to the VAT treatment of purchases by sporting organisations, the position is that bodies supplying educational services and non-profit organisations are exempt from VAT under the EU VAT Directive, with which Irish VAT law must comply. This means they do not charge VAT on the services they provide and cannot recover VAT incurred on goods and services that they purchase. Essentially only VAT registered businesses which charge VAT are able to recover VAT. In this respect, sporting organisations purchasing buses are liable to pay VAT on such purchases.

With regard to grant schemes available for sports clubs purchase buses or mini-buses, I am informed by the Department of Arts, Sport and Tourism that under the sports capital programme, which is administered by that Department, funding is allocated to sporting and community organisations at local, regional and national level throughout the country towards the provision of sporting facilities. The programme is advertised on an annual basis. It is open to sporting and community organisations, should they have a project which satisfies the terms and conditions of the programme, to apply when the next round of the programme is announced.

### Tax Yield.

339. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance the cost to the Exchequer of the tax breaks for the developers of private hospitals. [30866/08]

**Minister for Finance (Deputy Brian Lenihan):** I assume that the Deputy is referring to the scheme of capital allowances for private hospitals which was introduced in the Finance Act 2002.

I am informed by the Revenue Commissioners that information on the scheme of tax relief for private hospitals was for the first time specified and separately included in personal income tax returns for the tax year 2004, which were due for filing in October, 2005. No specific Revenue information on the cost of the scheme is available for the tax year 2002 (when the scheme of relief for private hospitals was introduced) or for 2003.

Based on the information that has been received and collated to date for the tax year 2004, there were 37 claims for €4.5 million capital allowances for the construction of private hospitals. This figure would correspond to a maximum Exchequer cost of the order of €1.9 million for these returns in terms of income tax foregone.

[Deputy Brian Lenihan.]

Corresponding data available for the tax year 2005 indicates that there were 60 claims for €7.7 million capital allowances for the construction of buildings used for private hospitals. This figure would correspond to a maximum Exchequer cost of the order of €3.2 million for these returns in terms of income tax foregone.

Corresponding data for the tax year 2006 indicates that there were 284 claims for €25.2 million capital allowances for the construction of buildings used for private hospitals. This figure would correspond to a maximum Exchequer cost of the order of €10.6 million for these returns in terms of income tax foregone.

Corresponding data for the tax years 2007 and 2008 is not yet available.

340. **Deputy Joanna Tuffy** asked the Minister for Finance the amount paid out in tax relief, in tabular form, to builders of private nursing home accommodation for each of the years 2002 to 2007 and to date in 2008; and if he will make a statement on the matter. [30880/08]

**Minister for Finance (Deputy Brian Lenihan):** I assume the Deputy is referring to the scheme of capital allowances for capital expenditure on registered nursing homes which was introduced in 1997.

I am informed by the Revenue Commissioners that information on the scheme of tax relief for registered nursing homes was for the first time specified and separately included in personal income tax returns for the tax year 2004, which were due for filing in October, 2005. No specific Revenue information on the cost of the scheme is available for the tax year 2003 or previous years.

Based on the information that has been received and collated to date for the tax years 2004, 2005 and 2006, the table below gives details of number of claims, amount of capital allowances and Exchequer cost in terms of income tax and corporation tax foregone for the construction of nursing homes for each of the years 2004 to 2006.

	Claims	Capital Allowances	Exchequer Cost
		€m	€m
2004	287	16.6	7
2005	498	30.3	12.4
2006	538	35.4	14.6

Corresponding data for 2007 and 2008 is not yet available.

### Flood Relief.

341. **Deputy Olwyn Enright** asked the Minister for Finance when funding will be provided to Tullamore Town Council to erect flood defences as outlined in the recent flood study; and if he will make a statement on the matter. [30890/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The flood study referred to was prepared by OPW in consultation with the Council. The study has identified works to deal with the risk of flooding to existing housing, which are considered technically, economically and environmentally viable.

Discussions with the Council have commenced with the intention of advancing the works to construction stage. The provision of funding for the construction works will be dependant on

the availability of resources, when the detailed planning process, which is about to commence, has been completed.

*Question No. 342 answered with Question No. 258.*

### **Tax Yield.**

343. **Deputy Arthur Morgan** asked the Minister for Finance the savings to the Exchequer of reducing the thresholds in respect of pension funds from €5 million to €1 million and the tax-free lump sum limit from €1.25 million to €100,000. [31054/08]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that the basic data is not captured in such a way as to provide dedicated grounds for compiling the estimates requested by the Deputy.

344. **Deputy Arthur Morgan** asked the Minister for Finance the median income of those who availed of tax breaks in respect of private pension contributions in each of the past five years. [31055/08]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that the most recent relevant information available is in respect of income tax relief allowed for contributions to “retirement annuity contracts” for the five income tax years 2001 to 2005. These are available to the self-employed and to employees not in occupational pension schemes.

The figures of median incomes for each year are set out as follows.

Income Tax Year	Median Income
	€
2001	31,620
2002	44,809
2003	46,675
2004	50,554
2005	54,459

“Median income” is the exact middle income in a numerically ordered range of the individual gross incomes of contributors to “retirement annuity contracts”.

It is not possible to provide corresponding figures in regard to the take-up of the tax relief for pension contributions by employers and employees as the relevant data are not captured in such a way as to make this possible.

The information on incomes is based on income returns on Revenue records at the time the data were compiled for analytical purposes, representing about 98% of all returns expected.

A married couple who have elected or have been deemed to have elected for joint assessment are counted as one tax unit.

It should be noted that as PAYE taxpayers were charged to tax on their earnings in the period from 6 April to 31 December 2001 and self-employed taxpayers were assessed to tax for that short “year” on 74% of the profits earned in a 12 month accounting period, the cost figures will not be directly comparable with those of earlier or later years.

345. **Deputy Arthur Morgan** asked the Minister for Finance the cost of tax relief for private pensions in each of the past ten years; and the average number of people who availed of such tax relief in each of those years. [31056/08]

**Minister for Finance (Deputy Brian Lenihan):** As part of the work on the Green Paper on Pensions, a review was carried out into the current regime of tax incentives for supplementary pension provision. This was done with a view to developing more comprehensive and reliable estimates of the cost of reliefs in this area. Arising from the review, the following revised and up to date estimates of the cost of tax and other reliefs for private pension provision for 2006 have been made. Estimates on a consistent basis are not available for earlier years.

Estimate of Cost of Tax and PRSI Reliefs for Private Pension Provision 2006

	Estimated Costs	Numbers*
	€m	
Employees' Contributions to approved Superannuation Schemes	540	680,000
Employers' Contributions to approved Superannuation Schemes	120	362,000**
Estimated cost of exemption of employers' contributions from employee BIK	510	362,000
Exemption of investment income and gains of approved Superannuation Funds	1,200	Not available
Retirement Annuity Contracts (RACs)	380	2006 data not available
Personal Retirement Savings Accounts (PRSAs)	120	71,500
Estimated cost of tax relief on "tax-free" lump sums	130	
Estimated cost of PRSI and Health Levy relief on employee and employer contributions	220	Not available
Gross cost of tax relief	3,220	
Estimated tax yield from payment of pension benefits	320	
Net cost of tax relief	2,900	

\* Numbers as included in P35 returns from employers to Revenue for 2006. Figures are as verified to date but there may be some understatement.

\*\* Numbers of employees for whom employers are contributing to occupational pension funds as included in P35 returns to Revenue for 2006.

As regards projections for 2007 and 2008 projections for income tax receipts are based on assumed movements in macro-economic parameters and not by reference to the costs of individual tax reliefs. Accordingly, I am not in a position to provide the projected cost data requested by the Deputy for the years 2007 and 2008 in relation to the above-mentioned reliefs.

346. **Deputy Arthur Morgan** asked the Minister for Finance the savings to the Exchequer of applying tax breaks for private pensions at the standard rate only for all taxpayers. [31057/08]

**Minister for Finance (Deputy Brian Lenihan):** Tax relief on individual pension contributions is allowed at the taxpayer's marginal tax rate, that is, at the standard or higher rate as appropriate in each case. It is assumed that the change mentioned by the Deputy is to confine tax relief to the standard rate of 20 per cent, for all pension contributions by individuals, including those currently relieved at the higher rate.

It is not possible to estimate the cost in income tax foregone at the higher rate of relief in respect of employee contributions to occupational pension schemes because the relevant data in relation to contributions is not captured in such a way as to provide a dedicated basis for compiling this information. Tax relief for pension contributions by employees is normally given by way of a deduction from total income in arriving at income for tax purposes i.e. the income for tax purposes of employees is net of their pension contributions (the 'net pay' arrangement).

Provisions were included in Finance Act 2004 with a view to improving data quality and transparency without overburdening taxpayers/employers. The Act includes provisions that require employers to provide data on superannuation contributions in the P35 form to be filed by employers in respect of 2005 and subsequent years. The resulting data provides additional information regarding the overall cost of tax relief for pension contributions. However, as the returns are aggregated at employer level, they do not provide a basis for measuring the potential impact on the Exchequer of changes in the rate of relief at individual level such as that mentioned by the Deputy.

As regards the self-employed and certain employees in pensionable employment, data is available in relation to relief on contributions for Retirement Annuity Contracts (RACs) and Personal Retirement Savings Accounts (PRSAs) for the income tax year 2005. On that basis, the full year yield to the Exchequer from confining tax relief to the standard rate of 20 per cent in respect of all contributions to RACs and PRSAs is tentatively estimated at about €175 million in terms of income tax forgone.

347. **Deputy Róisín Shortall** asked the Minister for Finance further to Parliamentary Question No. 118 of 8 May 2008, if he will provide a similar breakdown by salary levels of tax foregone by the Exchequer in respect of contributions to small self-administered pension plans or schemes for the past three years for which figures are available. [31074/08]

**Minister for Finance (Deputy Brian Lenihan):** Employer contributions to small self-administered pension schemes are treated as a trading expense. Employee contributions are netted off as deductions from an individual's income before arriving at the definition of income for tax purposes.

I am informed by the Revenue Commissioners that figures for pension contributions by employers and employees are not captured in such a way as to provide a dedicated basis for compiling a breakdown by salary levels of tax foregone by the Exchequer in respect of contributions to such schemes. Accordingly, I am not in a position to provide the specific information requested by the Deputy.

#### **Tax Code.**

348. **Deputy Seán Sherlock** asked the Minister for Finance the steps he will take to ease the credit crunch; if consultations have taken place between his office and the Central Bank and between the Government and the European Central Bank on ways to inject liquidity into the banking sector to facilitate the credit crunch; and if he will make a statement on the matter. [31075/08]

**Minister for Finance (Deputy Brian Lenihan):** The prompt actions by international central banks, including the European Central Bank, to provide major injections of liquidity have contributed to greater stability in financial markets internationally, though they continue to remain subject to significant uncertainties. The ability of Irish banks to access liquidity from the European Central Bank has been a major benefit and provided a significant strength in assisting the Irish financial system to withstand difficult financial conditions over the last year. Agreement on the extensive and far-reaching plans announced recently by the US authorities should help to restore confidence to their financial markets with beneficial knock-on effects on wider international markets.

EU Finance Ministers have adopted an extensive roadmap of actions incorporating a work programme aimed at putting in place a comprehensive response to developments in financial markets. This programme includes reviewing along with the EU's international partners how



[Deputy Brian Lenihan.]

to further improve transparency of complex financial instruments, valuation standards, the prudential framework, risk management and supervision and market functioning including the role of ratings agencies.

Ireland is participating fully in this work at EU level to ensure there is an effective EU-wide system to maintain financial stability taking into account the important cross-border linkages that now exist in EU financial markets. Facilitated by the EU framework for maintaining financial stability my Department is in on-going close contact with both the Central Bank and the Financial Regulator in relation to financial market developments.

### Departmental Staff.

349. **Deputy Lucinda Creighton** asked the Minister for Finance the number of Civil Service staff dealing with constituency matters in his office; the number of Civil Service staff dealing with constituency matters in the offices of Minister of State within his Department; and the cost in salaries for these staff per annum. [31130/08]

**Minister for Finance (Deputy Brian Lenihan):** The civil service staff in my constituency office are as follows:

Grade	Number	Annual salary range
Executive Officer on Higher Executive Officer duties	1	€46,558–€59,097 plus allowance retained from former duties
Clerical Officer	2	€23,174–€40,417

I am informed there are no civil service staff dealing with Constituency matters in the office of the Minister of State, Dr. Martin Mansergh.

### Tax Code.

350. **Deputy Arthur Morgan** asked the Minister for Finance the amount in the capital service redemption account. [31148/08]

**Minister for Finance (Deputy Brian Lenihan):** The Capital Services Redemption Account (CSRA) was established under Section 22 of the Finance Act 1950. It is used by the National Treasury Management Agency in the management of the National Debt, principally in relation to the interest and principal payments on the Exchequer's borrowing for capital purposes and also to record certain receipts and payments arising out of debt servicing and debt management transactions authorised under the Finance Acts. Payments from the Exchequer into the Account, which is also known as the Sinking Fund, are provided for in the Budget and legislated for, as needed, in the Finance Acts.

Budget 2008 provided for a payment to the CSRA of €489 million. The balance in the Account is subject to short-term fluctuations. However, in accordance with the debt management guidelines under which the National Treasury Management Agency operates, the balance in the Account at year-end will be less than €1 million.

351. **Deputy Arthur Morgan** asked the Minister for Finance the amount that has been allocated to purchase carbon credits in 2009. [31149/08]

**Minister for Finance (Deputy Brian Lenihan):** Budget 2009 will be presented to the Dáil and published on Tuesday, 14 October. As the Deputy knows, it is not the usual practice to specu-

late in advance of the annual Budget on what it will contain and I do not propose to deviate from this practice now.

### Consultancy Contracts.

352. **Deputy Arthur Morgan** asked the Minister for Finance the amount that was spent by Government Departments on consultants in 2007 and to date in 2008. [31150/08]

**Minister for Finance (Deputy Brian Lenihan):** The following table sets out the details of expenditure on consultants by my Department and the Offices under its aegis in each of the years 2007 and 2008 to date.

Name of Office	2007	2008 YTD
	€,000	€,000
Commission for Public Service Appointments	227	127
Comptroller and Auditor General	181	178
Department of Finance	1,657	84
Office of the Ombudsman	47	33
Office of the Revenue Commissioners	627	274
Public Appointments Service	229	260
State Laboratory	70	5
Valuation Office	68	43
Office of Public Works	258	22

### Departmental Agencies.

353. **Deputy Leo Varadkar** asked the Minister for Finance the bonuses, merit awards and other payments above the basic salary he has approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which he made the decision to approve such awards; and if he will make a statement on the matter. [31194/08]

**Minister for Finance (Deputy Brian Lenihan):** Apart from the bodies staffed and headed by civil servants which report to me and where the remuneration arrangements are identical with those in Departments and Offices, only one body of those apparently comprehended by the Deputy's question has paid annual bonuses:

#### *Special EU Programmes Body*

There is an annual bonus structure in place in which the Chief Executive can be awarded up to a maximum of £8,000 dependant on assessment of performance by the Department of Finance and the Department of Finance and Personnel in Northern Ireland (assessed against previous year objectives). The performance bonuses awarded to the Chief Executive for the years 2005-2007 were:

- 2005 — £5,000
- 2006 — £8,000
- 2007 — £8,000

For 2008, the maximum bonus will rise to £10,000.

### **Budget Submissions.**

354. **Deputy Seán Sherlock** asked the Minister for Finance his views on the implementation of proposals put forward by the Construction Industry Federation for the regeneration of the construction sector and particularly with regard to achieving greater energy efficiency in older houses; and if he will make a statement on the matter. [31224/08]

**Minister for Finance (Deputy Brian Lenihan):** I have received a pre-Budget submission from Construction Industry Federation. Its contents will be considered in the context of the forthcoming Budget and Finance Bill. As Deputies are aware it would not be appropriate for me to comment in advance of the Budget on possible Budget decisions.

### **Tax Code.**

355. **Deputy Michael Ring** asked the Minister for Finance if he will reduce the VAT level on products which help homeowners change their energy profile (details supplied) in view of the fact that this would encourage more people to reduce their annual energy costs. [31236/08]

**Minister for Finance (Deputy Brian Lenihan):** Any proposed changes in VAT must be considered in the context of EU law. There is no provision in European VAT law that would allow the application of a reduced VAT rate on supplies of goods or services based on their environmental impact per se. While Member States can retain the zero rating provisions which they had in existence on 1 January 1991, they cannot introduce any new ones. Therefore, it is not possible for Ireland to apply a zero rate to the supply of insulation materials.

The supply of certain environmental products, such as insulation materials, wind turbine equipment, wood pellet boilers and solar panels, are chargeable at the standard VAT rate which in Ireland is 21%. However, the reduced VAT rate of 13.5% may be applied to such products where they are provided under a single supply and install contract where the VAT exclusive cost of the goods does not exceed two-thirds of the total VAT exclusive charge to the customer.

The Programme for Government contains a commitment to examine the current VAT classifications with a view to reducing the rate of VAT applied to certain environmental goods and services from the standard VAT rate of 21 per cent to the reduced VAT rate of 13.5 per cent. In this regard the Finance Act 2008 provided for the VAT rate applicable on the supply of miscanthus rhizomes, seeds, bulbs, roots and similar goods used for the agricultural production of bio-fuels being reduced from 21% to 13.5%. This and other measures under the Programme for Government clearly demonstrate the Government's commitment to addressing the environmental challenges which we face.

The Deputy may wish to be aware that the EU Commission are undertaking a study of the possibility of using reduced VAT rates as a tool to support the climate change agenda. Ireland has expressed support for such a study.

### **Flood Relief.**

356. **Deputy Emmet Stagg** asked the Minister for Finance if consulting engineers have been hired to carry out detailed designs for flood relief works in Johnstown village, Naas, County Kildare. [31251/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** Kildare Co. Council has engaged Consulting Engineers to progress the recommendations of the Johnstown Flood Relief Study to detailed design stage.

Officials at the Office of Public Works are participating with the Council on a project Steering Committee, which is overseeing the project.

357. **Deputy Seán Sherlock** asked the Minister for Finance when funding will be allocated for the Fermoy flood scheme; and if he will make a statement on the matter. [31273/08]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** A decision will be made on the allocation of funding for the proposed Fermoy Flood Relief Scheme when the expenditure review, which is currently under way in the course of the preparation of the Budget is completed.

**Budget Submissions.**

358. **Deputy Richard Bruton** asked the Minister for Finance if the existing level of service estimates for 2009 have been estimated; and if he will be placing them in the Oireachtas Library in advance of budget 2009. [31524/08]

**Minister for Finance (Deputy Brian Lenihan):** In light of the economic and budgetary challenges this year — which necessitated the move to an October Budget — the ‘existing level of service’ estimates have not been prepared this year.

**Departmental Expenditure.**

359. **Deputy Richard Bruton** asked the Minister for Finance the work completed itemising the specific projects involved in 2008 to date by the central expenditure evaluation unit under each of its areas of activity, spot checks for compliance, value for money and policy reviews and national development plan programme evaluations. [31525/08]

**Minister for Finance (Deputy Brian Lenihan):** The Central Expenditure Evaluation Unit supports and monitors roll out of the programme of Value for Money and Policy Reviews across all Departments. It also provides the Secretariat to the Central Steering Committee (CSC) which oversees the process. Completion of individual reports is a matter for the relevant spending Department. As part of its role in supporting the initiative and advising the CSC, the Evaluation Unit has recently completed a comprehensive review of the initiative which has informed the CSC’s recommendations on proposals for a 2009 to 2011 round of reviews.

The Evaluation Unit has also undertaken a substantial programme of direct spot checks of individual capital projects. This programme which commenced in 2007 encompassed over 20 projects across six different Departments — Transport; Environment, Heritage and Local Government; Education and Science; Health and Children; Enterprise, Trade and Employment; and Arts, Sport and Tourism. A number of these spot checks were carried over into 2008 and this first programme of direct spot checks is now virtually complete. The projects completed with final reports submitted to Departments to date in 2008 are:

Department	Project
Health and Children	New amalgamated maternity unit at Cork University Hospital
Health and Children	Phase 2B of Mullingar Hospital
Health and Children	Redeveloping the infectious diseases services at the Mater Hospital including a new bioterrorism unit
Health and Children	Phase 1A of the Midwestern Regional Hospital in Ennis
Arts, Sport and Tourism	Lansdowne Road Stadium
Arts, Sport and Tourism	3 applications for funding under the Sports Capital Programme
Arts, Sport and Tourism	2 applications for funding under the Arts and Culture Capital Enhancement Support Scheme II

The Evaluation Unit is also carrying out two programme evaluations under the National Development Plan at present. These are: an evaluation of Science Technology and Innovation

[Deputy Brian Lenihan.]

Investment; and an evaluation of the Local and Community Development Programme. These are the first programme evaluations under the 2007-2013 National Development Plan. The Unit also carried out a comprehensive review of all impact indicators proposed under the NDP and has made recommendations to Departments on the suitability of the indicators proposed.

The Evaluation Unit is also involved in a range of other activities including providing specialist policy analysis expertise within my Department and developing and advising on best practice in project appraisal techniques.

*Question No. 360 answered with Question No. 300.*

*Question No. 361 answered with Question No. 255.*

### **Disabled Drivers.**

362. **Deputy Paul Connaughton** asked the Minister for Finance when a primary certificate in respect of disabled drivers will issue to a person (details supplied) in County Galway; and if he will make a statement on the matter. [29971/08]

**Minister for Finance (Deputy Brian Lenihan):** The initial application for a Primary Medical Certificate under the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994 is made to the Senior Medical Officer of the relevant local Health Service Executive administrative area.

If the Primary Medical Certificate has been refused in this case, the named person may appeal the refusal to the Medical Board of Appeal, National Rehabilitation Hospital, Rochestown Avenue, Dun Laoghaire, Co. Dublin. I would point out that the Medical Board of Appeal is independent in the exercise of its functions.

*Question No. 363 answered with Question No. 300.*

### **Tax Code.**

364. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance if the estimated cost to the Exchequer of the private hospital co-location scheme in terms of tax breaks for the developers of private hospitals; and if he will report on those estimated costs. [30864/08]

**Minister for Finance (Deputy Brian Lenihan):** The scheme of capital allowances for the construction or refurbishment of buildings used as private hospitals was introduced in the Finance Act 2001 and came into effect in May 2002. Provided that capital expenditure on the proposed co-located private hospitals, which are designed to free-up capacity in public hospitals, conforms with the existing legislation governing that scheme, normal tax relief will apply. The cost of such tax relief will ultimately depend on the level of qualifying capital expenditure and the amounts claimed by investors; to date no such expenditure on the proposed co-located hospitals has yet been incurred. For each €100 million of qualifying capital expenditure on these hospitals, the cost of tax relief to investors (assuming a marginal tax rate of 41% for those investors) would amount in gross terms to €41 million spread over 7 years or approximately €5.9 million per annum over that 7 year period. Given the additional activity generated by the construction of the hospitals, the employment generated and the related services provided on which taxes will be paid, additional revenues would accrue to the Exchequer.

I have been informed by the Minister for Health and Children that the Board of the Health Service Executive has approved preferred bidder status for the development of co-located hospitals at the following six sites: Beaumont Hospital, Cork University Hospital, Limerick Regional Hospital, St. James's Hospital, Waterford Regional Hospital, and Sligo General Hospital. Connolly Hospital and Tallaght Hospital, which are also participating in the co-location initiative, are at an earlier stage of the procurement process.

*Question No. 365 answered with Question No. 300.*

366. **Deputy Michael Noonan** asked the Minister for Finance if the Cabinet sub-committee on taxation has finalised its consideration of a carbon tax; and if he will make a statement on the matter. [30225/08]

**Minister for Finance (Deputy Brian Lenihan):** I am happy to clarify that the carbon tax issue is being examined by the Commission on Taxation which was established in February this year. The Commission is due to report by September 2009, at the latest.

### **Departmental Programmes.**

367. **Deputy Jack Wall** asked the Minister for Finance his views regarding a submission (details supplied); the funding made available to the group for each year since its inception; the plans he has to supplement the funding; the criteria that the group can follow to ensure that further development of the safe home programme can continue; and if he will make a statement on the matter. [31115/08]

**Minister for Finance (Deputy Brian Lenihan):** At the outset I should point out that the safe home programme is a matter for my colleague Micheál Martin T.D., Minister for Foreign Affairs and I am replying on his behalf.

Funding for the Safe Home Programme has been provided annually by the Department of Foreign Affairs since 2003. Emigrant Support (then Díon) grants were also awarded to the Safe Home Programme in 2001 (€63,487) and 2002 (€82,500), at a time when the Emigrant Support Programme in Britain was administered by the Department of Enterprise, Trade and Employment.

The Department of Foreign Affairs remains very supportive of the excellent work of the Safe Home programme. The award of a €249,900 grant in April of this year brought the Department's total funding for Safe Home since 2003 to over €1,100,000 (see attached table for annual breakdown). This substantial funding is testament to the high value which the Government places on the work performed by the Safe Home Programme in enabling elderly Irish emigrants to return to live in Ireland.

As the Deputy will be aware, the Department has progressively increased the level of funding available for emigrant services in recent years, from €3 million in 2003 to a record €15.183 million this year. These significant increases have enabled the Emigrant Support Programme, administered by the Irish Abroad Unit, to provide far greater financial support to the most vulnerable members of our overseas communities.

Organisations are required to satisfy strict criteria in order to qualify for Emigrant Support funding, which are set out in detail on the grant application form, available on the Department's website, [www.dfa.ie](http://www.dfa.ie). Former grant recipients are also required to supply detailed documentation, including audited accounts, as set out in the letters of offer accompanying all Government grants awarded under the Programme.



[Deputy Brian Lenihan.]

As the Deputy will appreciate, all grant applications for Emigrant Support funding are reviewed on their respective merits each year. However, my colleague, the Minister for Foreign Affairs, Micheál Martin TD, has asked that I assure the Deputy that his Department will maintain the current very significant level of funding to frontline welfare organisations in the period ahead.

Since its inception, I am informed that Safe Home has also received funding from the Department of Social and Family Affairs (totalling €262,245) and the Department of Environment and Local Government (totalling €307,860). Details are shown in the following tables.

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Department of Foreign Affairs Funding for Safe Home

Year	Funding
	€
2003	82,530
2004	132,000
2005	184,743
2006	227,875
2007	240,000
2008	249,900
Total Funding	1,117,048

Department of Enterprise, Trade and Employment Funding for Safe Home

Year	Funding
	€
2001	63,487
2002	82,500
Total Funding	145,987

Department of Social and Family Affairs Funding for Safe Home

Year	Funding
	€
2001	7,745
2002	15,000
2003	15,000
2004	18,500
2005	80,000
2006	40,000
2007	42,000
2008	44,100
Total Funding	262,245

## Department of Environment and Local Government Funding for Safe Home

Year	Funding
	€
2002	30,000
2003	62,000
2004	60,000
2005	62,000
2006	63,860
2007	30,000
Total Funding	307,860

**National Development Plan.**

368. **Deputy Richard Bruton** asked the Minister for Finance the number of national development plan evaluations that have been completed; the number of these that have been presented to the monitoring committee; and when they will be published. [31523/08]

**Minister for Finance (Deputy Brian Lenihan):** Two programme evaluations under the National Development Plan are currently under way: an evaluation of Science Technology and Innovation Investment; and an evaluation of the Local and Community Development Programme. These are the first programme evaluations under the 2007-2013 National Development Plan and on completion they will be presented to the Monitoring Committee, submitted to the relevant Select Committees of the Oireachtas and published.

**Alcohol Advertising.**

369. **Deputy Olivia Mitchell** asked the Minister for Health and Children the progress made regarding the commitment in the Programme for Government to discuss the sponsorship of sporting events by the alcohol industry with the aim of phasing it out; and if she will make a statement on the matter. [29353/08]

**Minister of State at the Department of Health and Children (Deputy Mary Wallace):** Strengthened codes on advertising and sponsorship, which were developed between my Department and representatives of the Irish drinks industry and the Irish advertising industry, came into effect on 1 July this year. Under these codes the Irish alcohol industry may not sponsor any sporting competitions, leagues, events or competitors where such events are designated specifically for participants under 18 years of age.

In addition, Government has agreed to the establishment of a Working Group to examine the extent of the existing sponsorships by alcohol companies and the terms and lengths of contracts. This Working Group will seek to give direction to how concerns around the extent of sports sponsorship by alcohol companies might be further addressed. This Working Group will be established by my Department following consultation with other relevant Government Departments.

**Child Care Services.**

370. **Deputy Joe Costello** asked the Minister for Health and Children the number of crèches affected by the new banding charges; the number of crèches that have closed or have had their

[Deputy Joe Costello.]

number of places reduced as a result of this new regulation; and the number of crèches awarded funding previously that have not applied for funding from Pobal since the introduction of the new charges. [29441/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** As the Deputy will be aware, I have responsibility for the National Childcare Investment Programme 2006 -2010 (NCIP), which will invest €575 million over 5 years, with €154.2 million allocated over a 3 year period to the Community Childcare Subvention Scheme (CCSS).

There are currently 841 Community based childcare facilities approved for funding under the CCSS. This figure includes 51 services approved for entry to the Scheme since 1 January 2008, of which 24 had not previously been in receipt of any support under the scheme or its predecessor, under the Equal Opportunities Childcare Programme 2000-2006. My office is aware of 9 services which have left the scheme since January 2008 and of 5 services which have closed this year generally for reasons unconnected with the scheme e.g. the venue for the service no longer being available. One of these services is currently the subject of discussion with a view to reopening shortly under a new management committee. I understand that the proposed reopening will involve a substantial increase in the level of service being provided.

Applications for CCSS funding for 2009 have been invited and are due to be returned by the end of this week. When processed these returns will provide data in regard to the number of services, and the number of childcare places they propose to provide, in respect of 2009.

#### **Dormant Accounts Fund.**

371. **Deputy Phil Hogan** asked the Minister for Health and Children when a grant that has been approved from the Dormant Accounts Fund will be awarded to an organisation (details supplied) in County Carlow; and if she will make a statement on the matter. [29584/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The organisation in question was approved for a capital grant of €86,878 for the provision of accessible transport for people with disabilities. To date 90% (€78,190) has been paid to the organisation. Under the dormant account scheme the final 10% will be paid when the organisation submits confirmation that the project for which the grant was awarded has been completed. The organisation has not yet applied for payment of the final 10%.

#### **Hospitals Building Programme.**

372. **Deputy Brian Hayes** asked the Minister for Health and Children if she has made funding available in the order of €850 million under the national development plan in order that a national paediatric hospital and ambulatory unit at Tallaght Hospital will be proceeded with; if this money is ring-fenced for this particular project; and if she will make a statement on the matter. [29888/08]

**Minister for Health and Children (Deputy Mary Harney):** Project proposals including the National Paediatric Hospital and ambulatory unit at Tallaght Hospital have, following a detailed process of consideration, been prioritised by the Health Service Executive so as to fit within indicative funding levels under the National Development Plan. The Executive's 2008 Capital Plan sets out the Executive's capital investment proposals on this basis, includes provision for the National Paediatric Hospital and the ambulatory unit at Tallaght Hospital and has been approved by me with the agreement of the Minister for Finance.

### Adoption Services.

373. **Deputy Terence Flanagan** asked the Minister for Health and Children if she will make a statement on a matter (details supplied). [29908/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** Section 10(c) of the Adoption Act, 1952, as amended by Section 2 of the 1964 Act provides that, in order to be eligible for adoption, a child must be “illegitimate or an orphan” or be a child who has been legitimated, but whose birth has not been re-registered. The Adoption Act, 1988, does permit the adoption of any child (including children of marriage) but only in exceptional and very limited circumstances where the parents are shown to have completely abandoned their parental duties, and there is an expectation that they will continue to do so until the child reaches the age of eighteen. After its passage through the Oireachtas, the President referred the Adoption Bill, 1988 to the Supreme Court under Article 26 of the Constitution, for a decision on whether the provisions of the Bill were repugnant to the Constitution. While it was found to be Constitutional, and subsequently became the Adoption Act, 1988, it was clear that these narrow circumstances, based on Article 42.5 of the Constitution, were the basis for the decision of the Supreme Court.

The Twenty-Eighth Amendment of the Constitution Bill, 2007 was published in February 2007 and contained the Government’s proposal to amend the Constitution in relation to children and included a provision to ensure that all children would be eligible for voluntary adoption, subject to appropriate consents. The Programme for Government of June 2007 committed to deepening consensus on the Twenty-Eighth Amendment of the Constitution Bill, 2007 and to this end, the Joint Committee on the Constitutional Amendment on Children [JCCAC] was established in November, 2007, to report back within four months, on the proposals set out in the Bill. The Committee recently received Dáil and Seanad approval for an extension of their timeframe to 30th November 2008. The Committee is now progressing with its work and the Government awaits the outcome of its deliberations before proceeding further with the proposed amendment of the Constitution in relation to children.

### Child Care Services.

374. **Deputy Arthur Morgan** asked the Minister for Health and Children the annual cost of the universal early child care supplement. [30653/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The Early Childcare Supplement (ECS) was introduced for all children less than 6 years of age in April 2006. The ECS, which is a direct, universal, non-taxable payment, was increased from €1,000 to €1,100 in 2008. The payment is disbursed on behalf of the OMC by the Department of Social and Family Affairs on a quarterly basis.

Total ECS expenditure for the three quarters of 2006 for which it was operational was €292.42m. Expenditure for 2007 was €417.65m. A provision of €506m was made for the ECS in the 2008 Revised Estimates.

375. **Deputy Arthur Morgan** asked the Minister for Health and Children if calculations have been undertaken to establish the annual pay out of early child care supplement if it was only granted to families with incomes of less than €100,000 per annum. [30655/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** As the Deputy is aware, the Early Childcare Supplement (ECS) was introduced in April 2006. The ECS, which is payable in respect of all children under 6 years of age, is a direct, universal, non-

[Deputy Barry Andrews.]

taxable payment. The payment was increased from €1,000 to €1,100 in 2008. The payment is disbursed on behalf of the Office of the Minister for Children by the Department of Social and Family Affairs on a quarterly basis. A provision of €506m was made for the ECS in the 2008 Revised Estimates.

No definite estimate is available of the cost of the ECS payment if it was confined to families earning less than €100,000 per annum. However, according to the Revenue Commissioners, it is estimated that approximately 86% of all tax units with children (regardless of the age of the child) earned less than €100,000 per annum in 2007. Assuming that this is representative of all current recipients of the ECS, the cost of the payment in 2008 would be in the region of €435m.

### **Asylum Support Services.**

376. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 542 of 17 April 2008 the number of psychologists working in the dedicated asylum seekers service; the location at which this service is based; the cost of providing this service annually for each of the past five years; the number of asylum seekers who have been assessed annually for each of the past five years; the waiting time for assessment; the guidelines in place and remit of this service; and if she will make a statement on the matter. [30851/08]

**Minister for Health and Children (Deputy Mary Harney):** As the Deputy will be aware, from Parliamentary Question No 542, the Health Service Executive operates a dedicated asylum seeker psychological service. Accordingly, I have asked the Executive to furnish the detailed information requested by the Deputy and I will transmit this to him as soon as it comes to hand.

377. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 542 of 17 April 2008 the specific community welfare supports in place for asylum seekers; and the number of community welfare officers in each local authority dedicated to asylum seekers. [30852/08]

**Minister for Health and Children (Deputy Mary Harney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. This includes responsibility for the Community Welfare Service and the staff who make up this Service. The Executive is the appropriate body to consider the particular issues raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

378. **Deputy Denis Naughten** asked the Minister for Health and Children the number of asylum seekers who have been offered medical screening on arrival and the number who have received medical screening in each of the past five years. [30853/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

379. **Deputy Denis Naughten** asked the Minister for Health and Children the procedures in place for asylum seekers who exhibit mental health problems to receive appropriate treatments on foot of research (details supplied). [30854/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** Access to primary care and mental health services is available to all individuals experiencing depression, including asylum seekers.

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The Executive, therefore, is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### **Hospitals Building Programme.**

380. **Deputy Joan Burton** asked the Minister for Health and Children the funding she proposes for the completion of the new Central Mental Hospital in each of the years 2009, 2010 and 2011; the costs incurred to date on the project; and if she will make a statement on the matter. [31066/08]

381. **Deputy Joan Burton** asked the Minister for Health and Children the funding that has been allocated from Budget 2008 for the water and sewerage works in respect of the new Central Mental Hospital; the funding she proposes for the completion of the project in each of the years 2009, 2010 and 2011; the costs incurred to date on the project; and if she will make a statement on the matter. [31067/08]

585. **Deputy Joan Burton** asked the Minister for Health and Children the funding that has been allocated from Budget 2008 for the new Central Mental Hospital; the funding she proposes for the completion of the project in each of the years 2009, 2010 and 2011; the costs incurred to date on the project, including land acquisition costs, consultants, designers and architects; and if she will make a statement on the matter. [31064/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I propose to take Questions Nos. 380, 381 and 585 together.

In accordance with the Government decision of 16th May 2006 to approve the development of a new national forensic mental health facility at Thornton Hall, Co. Dublin, the cost of developing the hospital will be met from the proceeds of the sale of the existing site in Dundrum, Co Dublin. The development of the new hospital is the responsibility of the Health Service Executive. The Executive, therefore, is the appropriate body to consider the particular matters raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

The cost of acquiring the site for the new prison and hospital was €29,900,000. An additional 8.7 acres, at a cost of €1,305,000, was later acquired by the Department of Justice, Equality and Law Reform to provide a dedicated access road to the prison construction site.

### **Health Care Funding.**

382. **Deputy Tom Hayes** asked the Minister for Health and Children the expenditure on the hospital in the home scheme; the number of patients treated under this scheme; the estimated saving to the Exchequer of such a plan rather than being treated in residential care or in acute care hospitals; if the scheme will be continued for 2008, 2009 and 2010; and if she will make a statement on the matter including the future role of care in the community in this format. [29274/08]



**Minister for Health and Children (Deputy Mary Harney):** One of the key challenges facing the health service is the need to ensure that services are planned and provided in line with the clinical needs of the patient. A number of experimental initiatives have been put in place by the Health Service Executive with a view to providing care in community based rather than hospital based settings where clinically appropriate. The “Hospital in the Home” service is one such initiative along with the introduction of Primary Care Teams, Community Intervention Teams, a Rapid Access Service for the Elderly and the GP Out of Hours service.

The “Hospital in the Home” service was delivered by a private service provider on the basis of a service level agreement with the HSE and was for a period of one year. This agreement came to an end on 16th March and was extended by agreement until 11th May 2008. During the year, the service treated in the region of 2,000 patients at an annual cost of €6.83 million.

A review of the service was carried out between January and March of this year under an independent Chairperson. The review made a number of recommendations. The main recommendation, which has been adopted by the HSE, is that the concept of the “Hospital in the Home” be retained and that the service should be repatriated within existing HSE services.

The HSE has emphasised that no patient was disadvantaged by this decision and has advised that patients who had been receiving services from the provider in question when the contract ceased have had their episode of care continued until it was scheduled to finish. These patients have since been referred back to their primary physician for management of any future care needs.

The HSE is developing the range of services provided by the Community Intervention Teams in the Greater Dublin Area and extending their coverage with a view to meeting the needs of patients previously treated by the “Hospital in the Home” service.

My Department has asked the Executive to respond to the Deputy directly on the operational issues raised.

### **Health Services.**

383. **Deputy Billy Timmins** asked the Minister for Health and Children the position regarding a service (details supplied) in County Wicklow; if this will be reinstated; and if she will make a statement on the matter. [29283/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy’s question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### **Health Care Funding.**

384. **Deputy Tom Sheahan** asked the Minister for Health and Children her views on the development of a primary care centre; if she has authorised the sale of part of St. Finian’s land; and if she envisages problems into the future regarding the provision of pharmacy services. [29302/08]

**Minister for Health and Children (Deputy Mary Harney):** A proposal for the disposal of HSE lands at St. Finian’s for the proposed primary care centre has not as yet been submitted to my Department.

Under the Health Act 2004, the management and delivery of health and personal social services is the responsibility of the Health Service Executive. This includes operational

responsibility for the establishment of Primary Care Teams and Primary Care Centres. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

### **Pharmacy Regulations.**

385. **Deputy James Reilly** asked the Minister for Health and Children the position regarding pharmacy fees and services; her views on the reply to a question (details supplied) put to the European Commission on the issue of competition law and the right of the Irish Pharmacy Union to negotiate on behalf of its members; and if she will make a statement on the matter. [29311/08]

400. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [29443/08]

453. **Deputy Charlie O'Connor** asked the Minister for Health and Children the position regarding issues relating to the Irish Pharmaceutical Union raised earlier in 2008; and if she will make a statement on the matter. [29928/08]

481. **Deputy Denis Naughten** asked the Minister for Health and Children when she will publish the findings of the Independent Pricing Body in respect of pharmacists; and if she will make a statement on the matter. [30175/08]

554. **Deputy Michael Ring** asked the Minister for Health and Children the meetings she has held with the pharmacy sector, particularly following the recent High Court decision; and if she will make a statement on the matter. [30709/08]

555. **Deputy Michael Ring** asked the Minister for Health and Children if she plans to hold a meeting with the pharmacy sector to negotiate a new contract following the recent High Court ruling. [30711/08]

563. **Deputy Mary Upton** asked the Minister for Health and Children the status of the negotiations between the Irish Pharmaceutical Union and the Health Service Executive regarding pharmacist contracts; the progress that has been made towards reaching an agreement; if he will publish the report compiled by the independent body chaired by Sean Dorgan; and if she will make a statement on the matter. [30785/08]

651. **Deputy Michael Ring** asked the Minister for Health and Children if she will reimburse payments to pharmacists from March 2009 onwards following the High Court ruling that the Health Service Executive were in breach of the pharmacy contract; the cost to the Exchequer; and if she will make a statement on the matter. [30710/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 385, 400, 453, 481, 554, 555, 563 and 651 together.

My Department is considering the legal, financial and service implications of the recent High Court judgement for the payments made to community pharmacists, as well as its potential wider implications in respect of other self-employed health professionals. My understanding is the judgement confirmed that I have the power to alter the payments made under the 1996 Community Pharmacy Contract after consultation with the Irish Pharmacy Union.

[Deputy Mary Harney.]

The report of the Independent Body on Pharmacy Contract Pricing dealt with the pricing of an interim contract which had been offered to community pharmacists following the reduction in the wholesale margin. It was published on my Department's website last July.

I have had various meetings with the pharmacy sector, including the IPU, but I have not met the IPU since the High Court judgement. I will be decide how best to proceed having considered the legal and other advice available to me. However, I remain of the view that the costs of pharmacy services under the GMS and community drugs schemes are not sustainable, a view that is reinforced by the current budgetary challenges.

#### **Nursing Home Subventions.**

386. **Deputy James Reilly** asked the Minister for Health and Children the expenditure on nursing home subvention per county during each of the years 2005, 2006, 2007 and in the first six months of 2008; and if she will make a statement on the matter. [29412/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. The Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

#### **Cancer Incidence.**

387. **Deputy James Reilly** asked the Minister for Health and Children the number of patients diagnosed as having breast cancer at the South Infirmiry Hospital, Cork during the first six months of 2008; and if she will make a statement on the matter. [29413/08]

398. **Deputy James Reilly** asked the Minister for Health and Children the number of breast cancer cases dealt with at Cork University Hospital in 2007 and in the six months to June 2008; and if she will make a statement on the matter. [29428/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 387 and 398 together.

Last June I approved National Quality Assurance Standards for Symptomatic Breast Disease Services under the Health Act 2007. The Health Service Executive (HSE) National Cancer Control Programme decided to centralise breast cancer services in eight designated specialist centres. The decision to consolidate the symptomatic breast service provided by South Infirmiry and Cork University Hospital (CUH) for the Southern region into the designated cancer centre at CUH is consistent with this approach.

It is important to emphasise that the decision to reorganise services is about achieving optimum outcomes. This is not in itself a value judgement about the work being carried on in the existing centres, some of which have a relatively large workload, but will not be part of the future designated centres. In order to achieve the very best outcomes we need to concentrate cancer services in designated cancer centres. This necessarily means that some centres which are well organised and have a significant case load will nonetheless need to transfer that work to other locations. I am confident that the consolidated service will meet the national standards for symptomatic breast care as published by the Health Information & Quality Authority (HIQA).

The most recent data available through the Hospital In-Patient Data Enquiry (HIPE) is in relation to 2007. Cork University Hospital had 113 procedures and the South Infirmary had 234 procedures carried out on women with a principal diagnosis of breast cancer in that year. Information in respect of Cork University Hospital and South Infirmary for 2008 is not yet available from the HIPE system.

388. **Deputy James Reilly** asked the Minister for Health and Children the number of patients in Cork diagnosed as having breast cancer by BreastCheck for the first six months of 2008; and if she will make a statement on the matter. [29415/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's specific question in relation to the number of women diagnosed with breast cancer by BreastCheck in Cork is the responsibility of the National Cancer Screening Service. Accordingly, my Department has requested the Chief Executive Officer of the Service to respond directly to the Deputy in relation to the matters raised.

#### **Ambulance Service.**

389. **Deputy James Reilly** asked the Minister for Health and Children if she will report on the adequacy of Health Service Executive ambulance services in Cork; the number of HSE ambulances available on day shift and night shift to answer 999 emergency calls; and if she will make a statement on the matter. [29416/08]

633. **Deputy James Reilly** asked the Minister for Health and Children the percentage of the Health Service Executive ambulances based in Cork used for transporting patients inter hospital as opposed to emergency calls; her plans to purchase purpose built ambulances for such transport that are capable of three stretchers and some sit down patients as is the case in Germany; and if she will make a statement on the matter. [29417/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 389 and 633 together.

Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services, including ambulance services, has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issues raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matters investigated and to have a reply issued directly to the Deputy.

#### **Infectious Diseases.**

390. **Deputy James Reilly** asked the Minister for Health and Children the rate of incidence of MRSA and other hospital acquired infections for public hospitals in Cork; the occupancy rates in respect of these hospitals; and if she will make a statement on the matter. [29418/08]

**Minister for Health and Children (Deputy Mary Harney):** Tackling all Healthcare Associated Infections (HCAIs), including MRSA continues to be a priority for the Government and the Health Service Executive (HSE).

The HSE launched a National Infection Control Action Plan in March 2007. An Infection Control Steering Group is responsible for overseeing the implementation of the plan. Over the next five years, the HSE aims to reduce HCAIs by 20%, MRSA infection by 30% and antibiotic consumption by 20%. Achievement of these targets will benefit all patients who are at risk.

[Deputy Mary Harney.]

The Steering Group is supported by eight Local Implementation Teams which will ensure that all local facilities are focused on achieving the national targets.

A new National Surveillance System has been established by the HSE to collect data and provide information on a quarterly basis on four key areas, to monitor HCAs in our health system: 1. Staphylococcus bacteraemia (blood stream infections); 2. Antibiotic consumption; 3. Alcohol gel use; 4. MRSA Surveillance in Intensive Care Units, from 2008 onwards. This data (excluding MRSA in ICUs) has been compiled and published for 2006 and 2007. The table below is an extract of the relevant hospitals requested by the Deputy, taken from the most recent report of the Health Protection Surveillance Centre.

Acute Public Hospital	Total number of isolates of MRSA	Rate per 1000 beds days used MRSA	Average Occupancy Rate % 2007
Bantry General Hospital	8	0.31	91.5
Cork University Hospital*	39	0.18	93.5
Erinville Hospital, Cork*	N/A	N/A	82.7
Mallow General Hospital, Co. Cork	4	0.14	86.1
Mercy University Hospital, Cork	15	0.22	81.3
South Infirmary — Victoria University Hospital, Cork	4	0.07	81.0
St. Finbarr's Hospital, Cork*	3	0.11	0.7
St. Mary's Orthopaedic Hospital, Gurranebraher, Cork	0	0.00	48.4

N/A, Not applicable.

\* In 2007, maternity services at Erinville Hospital and St. Finbarr's Hospital, Cork transferred to Cork University Maternity Hospital, which together with Cork University Hospital (CUH) composed CUH group. All data for CUH group in 2007 are presented under CUH.

This table gives the number of MRSA bloodstream isolates by acute public hospital for 2007. Most of the variation in reported numbers of *S. aureus* bloodstream infections between hospitals can be explained by differences in hospital size, activity and patient populations. At present there is no way to adjust the data to allow for these differences and hence direct comparisons between hospitals are not possible.

Other measures taken to reduce the incidence of HCAs include the appointment of additional infection control staff, education campaigns for healthcare staff and the general public around the prudent use of antibiotics and the use of designated private beds for isolation purposes where required for patients who contract HCAs. In addition, new environmental building guidelines to inform infection control policy in all new builds and refurbishments are expected to be published by the HSE later this month.

The Health Information and Quality Authority (HIQA) undertook a comprehensive review of hygiene in our acute hospitals in 2007 and published its report last November. In addition, HIQA is due to publish Infection Prevention and Control Standards later this year. When finalised, these standards, along with the National Hygiene Standards, will provide a comprehensive framework to control infection in all healthcare settings.

It should be noted that if a patient is diagnosed with a bloodstream infection at a given hospital it does not indicate that the infection was acquired at that hospital. Many bloodstream infections are acquired in the community, but only diagnosed upon admission to hospital. A patient may either have acquired the infection in one hospital, but the infection may be diagnosed on transfer to another hospital.

While accepting that not all HCAs are preventable, I am satisfied that significant steps are being taken to reduce the rates of HCAs generally and to treat them promptly when they occur.

### **Hospital Services.**

391. **Deputy James Reilly** asked the Minister for Health and Children the number of wards and beds closed in each public hospital in Cork City and County; and if she will make a statement on the matter. [29419/08]

394. **Deputy James Reilly** asked the Minister for Health and Children the average occupancy rate and the current occupancy rate at Cork University Hospital; and if she will make a statement on the matter. [29422/08]

397. **Deputy James Reilly** asked the Minister for Health and Children if she will confirm that there is no public MRI machine in Cork; when she will fund and provide one; and if she will make a statement on the matter. [29427/08]

634. **Deputy James Reilly** asked the Minister for Health and Children if she will confirm that there is no emergency theatre at Cork University Hospital; when an emergency theatre will be funded, staffed and opened at Cork University Hospital; and if she will make a statement on the matter. [29423/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 391, 394, 397 and 634 together.

Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issues raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matters investigated and to have a reply issued directly to the Deputy.

### **Hospital Accommodation.**

392. **Deputy James Reilly** asked the Minister for Health and Children the number of extra beds that will be provided to Cork University Hospital for the transfer of breast cancer services from South Infirmary Hospital Cork, Kerry General Hospital and other hospitals in the area. [29420/08]

**Minister for Health and Children (Deputy Mary Harney):** The specific question raised by the Deputy relates to the management and delivery of health and personal social services, which are the responsibility of the HSE under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in this regard.

### **Hospital Staff.**

393. **Deputy James Reilly** asked the Minister for Health and Children the number of additional staff for which funds have been made available to operate the extra cancer services at Cork University Services; and if she will make a statement on the matter. [29421/08]

**Minister for Health and Children (Deputy Mary Harney):** The specific question raised by the Deputy relates to the management and delivery of health and personal social services,



[Deputy Mary Harney.]

which are the responsibility of the HSE under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in this regard.

*Question No. 394 answered with Question No. 391.*

### **Health Services.**

395. **Deputy James Reilly** asked the Minister for Health and Children the location of primary care teams; the services provided by each team; the staff allocated to each team; the funding allocated and the breakdown of funding to each team; the building from which such teams operate; the size of building and list of equipment in each building particularly diagnostic equipment; if she will provide data on teams planned to open by end of 2008 and in 2009; the funding allocated and ring-fenced for these teams; and if she will make a statement on the matter. [29425/08]

**Minister for Health and Children (Deputy Mary Harney):** Under the Health Act 2004, the management and delivery of health and personal social services is the responsibility of the Health Service Executive. This includes operational responsibility for the establishment of Primary Care Teams and Primary Care Centres. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

### **Community Care.**

396. **Deputy James Reilly** asked the Minister for Health and Children the number of new community beds that will be opened and staffed and funded by end of 2008; the number planned to be opened, staffed and funded in 2009 particularly in or around the major population centres of Dublin, Cork, Limerick and Galway; and if she will make a statement on the matter. [29426/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** I assume the Deputy is referring to the public long-term residential care fast-track initiative which commenced in 2007 and is continuing until 2009. The aim of this initiative is to provide 860 new intermediate and long-term residential care beds. The latest information received from the Health Service Executive indicates that 188 beds were provided in 2007 and that 325 and 347 are to be provided in 2008 and 2009 respectively. Of these, 75 are in the HSE West, 316 are in the HSE South, 242 are in the HSE Dublin North East and 227 are in the HSE Mid-Leinster.

I have referred the question to the Health Service Executive for a more detailed response and have asked the Parliamentary Affairs Division of the Executive to arrange to have a reply issued directly to the Deputy.

*Question No. 397 answered with Question No. 391.*

*Question No. 398 answered with Question No. 387.*

### **Hospitals Building Programme.**

399. **Deputy Joe Costello** asked the Minister for Health and Children her proposals for the redevelopment of the Mater Hospital; the expected duration of the project; the additional

capacity in ward beds that will be provided; the extra capacity in accident and emergency beds that will be provided; and if she will make a statement on the matter. [29433/08]

**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.

*Question No. 400 answered with Question No. 385.*

#### **Hospital Waiting Lists.**

401. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist in the case of a person (details supplied) in Dublin 9. [29538/08]

**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.

#### **Departmental Transport.**

402. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the number, type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by her Department for each of the past three years; and if she will make a statement on the matter. [29555/08]

**Minister for Health and Children (Deputy Mary Harney):** My Department does not have any vehicles and has not acquired or leased any in the last three years.

#### **Medical Cards.**

403. **Deputy Joe Costello** asked the Minister for Health and Children her views on the case of a person (details supplied) in Dublin 7; and if she will make a statement on the matter. [29568/08]

**Minister for Health and Children (Deputy Mary Harney):** In recent years there have been significant improvements to the way in which people's eligibility for medical cards and GP visit cards is assessed. Since the beginning of 2005, the qualification guidelines have increased by a cumulative 29% (7.5% and 20% in January and October 2005 respectively). Assessment is now based on a person's and, where relevant, his/her spouse's income after tax and PRSI, and takes account of reasonable expenses incurred in respect of rent or mortgage payments, childcare and travel to work. In June 2006, there was a further increase in the qualification threshold for the GP visit card to 50% above that for a medical card. Furthermore, under the assessment guidelines, persons whose weekly incomes are derived solely from Department of Social and Family Affairs payments or HSE payments, even if these exceed the stated threshold, qualify for a medical card.

The Programme for Government includes the following: indexing the income thresholds for medical cards to increases in the average industrial wage; doubling of the income limit eligibility

[Deputy Mary Harney.]

of parents of children under 6 years of age, and trebling them for parents of children under 18 years of age with an intellectual disability.

In conjunction with the development of a new legislative framework to provide for clear statutory provisions on eligibility for health and personal social services, my Department is reviewing the assessment criteria in the context of financial, medical and social need in line with the commitment in Towards 2016. A Steering Group has been established to report to me on this matter. Upon completion of this report it is my intention to then consider how best to progress the commitments in the Programme for Government in relation to medical card eligibility.

As the Health Service Executive has the operational and funding responsibility for the medical card and GP visit card benefits, it is the appropriate body to consider the particular case raised by the Deputy. My Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

#### **Medical Inquiries.**

404. **Deputy Joe Costello** asked the Minister for Health and Children if she has received a report from the Health Service Executive in respect of the case of a person (details supplied); if so, if she will make it available to the person's family; and if she will make a statement on the matter. [29576/08]

**Minister for Health and Children (Deputy Mary Harney):** My Department has been advised by the Health Service Executive that the particular case raised by the Deputy has been referred to the Coroner and that the relevant Consultant met with the deceased's next of kin before the case was referred.

The Executive has also advised that the Hospital concerned intends to contact the family of the deceased again on receipt of the Coroner's report.

#### **Hospital Services.**

405. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist in the case of a person (details supplied) in Dublin 5. [29579/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Hospital Charges.**

406. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist in the case of a person (details supplied) in Dublin 9. [29581/08]

**Minister for Health and Children (Deputy Mary Harney):** My Department has been informed by the Health Service Executive that a reply issued to the Deputy on 29th August 2008.

#### **Health Services.**

407. **Deputy Joe Costello** asked the Minister for Health and Children the waiting time for

orthodontic treatment for children under 16 years of age in the Dublin area for each of the past five years; the number waiting for same; and if she will make a statement on the matter. [29601/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### **Food Supplements.**

408. **Deputy Joe Costello** asked the Minister for Health and Children if she will respond to correspondence from a person (details supplied). [29634/08]

**Minister of State at the Department of Health and Children (Deputy Mary Wallace):** The Food Supplements Directive, 2002/46/EC, has been transposed into Irish law by Statutory Instrument No. 506 of 2007. That legislation is implemented by the Health Service Executive, under a Service Contract Agreement with the Food Safety Authority of Ireland (FSAI). This ensures that consumers in Ireland are protected by the harmonised EU rules on the sale of food supplements, in particular the labelling of food supplements and chemical form of vitamins and minerals they contain.

One of the objectives of the Food Supplements Directive (2002/46/EC) was to make provision for the European Commission to determine maximum and minimum levels of vitamins and minerals in food supplements. This matter remains under consideration at European Commission level.

The European Commission published a Discussion Paper on determining maximum and minimum levels of vitamins and minerals in June 2006. The Irish response to this Discussion Paper gave Ireland's view that the Commission should proceed on a cautious basis, setting maximum limits for as many vitamins and minerals as possible. It was considered vital that the safety of the general population and the needs of particular subgroups such as pregnant women, children, older people and those on various specialist diets be taken into account in formulating the position on this issue.

Discussions are ongoing at European level on the development of a methodology under which maximum safe levels for vitamins and minerals in food supplements will be set. Those discussions will permit the European Commission and Member States to further develop its thinking on this issue.

### **Hospitals Building Programme.**

409. **Deputy Joe Costello** asked the Minister for Health and Children the number of sites on the grounds of public hospitals that she has identified for the construction of private hospitals; the estimated market value of the sites; the financial terms under which the sites will be disposed of to the private sector; the bed capacity of the proposed private sector development; and if she will make a statement on the matter. [29635/08]

565. **Deputy Mary Upton** asked the Minister for Health and Children her views on the status of the co-location project. [30787/08]

575. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the costs incurred to date in the roll-out of the private hospital co-location scheme. [30862/08]

576. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the stage of development at each of the hospital sites designated for the private hospital co-location scheme; and the projected number of beds to be provided in the private hospitals at each site. [30863/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 409, 565, 575 and 576 together.

In July 2005 I issued a policy direction to the Health Service Executive aimed at freeing up additional beds in public hospitals for public patients. This will be achieved through the development of private hospitals on the sites of public hospitals and the transfer of private activity to those hospitals, thereby releasing substantial capacity for public patients in public hospitals. The initiative is expected to provide up to 1,000 additional beds for public patients over five years.

Co-location is the quickest and least expensive means of providing significant additional bed capacity for public patients. No capital outlay is required as the beds in the public hospitals are already in place, having been funded by the Exchequer. A further very important benefit is that the additional beds made available for public patients in public hospitals will come fully staffed (in contrast to the usual position where direct capital investment is used to fund public hospital capital developments).

The Board of the Health Service Executive (HSE) has approved preferred bidder status for the development of co-located hospitals at the following six sites: Beaumont Hospital, Cork University Hospital, Limerick Regional Hospital, St. James's Hospital, Waterford Regional Hospital and Sligo General Hospital. Connolly Hospital and Tallaght Hospital, which are also participating in the co-location initiative, are at an earlier stage of the procurement process.

Under the Project Agreements agreed with the HSE, the land on which the Hospitals will be built by the successful bidders, will be under a 65-year lease from the State at full market value. The intention is that no land will be sold to the successful bidders. This efficient utilization of public resources means that the State will receive an income for land over the 65 year period. The commercial value of each site has been determined by independent assessors.

As under the Health Act 2004 the Health Service Executive has operational responsibility for the implementation of the policy direction which I have issued, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to furnish the Deputy with the specific information requested.

### **Health Services.**

410. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the status of the network of dermatological services by Health Service Executive area, including the number of consultant dermatologists and specialist dermatologists and designated full-time support staff by hospital location; the waiting list numbers and waiting times for first and subsequent appointments; and her plans to develop this service across the regions. [29646/08]

**Minister for Health and Children (Deputy Mary Harney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular issues raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matters investigated and to have a reply issued directly to the Deputy.

411. **Deputy Pat Breen** asked the Minister for Health and Children when the National Diabetic Retinopathy Detection Programme will be rolled out in County Clare; and if she will make a statement on the matter. [29650/08]

418. **Deputy Tony Gregory** asked the Minister for Health and Children the plans she has to establish or develop a national diabetic retinopathy detection programme for all people with diabetes; if improvements will be made to the existing services in the Dun Laoghaire area; and if she will make a statement on the matter. [29684/08]

419. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [29685/08]

425. **Deputy Pádraic McCormack** asked the Minister for Health and Children when she will introduce a National Diabetic Retinopathy Detection Programme; the plans she has to implement such a programme for people suffering from diabetes; and if she will make a statement on the matter. [29702/08]

438. **Deputy James Bannon** asked the Minister for Health and Children when the National Diabetic Retinopathy Detection Programme will be implemented country wide for all people with diabetes; and if she will make a statement on the matter. [29756/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 411, 418, 419, 425 and 438 together.

The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

412. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist in the case of a person (details supplied) in Dublin 5. [29654/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### **Hospital Services.**

413. **Deputy Paul Kehoe** asked the Minister for Health and Children the number of bowel operations which have been cancelled at St. Vincent's Hospital, Dublin; and if she will make a statement on the matter. [29655/08]

**Minister for Health and Children (Deputy Mary Harney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular issue raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.



### Health Services.

414. **Deputy Seán Barrett** asked the Minister for Health and Children her views on the release speech and language and communication system which has attained wide acceptance in Ireland since 2005 and is affiliated with leading US universities and speech and language organisations; if she has examined its potential to address and eliminate lengthy waiting lists for intervention at minimal cost; and if she will make a statement on the matter. [29662/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** My Department understands that Release, which was established in Ireland in 2005, is a private, profit making organisation which advertises a holistic approach to communication intervention, incorporating speech and language therapy, early intervention and oral motor therapy to help children combat communication difficulties.

As the Deputy is aware, in Ireland, people with, or parents of children with, speech and language disorder can choose to take a private or public route to attain services. The Department of Health and Children and the HSE aim to provide access to services that are of high quality, oriented towards optimal outcome and are sustainable in the long term. It is considered that these objectives can best be met, in many instances, through the use of multi-disciplinary teams working closely and holistically, in a person centred way, under a HSE governance structure.

The Primary Care Strategy, the Disability Act, 2005 and the HSE Transformation Agenda emphasise the need for team working to achieve maximum outcome. Furthermore, when a person requires intervention from only one profession, best practice would suggest that, in most instances, those professions will be part of the organisation to ensure proper governance. As the Deputy is aware the HSE has autonomy to decide on the most effective way of delivering services which may include the use of external agencies when deemed appropriate.

The Deputy's question also relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

415. **Deputy Seán Barrett** asked the Minister for Health and Children her views on the shortage of rheumatologists which has resulted in long waiting lists in excess of two years for the treatment of arthritis and other conditions and the fact that 17% of the population are affected by some form of arthritis; her proposals to address the situation; and if she will make a statement on the matter. [29663/08]

**Minister for Health and Children (Deputy Mary Harney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### Hospital Services.

416. **Deputy Seán Barrett** asked the Minister for Health and Children her views on whether the level and quality of stroke care available throughout the country is satisfactory; if she will provide organised stroke unit care with the emphasis on stroke prevention in order that stroke

patients could have ready and rapid access to such units; and if she will make a statement on the matter. [29665/08]

**Minister of State at the Department of Health and Children (Deputy Mary Wallace):** The National Audit of Stroke Care, which was published earlier this year by the Irish Heart Foundation with the support of my Department, highlighted a number of areas where clinical care and the organisation of stroke services can be enhanced. In September last year, I established a Cardiovascular Health Policy Group to advise on how to prevent the occurrence of cardiovascular disease and stroke, and improve services for individuals affected by these conditions. I am aware that the Policy Group has, in the course of its work, considered the findings of the Audit and is addressing the issues including prevention in the primary care setting, rapid access to diagnostic services, the configuration of stroke services, including stroke units, the provision of thrombolysis as well as models of rehabilitation and discharge planning. The group is expected to report within the next few months.

#### **Medical Aids and Appliances.**

417. **Deputy Finian McGrath** asked the Minister for Health and Children if she will extend funding for prosthetic limbs to non-medical card holders. [29668/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** There are no proposals at present to extend funding for prosthetic limbs to non medical card holders.

*Questions Nos. 418 and 419 answered with Question No. 411.*

#### **Health Services.**

420. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist a person (details supplied) in Dublin 16. [29689/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The Executive, therefore, is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the case investigated and to have a reply issued directly to the Deputy.

421. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the reason chiropody services can not be provided for a person (details supplied) in County Louth; and if she will make a statement on the matter. [29694/08]

**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.

#### **Medical Aids and Appliances.**

422. **Deputy Pat Breen** asked the Minister for Health and Children when an application for

[Deputy Pat Breen.]

a person (details supplied) in County Clare will be processed; and if she will make a statement on the matter. [29699/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hocht):** 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 Services.**

423. **Deputy Pat Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated; and if she will make a statement on the matter. [29700/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hocht):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

#### **Medical Aids and Appliances.**

424. **Deputy Pat Breen** asked the Minister for Health and Children when an assessment will be carried out for a person (details supplied) in County Clare; and if she will make a statement on the matter. [29701/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

*Question No. 425 answered with Question No. 411.*

#### **Health Service Staff.**

426. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the number of Health Service Executive executive, managerial and administrative staff who have left to take up positions in the private health sector since the establishment of the Health Service Executive; and the number who have already indicated their intent to do so. [29703/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

#### **Consultancy Contracts.**

427. **Deputy Leo Varadkar** asked the Minister for Health and Children if a company (details

supplied) has been awarded contracts by her Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if she will make a statement on the matter. [29714/08]

**Minister for Health and Children (Deputy Mary Harney):** My Department has not awarded any contracts to the company referred to by the Deputy. My Department has requested the Parliamentary Affairs Division of the Health Service Executive to reply directly to the Deputy in respect of information relevant to the Executive. The other agencies under the aegis of my Department have not awarded any contracts to the company in question.

#### **Nursing Home Subventions.**

428. **Deputy Michael D’Arcy** asked the Minister for Health and Children the criteria used for assessment of people seeking subvention assistance; and if she will make a statement on the matter. [29726/08]

429. **Deputy Michael D’Arcy** asked the Minister for Health and Children if assets owned by the applicant are taken into consideration in being considered for subvention assistance; and if she will make a statement on the matter. [29727/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** I propose to take Questions Nos. 428 and 429 together.

The Deputy will be aware that under the Nursing Home Subvention Scheme, which is governed by the Health (Nursing Homes) (Amendment) Act 2007, the Health Service Executive (HSE) can make a payment towards the cost of providing nursing care in a registered private nursing home. In order to qualify for a subvention the individual must be:

- sufficiently dependent to require maintenance in a nursing home, and
- unable to pay any or part of the cost of maintenance in the home, i.e., they must undergo a means assessment which takes account of income and assets. However, in an improvement to the scheme in 2007, a person’s principal private residence is now excluded from the means assessment after three years.

In 2007 the HSE produced National Guidelines for the Standardised Implementation of the Nursing Home Subvention Scheme to all Local Health Offices. These Guidelines are available on the HSE’s website. Under the guidelines, the assessment of means is to be carried out using a national standard financial assessment method.

#### **Health Services.**

430. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support the case of a person (details supplied) in Dublin 5. [29728/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive (HSE) under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The HSE’s responsibility includes the operation of the Housing Aid Scheme for the Elderly, on behalf of the Department of Environment, Heritage and Local Government. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. The 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 Care Funding.

431. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [29730/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

### Health Services.

432. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist a person (details supplied) in Dublin 11. [29731/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

### Health Service Allowances.

433. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist a person (details supplied) in Dublin 5. [29736/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### Health Services.

434. **Deputy Pat Breen** asked the Minister for Health and Children if she will report on services available for diabetic patients in County Clare; the number of patients attending the diabetic clinic in the county; the number of patients awaiting clinic appointments; the length of time patients await appointments; and if she will make a statement on the matter. [29738/08]

**Minister of State at the Department of Health and Children (Deputy Mary Wallace):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

435. **Deputy Pat Breen** asked the Minister for Health and Children if she will report on the number of public patients in County Clare awaiting appointments for chiropody services; and if she will make a statement on the matter. [29739/08]

**Minister for Health and Children (Deputy Mary Harney):** There is no statutory obligation on the Health Service Executive (HSE) to provide chiropody services to GMS patients.

However, in practice, arrangements have been made in several regions to provide these services. Before the establishment of the HSE the nature of any arrangements for community chiropody services and the level of service provided were a matter for individual health boards and so a degree of variation in practice developed over time. I understand that priority is usually given to certain groups of people, including people who are medical card holders aged 65 years and over. In several regions the service is provided by private chiropodists by arrangement with the HSE.

My Department is currently preparing legislation to clarify and update existing legislation on eligibility for health and personal social services. The Bill will define specific health and personal services more clearly, define who should be eligible for what services, set out clear criteria for eligibility, establish when and in what circumstances charges may be made and provide for an appeals framework.

As the Health Service Executive has the operational and funding responsibility for Primary Care services, it is the appropriate body to consider the specific matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Nursing Homes Repayment Scheme.**

436. **Deputy Michael D'Arcy** asked the Minister for Health and Children if she will reconsider the case of a person (details supplied) in County Wexford for repayment under the health repayment scheme; and if she will make a statement on the matter. [29741/08]

**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.

#### **Medicinal Products.**

437. **Deputy Finian McGrath** asked the Minister for Health and Children the position regarding a matter (details supplied). [29753/08]

**Minister for Health and Children (Deputy Mary Harney):** This drug is currently at an early stage of clinical trials in many countries but is not yet licensed in Ireland, any country in Europe or the US. While the initial results are positive later phases of the trials still have to be completed before the efficacy and safety of the product can be fully assessed.

This assessment will then need to satisfy criteria of the Irish Medicines Board (IMB) and the European Medicines Agency (EMA) which are responsible for the protection and promotion of public health, through the evaluation and supervision of medicines for human use, before they can be put on the Irish or European markets.

The Irish Medicines Board is the statutory body responsible for the regulation of human medicines in Ireland. The Board works closely with both EMA and other European regulatory bodies on issues of efficacy and safety of medicinal products. As with all medicinal products, the Board will continue to assess new information concerning this drug and liaise with EMA and the regulatory bodies in other European member states where necessary.

*Question No. 438 answered with Question No. 411.*



**Health Services.**

439. **Deputy Michael McGrath** asked the Minister for Health and Children when a special profile bed will be provided for an elderly person (details supplied) in County Cork. [29764/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

**Medical Aids and Appliances.**

440. **Deputy Michael McGrath** asked the Minister for Health and Children when a special chair will be provided for a person (details supplied) in County Cork. [29773/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

**Health Services.**

441. **Deputy Tom Sheahan** asked the Minister for Health and Children the number of orthodontists who work in the public health service in Kerry; the number of persons being treated on a monthly basis; and when he expects the waiting list will be cleared. [29856/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

442. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when an occupational therapist assessment or report will be undertaken in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29863/08]

443. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if speech and language therapy will be arranged for a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29864/08]

444. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a psychological assessment review will be undertaken in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29865/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I propose to take Questions Nos. 442 to 444, inclusive, together.

The Deputy's questions relate to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the

Executive to arrange to have these cases investigated and to have replies issued directly to the Deputy.

445. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when speech and language services will be offered to a person (details supplied) in Dublin 24; and if she will make a statement on the matter. [29866/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

#### **Medical Cards.**

446. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a medical card review will be undertaken in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29867/08]

**Minister for Health and Children (Deputy Mary Harney):** As the Health Service Executive has the operational and funding responsibility for the medical card benefit, it is the appropriate body to consider the particular case raised by the Deputy. My Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

#### **Hospital Services.**

447. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when surgery to remove a brain tumour will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29868/08]

**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.

#### **Health Service Allowances.**

448. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if a review will be undertaken with regard to a mobility allowance application in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29870/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

#### **Services for People with Disabilities.**

449. **Deputy Michael Creed** asked the Minister for Health and Children if a person (details

[Deputy Michael Creed.]

supplied) in County Cork is entitled to continuing home support; and if she will make a statement on the matter. [29880/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

#### **Cancer Screening Programme.**

450. **Deputy Finian McGrath** asked the Minister for Health and Children if she will list the laboratories analysing smear tests that have received full accreditation from the Irish National Accreditation Board and the Irish laboratories analysing smear tests that have not received full accreditation from the Irish National Accreditation Board; and if a company (details supplied) has received accreditation from the Irish National Accreditation Board. [29896/08]

**Minister for Health and Children (Deputy Mary Harney):** Accreditation ensures that a laboratory is operating to a prescribed level of technical competency that meets EU or international requirements. An independent body that is objective and impartial awards such accreditation.

Quest laboratories are accredited by the College of American Pathologists (CAP), which operates accreditation programmes that align with international standards. Quest Diagnostics was the first diagnostic testing company to employ the principles of Six Sigma in its laboratories to promote operating and service quality.

The specific questions raised by the Deputy in relation to Irish laboratories relate to the management and delivery of health and personal social services, which are the responsibility of the HSE under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in this regard.

#### **Health Services.**

451. **Deputy Jack Wall** asked the Minister for Health and Children further to Parliamentary Question No. 318 of 8 July 2008, when the person (details supplied) in County Kildare will receive physiotherapy services; and if she will make a statement on the matter. [29897/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has been advised by the Parliamentary Affairs Division of the Executive that a reply issued to the Deputy on 5 September 2008.

#### **Services for People with Disabilities.**

452. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if home support will be reinstated in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29905/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004.

Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

*Question No. 453 answered with Question No. 385.*

### **Hospital Services.**

454. **Deputy Finian McGrath** asked the Minister for Health and Children the action she will take to assist a person (details supplied) in Dublin 9. [29937/08]

**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.**

455. **Deputy Finian McGrath** asked the Minister for Health and Children the action she will take to assist a person (details supplied) in Dublin 9; and if she will report on the follow up service provided. [29938/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### **Vaccination Programme.**

456. **Deputy Denis Naughten** asked the Minister for Health and Children further to the reply to Parliamentary Question No. 84 of 19 June 2008, the steps she will take to expedite the issue; and if she will make a statement on the matter. [29952/08]

**Minister for Health and Children (Deputy Mary Harney):** I understand that the Vaccine Damage Steering Group is at an advanced stage of finalising its consideration of this matter and I expect to receive its report and recommendations very shortly.

### **Health Services.**

457. **Deputy Róisín Shortall** asked the Minister for Health and Children the reason for the delay for a person (details supplied) in Dublin 11 obtaining an appointment with a consultant dermatologist; and if she will ensure that there is no further delay. [29964/08]

**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.

458. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support in the case of a person (details supplied) in Dublin 9. [29976/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The Executive, therefore, is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

#### **Hospital Sites.**

459. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the position regarding the site at St. Mary's, Naas; when ownership of same will be transferred to the Health Service Executive; the plans there are for the future development of the site; and if she will make a statement on the matter. [29977/08]

**Minister for Health and Children (Deputy Mary Harney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular issues raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matters investigated and to have a reply issued directly to the Deputy.

#### **Departmental Staff.**

460. **Deputy Leo Varadkar** asked the Minister for Health and Children the number of staff sent from her Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if she will make a statement on the matter. [29996/08]

**Minister for Health and Children (Deputy Mary Harney):** One member of my Department's staff attended the 4th Annual Irish Public Private Partnership Policy Forum conference. The cost was €672.30.

My Department has been in contact with each of the agencies directly funded by the Department and I am informed that they were not represented at the conference.

As regards the attendance by Health Service Executive staff at the conference, my Department has requested that the Parliamentary Affairs Division of the Executive investigate the matter and issue a reply directly to the Deputy.

#### **Nursing Home Subventions.**

461. **Deputy Pat Breen** asked the Minister for Health and Children her plans to implement the fair deal nursing home scheme in view of the cost of private nursing homes. [30019/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hackett):** Both the Minister for Health and Children and I are fully committed to introducing the new Nursing Homes Support Scheme, A Fair Deal, in 2009. At present, some people in private nursing homes get no support from the State and many people who do receive support still cannot afford to pay the balance of their costs. The Fair Deal will ensure that nursing home care is affordable for everyone and fair to all.



### Proposed Legislation.

462. **Deputy Leo Varadkar** asked the Minister for Health and Children her plans to introduce legislation regarding the retention of human tissue samples by hospital or clinical bodies; and if she will make a statement on the matter. [30051/08]

**Minister for Health and Children (Deputy Mary Harney):** Proposals for Human Tissue legislation are currently being developed by my Department. The purpose of the legislation will be to meet the key recommendation of the Madden Report on Post Mortem Practice and Procedures that no post-mortem examination should be carried out and no tissue retained for any purpose whatsoever without authorisation. The scope of the Bill will include comprehensive provisions on the removal, retention, storage, use and disposal of human tissue from deceased persons, and related matters.

Consent for retention and use of human tissue once the Coroner's process has been completed will also be provided for, and will complement the provisions in the Coroners Act 1962 and the Coroners Bill 2007 which is awaiting Committee stage in the Seanad.

The legislation will encompass consent procedures for the use of tissue from deceased donors for research and transplantation. One of the related matters which is being considered for inclusion is a similar provision for living tissue donors. Retention of tissue donated for the purpose of research will be addressed in the context of obtaining informed consent.

### Health Services.

463. **Deputy Tom Sheahan** asked the Minister for Health and Children the number of orthodontists employed in the public health service in County Kerry; the number of patients treated on a monthly basis; the number on the waiting list; the duration that these persons have been on the waiting list; and when the waiting list will be cleared. [30052/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### Health Service Properties.

464. **Deputy Tom Sheahan** asked the Minister for Health and Children if lands (details supplied) have been sold to a private company to establish a primary care centre; if so, the amount of land sold; the price received; if the land was advertised for public sale or public auction; and if criteria and regulations regarding the sale of lands to private interests were adhered to. [30055/08]

**Minister for Health and Children (Deputy Mary Harney):** Requirements in relation to the disposal of assets by the state bodies, including the HSE are set out in the provisions of Part 5 of the Code of Practice for the Governance of State Bodies (2001). In addition, the Board of the HSE has put in place a set of guidelines titled "Protocol for the Acquisition and Disposal of Property" which are consistent with and meet the requirements of Part 5 of the Code of Practice. This detailed protocol adopted by the HSE Board governs the sale of land vested in the HSE.

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 which specifies the Executive's authority and responsibilities in relation to the disposal of any land vested



[Deputy Mary Harney.]

in it. Therefore, the Executive is the appropriate body to consider the matter raised. My Department has requested that the Parliamentary Affairs Division of the Executive investigate the matter and issue a reply directly to the Deputy.

### **Budget Submissions.**

465. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if she has received pre-budget submissions from a society (details supplied); her views on this application; and if she will make a statement on the matter. [30057/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** As the Deputy is aware, it is custom and practice for a number of organisations to forward pre-budget submissions to the relevant Ministers and their Departments in the run up to the budget. Such submissions are considered as part of the discussions on the Estimates and Budget for that year.

The submission from the organisation concerned, requests the Minister for Finance to assign funding to that organisation in the upcoming budget. The budget is not the vehicle for providing funding to individual organisations. The budget sets out public policy on finances for the forthcoming year, including overall spending and taxation. This year's budget is being framed against the background of challenging economic circumstances.

### **Health Service Allowances.**

466. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a mobility allowance will be reinstated to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [30058/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### **Health Service Properties.**

467. **Deputy Ciarán Lynch** asked the Minister for Health and Children if her attention has been drawn to the state of repair of a centre (details supplied); the plans in place to enhance this service and to refurbish the building; and if she will make a statement on the matter. [30066/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### **Hospital Services.**

468. **Deputy Jan O'Sullivan** asked the Minister for Health and Children if her attention has been drawn to a report (details supplied); her plans to implement the recommendations of this report; and if she will make a statement on the matter. [30068/08]

**Minister for Health and Children (Deputy Mary Harney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

#### **Health Service Allowances.**

469. **Deputy Róisín Shortall** asked the Minister for Health and Children the customer service targets regarding appeals of domiciliary care allowance; the average length of time to process appeals in respect of domiciliary care allowance; the reasons for the delay in an application by persons (details supplied) in Dublin 11; when the applicant will be reviewed by a medical officer; and when a decision will be made. [30071/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Health Services.**

470. **Deputy Thomas P. Broughan** asked the Minister for Health and Children her plans to introduce a national diabetic retinopathy detection programme; the plans she has to expand the mobile diabetes screening programme that is operating in the Health Service Executive northwest area; and if she will make a statement on the matter. [30073/08]

485. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 397 of 17 June 2008, if the staff referred to have been recruited; when the screening programme will commence in the west; and if she will make a statement on the matter. [30193/08]

497. **Deputy Bernard Allen** asked the Minister for Health and Children her views on the need for a national diabetic retinopathy detection programme as requested by the Diabetes Federation of Ireland; and if she will make a statement on the matter. [30283/08]

505. **Deputy Catherine Byrne** asked the Minister for Health and Children if she will introduce and implement a national diabetic retinopathy detection programme; and if she will make a statement on the matter. [30345/08]

526. **Deputy Michael D. Higgins** asked the Minister for Health and Children if it is envisaged to implement a national diabetic retinopathy programme; if so, when this will occur; and if not, the reasons therefor. [30492/08]

**Minister of State at the Department of Health and Children (Deputy Mary Wallace):** I propose to take Questions Nos. 470, 485, 497, 505 and 526 together.

The Deputies' questions relate to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs

[Deputy Mary Wallace.]

Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputies.

### **Pharmacy Regulations.**

471. **Deputy Finian McGrath** asked the Minister for Health and Children if she will confirm whether pharmacists can refuse drug addicts their prescribed methadone treatment. [30088/08]

**Minister for Health and Children (Deputy Mary Harney):** I presume that the Deputy is referring to the dispensing of methadone by pharmacists under the Methadone Treatment Programme.

In accordance with this Programme, a person who is opiate dependent consents to treatment and may be treated in a specialist drug treatment clinic or in the community. If a person is treated in the community, s/he has a designated GP who prescribes methadone and a designated pharmacist who dispenses methadone. The participation of the opiate dependent person, the GP and the pharmacist in the Methadone Treatment Programme is entirely voluntary.

### **Hospital Waiting Lists.**

472. **Deputy Finian McGrath** asked the Minister for Health and Children the support she will give to a person (details supplied) in Dublin 5. [30090/08]

**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.**

473. **Deputy Finian McGrath** asked the Minister for Health and Children if he will support the case of a person (details supplied) in Dublin 3. [30103/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The Executive, therefore, is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### **Hospital Services.**

474. **Deputy John O'Mahony** asked the Minister for Health and Children the plans she has to ensure that neither patients nor patients' services are affected by the €2.8 million budget overspend at Mayo General Hospital; and if she will make a statement on the matter. [30121/08]

**Minister for Health and Children (Deputy Mary Harney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider

the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### **Data Protection.**

475. **Deputy John O'Mahony** asked the Minister for Health and Children the procedures in place to ensure that personal data stored by her Department is secure. [30133/08]

**Minister for Health and Children (Deputy Mary Harney):** Personal data held in my Department are managed in accordance with the requirements of the Data Protection Acts 1998 and 2003. My Department has developed a range of policies in relation to the handling of personal information both manual and electronic. These are set out in the acceptable usage policy in relation to ICT and the Department's records management protocol which has been issued to all staff. The protocol covers the management of records of a personal and /or a sensitive nature. Such records can be flagged as restricted files with limited access to specified named persons. Secure cabinets and store rooms are available for storage of such records. Procedures are in place for the management of computer backups and the secure storage of the requisite media in offsite locations. Prior to the disposal of obsolete equipment, all data are removed in line with best practice.

A number of initiatives aimed at improving security of data are currently underway including the encryption of laptop computers, encryption of data on removable media and improving end user awareness. My Department is participating in the Working Group on the Protection of Personal Data set up by the Department of Finance and will be implementing recommendations from this group.

476. **Deputy John O'Mahony** asked the Minister for Health and Children the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from her Department in 2007 and to date in 2008; and if she will make a statement on the matter. [30148/08]

**Minister for Health and Children (Deputy Mary Harney):** Since 2007, there have been three (3) items of Departmental ICT equipment lost/stolen.

Year	No.	Type of equipment
2008	1	1 Blackberry
2007	2	1 Memory Key 1 Laptop

### **Departmental Funding.**

477. **Deputy Tom Hayes** asked the Minister for Health and Children the position regarding an application for funding in respect of a childcare group (details supplied) in County Tipperary. [30154/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** As the Deputy will be aware, I have responsibility for the National Childcare Investment Programme 2006 -2010 (NCIP), which will invest €575 million over 5 years, with €358 million of this in capital grant aid for childcare services.

I understand that the service in question has applied for €1.2 million in capital funding through its local County Childcare Committee. This application is currently being assessed by

[Deputy Barry Andrews.]

Pobal, which is engaged to administer grants under the NCIP. Following Pobal's assessment of the application it will be forwarded to the Childcare Directorate of my Office for recommendation on funding. The service will be notified of the decision in due course.

### **Hospital Services.**

478. **Deputy Jan O'Sullivan** asked the Minister for Health and Children the discussions she has had with Sligo General Hospital regarding the proposed transfer of cancer services from there to University College Hospital, Galway; the funding that has been provided to ensure that the high standard of diagnosis and care is maintained for patients catered for in Sligo; and if she will make a statement on the matter. [30168/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive (HSE) National Cancer Control Programme (NCCP) is responsible for managing the transfer of cancer services to the eight designated centres nationally. The Assistant National Director of the Programme is assisting in this process and recently met with the management of Sligo General Hospital in relation to the transfer of breast cancer services to University Hospital Galway.

The designation of cancer centres aims to ensure that patients receive the highest quality care while at the same time allowing local access to services, where appropriate. Where diagnosis and treatment planning is directed and managed by multi-disciplinary teams based at the cancer centres, then much of the treatment (other than surgery) can be delivered in local hospitals such as Sligo General.

Funding of €7 million has been allocated from the Programme across the eight centres for symptomatic breast disease services, to support additional staff, including Consultant, Radiography, Nursing and clerical posts. Funding has also been allocated for some necessary additional equipment.

### **Nursing Home Subventions.**

479. **Deputy Denis Naughten** asked the Minister for Health and Children when she will publish legislation in relation to the Fair Deal; and if she will make a statement on the matter. [30173/08]

503. **Deputy Paul Connaughton** asked the Minister for Health and Children if the legislation to allow the Fair Deal for nursing home patients will be implemented and introduced in 2009; and if she will make a statement on the matter. [30337/08]

508. **Deputy Catherine Byrne** asked the Minister for Health and Children the position of the proposed Fair Deal scheme for older people living in nursing homes; the status of the legislation which will provide for this scheme to take effect; and if she will make a statement on the matter. [30348/08]

656. **Deputy Michael Creed** asked the Minister for Health and Children when she will introduce the fair deal system of nursing home subvention; and if she will make a statement on the matter. [30897/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** I propose to take Questions Nos. 479, 503, 508 and 656 together.

Both the Minister for Health and Children and I are fully committed to introducing the new Nursing Homes Support Scheme in 2009. The Minister for Health and Children expects to bring the Bill before the Houses of the Oireachtas for debate in this Dáil session.

### **Nursing Homes Repayment Scheme.**

480. **Deputy Denis Naughten** asked the Minister for Health and Children when the interest on long stay accounts which was withheld by the Health Service Executive will be awarded to patients; the amount awarded to date; and if she will make a statement on the matter. [30174/08]

**Minister for Health and Children (Deputy Mary Harney):** The Department has been advised by the Health Service Executive (HSE) that it is progressing with the task of transferring past interest retained on invested patient private property accounts and a process to undertake this transfer, initially for the period 2005-2006 has been agreed. The HSE has advised that the issue of tax liability for clients in receipt of such payments has now been clarified by the Revenue Commissioners and that the refund will not give rise to any tax implications for either the individual client or the HSE.

The HSE advises that initial testing of the computer programme to calculate payments to clients is now complete and that the validation of data on details of clients and their patient private property account balances for the first planned tranche of payments is also complete.

The HSE also advises that the final proposal on the process and rules around making payments is currently being completed. Proposals on a number of key issues have been considered, including dealing with very small payment amounts, situations where it is not possible to locate the person entitled to receive the payment and situations where complete information is not available. Final agreement on these processes will then allow completion of the proposal for payment of interest retained pre 2005.

*Question No. 481 answered with Question No. 385.*

### **Suicide Prevention.**

482. **Deputy Denis Naughten** asked the Minister for Health and Children the funding options available to community groups in respect of suicide prevention initiatives; the amount of funding available; and if she will make a statement on the matter. [30176/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** Since the establishment in 2005 of the National Office for Suicide Prevention (NOSP), additional funding of €3.55 million has been provided for the implementation of 'Reach Out'. This brings the total funding available to support suicide prevention initiatives to €8 million in 2008. The NOSP has an annual budget of €4.5 million which is used to develop and implement national training programmes, implement awareness campaigns and progress actions identified in the All-Island Action Plan for Suicide Prevention. Other suicide prevention initiatives, which include the funding for dedicated suicide resources officers, deliberate self-harm response nurses in A&E departments, funding to local voluntary groups etc, are delivered and funded directly by the HSE.

In addition, the Dormant Accounts Fund, which is managed by the Department of Community, Rural and Gaeltacht Affairs, allocated €1 million in 2008 for community-based initiatives in the area of suicide prevention.



### Health Services.

483. **Deputy Denis Naughten** asked the Minister for Health and Children her plans regarding a project (details supplied) in County Roscommon; the plans she has to redesignate the project; and if she will make a statement on the matter. [30178/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** 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 project 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 Reports.

484. **Deputy Denis Naughten** asked the Minister for Health and Children when she expects to receive the report of the Cardiovascular Health Policy Group; and if she will make a statement on the matter. [30184/08]

**Minister of State at the Department of Health and Children (Deputy Mary Wallace):** The report of the Cardiovascular Health Policy Group is currently being finalised and it is planned that it will be published by the end of the year.

*Question No. 485 answered with Question No. 470.*

486. **Deputy Denis Naughten** asked the Minister for Health and Children when she expects to receive the report of the renal strategy review group in respect of the need for the development of a national renal dialysis capacity. [30194/08]

**Minister for Health and Children (Deputy Mary Harney):** My Department is aware that the Health Service Executive (HSE) undertook a National Renal Review to inform the approach to the future development of renal services. The Report of the Review Group was completed over a year ago and developments in renal services have since been guided by the thinking in the report. The Renal Review Group identified the need for the early introduction of a follow-on implementation plan. The HSE has decided that such a plan needs to be aligned with its Transformation Programme. The HSE has further determined that the Report of the Review Group should be externally validated.

### Services for People with Disabilities.

487. **Deputy Denis Naughten** asked the Minister for Health and Children her plans to provide additional funding for the intellectual disability services in the Ballinasloe area following the visit by her Minister for State; if she will report on his visit; and if she will make a statement on the matter. [30197/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** As the Deputy is aware the question relates to the management and delivery of health and personal services, which includes funding for the intellectual disability services in the Ballinasloe area, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and have a reply issued directly to the Deputy.

A copy of the note of the meeting, referred to by the Deputy, has been forwarded directly to him.

### Hospital Services.

488. **Deputy Denis Naughten** asked the Minister for Health and Children the status of the Health Service Executive plan to amalgamate the surgery departments of Roscommon County Hospital and Portiuncula Hospital; and if she will make a statement on the matter. [30204/08]

529. **Deputy Denis Naughten** asked the Minister for Health and Children the steps being taken to implement the decision of 26 July 2008 on the reconfiguration of services at Roscommon County Hospital and Portiuncula Hospital, Ballinasloe, County Galway; and if she will make a statement on the matter. [30521/08]

530. **Deputy Denis Naughten** asked the Minister for Health and Children the timetable for the implementation of the plan, announced during the summer, for the retention of a 24 hour surgery at Roscommon County Hospital; if this plan is dependent on funding being made available; and if she will make a statement on the matter. [30522/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 488, 529 and 530 together.

The Government is committed not only to ensuring the delivery of the best quality health services possible but to doing so in an effective and efficient way. Ensuring patient safety is of paramount importance, so that people can have confidence in the services and that the best possible patient outcomes can be achieved. It is essential that we prioritise patient safety and quality and that we organise and manage services accordingly. The priority is to provide safe services as close as possible to where people live.

In the past, Roscommon County Hospital and Portiuncula Hospital Ballinasloe have operated independently, with two consultant general surgeons in each hospital. The difficulties faced by Roscommon and Portiuncula in maintaining surgical services independently, and the need for closer co-operation between them, were highlighted by the former Comhairle na nOspidéal in March 2006. Advances in clinical care and ever-increasing levels of specialisation mean that the present model of care faces important practical difficulties, which must be addressed.

In the light of these factors, the best way of retaining and developing services at Roscommon and Portiuncula hospitals is for these hospitals to work closely together. The Health Service Executive has indicated that it is proceeding with the proposal for a Joint Department of Surgery and Anaesthesia at Roscommon County Hospital and Portiuncula Hospital, Ballinasloe. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to provide the detailed information sought directly to the Deputy.

### Health Service Staff.

489. **Deputy Denis Naughten** asked the Minister for Health and Children the plans she has to ensure that front-line Health Service Executive staff, with appropriate training, are provided to deal with domestic violence; and if she will make a statement on the matter. [30206/08]

**Minister of State at the Department of Health and Children (Deputy Mary Wallace):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### **Accident and Emergency Services.**

490. **Deputy Michael Noonan** asked the Minister for Health and Children the plans she has to ensure the provision of a 24 hour seven day week full accident and emergency unit at St. John's Hospital, Limerick; and if she will make a statement on the matter. [30219/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive commissioned Horwath Consultants in association with Teamwork Management Services in February 2007 to examine the arrangements for the provision of acute hospital services in the Mid West with a view to identifying the best configuration of such services in the region including arrangements for A&E, critical care, acute medicine and surgery, together with diagnostic services so that the highest quality of care can be delivered to the population of the region. This work encompasses the services provided by St John's Hospital, Limerick.

The work of the consultants will act as one of the inputs to decisions on how best to re-configure acute services in the Mid West region. The Government and the Executive are committed to ensuring that the approach to re-organisation of services is carried out in consultation with the key stakeholders and that each element is progressed incrementally. I believe that it is important to work with health professionals and other interested parties to secure an increasing set of improvements over time. This approach will, I am confident, produce the best outcome for patients.

### **Health Services.**

491. **Deputy Michael Noonan** asked the Minister for Health and Children her views regarding a person (details supplied) in County Limerick in view of this Deputy's correspondence to her of 26 August 2008; the action she will take; when she will issue a substantive reply to this correspondence; and if she will make a statement on the matter. [30220/08]

**Minister for Health and Children (Deputy Mary Harney):** I received a representation from the Deputy on 26 August and I am preparing a reply based on the details provided to me by the Health Service Executive. I intend to issue a reply to the Deputy this week.

### **Special Educational Needs.**

492. **Deputy Michael McGrath** asked the Minister for Health and Children the resources that will be allocated in 2009 in respect of speech and language therapy to a special needs school (details supplied) in County Cork. [30230/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** It is not appropriate for me or my Department to comment on the resources that will be allocated in 2009 in respect of speech and language therapy to a special needs school (details supplied) in County Cork, prior to the announcement of the Budget 2009 package.

### **National Treatment Purchase Fund.**

493. **Deputy Jack Wall** asked the Minister for Health and Children the number on the waiting list under the National Treatment Purchase Fund in respect of Tallaght Hospital; the waiting time for treatment under this scheme at Tallaght; the plans she has to reduce waiting times; and if she will make a statement on the matter. [30247/08]

**Minister for Health and Children (Deputy Mary Harney):** My Department has made enquiries with the National Treatment Purchase Fund (NTPF) and has been advised that there are currently 1,879 patients waiting over 3 months for either medical or surgical treatment in

Tallaght Hospital. By no means have all of these patients been referred to the NTPF; 637 have been waiting between 3 and 6 months; 1006 between 6 and 12 months; and 236 longer than 12 months. The total number waiting for surgery is 964.

The primary remit of the NTPF is to facilitate treatment for those public patients who are waiting longest on waiting lists for elective surgery. The NTPF has therefore requested Tallaght Hospital to expedite referral to the Fund of the longest waiters.

At end of 2007, NTPF indicated that, nationally, a total of 4,638 or 26% of surgical patients were waiting for over 12 months for their procedures. Many of these were day cases. Over half of adult patients waiting more than 12 months are on the waiting lists of four hospitals. I asked the NTPF to give urgent attention to the position in these hospitals in 2008 and it is doing so. I am pleased to say that the position is improving gradually, with 1,837 persons in this category at the end of July 2008, and I look forward to a continuation of this trend.

### **Health Services.**

494. **Deputy Jack Wall** asked the Minister for Health and Children the number of complaints registered against an after hours doctor on call service in a county (details supplied) in each of the past three years; the number of complaints outstanding; and if she will make a statement on the matter. [30248/08]

642. **Deputy Jack Wall** asked the Minister for Health and Children the number of people using the KDoc after hours doctor service in Kildare in each of the past two years; the amount invested in this service during that period; the plans she has to extend or alter this service; and if she will make a statement on the matter. [30246/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 494 and 642 together.

Out of hours co-operatives allow general practitioners to put in place arrangements to provide services to their patients, while their surgeries are closed in the evenings, on weekends and bank holidays. The development of GP co-operatives is in line with the overall health service policy of strengthening primary care services and ensuring that to the greatest extent possible, people's care needs are met in the primary care setting.

Out of hours co-operatives are now in place in all Health Service Executive (HSE) areas, providing coverage in all or in part of all counties. In 2007, the HSE Vote included almost €37 million in baseline funding for these services and the Executive has advised that this figure is available again in 2008. This figure does not include the fees of the participating doctors.

As the Health Service Executive has the operational and funding responsibility for this service, it is the appropriate body to provide the information sought by the Deputy. My Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

495. **Deputy Jack Wall** asked the Minister for Health and Children the plans she has to continue the First Responders Programme throughout the State; the funding she will allocate to this community scheme; and if she will make a statement on the matter. [30249/08]

**Minister of State at the Department of Health and Children (Deputy Mary Wallace):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of

[Deputy Mary Wallace.]

the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### **Health Service Allowances.**

496. **Deputy Joanna Tuffy** asked the Minister for Health and Children the status of an application for domiciliary care allowance in respect of persons (details supplied) in County Dublin; and if she will make a statement on the matter. [30269/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

*Question No. 497 answered with Question No. 470.*

### **Hospital Services.**

498. **Deputy Pat Breen** asked the Minister for Health and Children if she will ensure that an independent investigation into recent allegations of misdiagnosis at Ennis General Hospital and St. James Hospital, Dublin take place; her views on this matter; the plans she has to establish a patient safety authority; and if she will make a statement on the matter. [30289/08]

**Minister for Health and Children (Deputy Mary Harney):** I have been considering how best to address the serious issues arising from the recent cases of the late Ms. Anne Moriarty and the late Ms. Edel Kelly following their treatment in Ennis General Hospital. I have met the husband of one of the deceased women and I intend to meet the family of the other woman next week. I wish to extend my sympathy to both families on their sad loss.

In relation to St. James's Hospital, I am aware that Ms Moriarty was diagnosed with breast cancer there two years previously and continued to attend for follow-up at the Hospital. Ms Moriarty's most recent follow-up in St James's was in April 2007 in which the mammogram was reported as clear. Subsequently the Hospital has not been able to locate this mammogram to have it reviewed.

The expert clinical advice available to me is that a clinical review of other patients treated in Ennis would not be warranted. I am also conscious that, in the context of future lessons for cancer services, breast cancer services have now been transferred from the Hospital to a designated specialist cancer centre.

Since we have now moved breast cancer services from Ennis General Hospital I feel it is important to have a wider examination of the operation of the Hospital, which would look at the approach there to issues relating to diagnosis and treatment of patients, including the governance arrangements for quality and safety, and to communications both within the hospital and with patients. I believe that there may be lessons to be learned both for Ennis General Hospital itself and for the wider acute hospital system.

I am very conscious that the Health Service Executive has been working for some time to reconfigure services in the Mid Western region. It has been engaging with clinicians and other health professionals in the region to agree on a practical, patient-centred plan for reorganising services between Limerick Regional, Ennis, Nenagh and St. John's Hospital. The clinicians in the region have been working very positively and have shown strong leadership towards this



end. I am aware that the HSE has placed a particular emphasis on integrating A&E services, with clear roles for all four hospitals as part of a well defined emergency care network.

I am also aware that HIQA has been reviewing documentation relating to the cases of Ms. Moriarty and Ms. Kelly and that it is formulating its own views on the question of carrying out an appropriate investigation or review.

With all of these factors in mind I have requested the Health Information and Quality Authority (HIQA), under section 9(2) of the Health Act 2007, to review the arrangements for providing services at Ennis General Hospital with particular reference to the diagnosis and follow-up of patients and the communication systems in place within the Hospital for both patients and staff. The review, which I have asked HIQA to complete within three months, will include how these arrangements work in the Emergency Department. I think it would be particularly helpful if any of the conclusions or recommendations were applicable to other acute hospitals also.

Patient safety has always been high on my agenda and on the agenda of the Government. I have taken a number of initiatives in the area of patient safety including the establishment of the Health Information and Quality Authority in 2007. Among the functions of HIQA are to monitor healthcare quality and to investigate issues of patient safety.

I set up the Commission on Patient Safety and Quality Assurance which reported to me in late July of this year. The Commission's Report 'Building a Culture of Patient Safety' was published on 7th August 2008. This is the first report of its kind and it makes far reaching recommendations which, when implemented, will have a very positive impact on patients and their families. The most significant recommendation of the report is the introduction of a licensing system for all health services whether they are delivered publicly or privately. The Commission proposed that the licensing scheme will be operated by HIQA. Compliance with standards set down by HIQA will be a prerequisite to licensing. Other recommendations from the Commission include the participation of all licensed healthcare facilities in local and national clinical audit, a mandatory adverse event reporting system, enhanced education, training and research and improved governance structures. I am currently considering these recommendations in detail. It is my intention to bring the report, together with an implementation strategy, to Government as soon as possible.

### **Medical Inquiries.**

499. **Deputy Pat Breen** asked the Minister for Health and Children the plans she has to accede to a request for a meeting with a person (details supplied) in County Clare; and if she will make a statement on the matter. [30291/08]

**Minister for Health and Children (Deputy Mary Harney):** I met with the person (details supplied) on 17 September 2008.

### **Hospital Services.**

500. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if a person (details supplied) in County Donegal can receive dialysis treatment at Letterkenny or Altnagavin Hospitals which are located approximately 30 minutes from his home instead of travelling more than 2 1/2 hours to Omagh, three days a week; and if she will make a statement on the matter. [30312/08]

**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



[Deputy Mary Harney.]

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.

### **Health Services.**

501. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if she will have arrangements made for home help or a carer's assistant in respect of a person (details supplied) in County Donegal; and if she will make a statement on the matter. [30313/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### **Medical Cards.**

502. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if a medical card can issue to the children of persons (details supplied) in County Kildare; and if she will make a statement on the matter. [30314/08]

**Minister for Health and Children (Deputy Mary Harney):** As the Health Service Executive has the operational and funding responsibility for the medical card benefit, it is the appropriate body to consider the particular case raised by the Deputy. My Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

*Question No. 503 answered with Question No. 479.*

### **Proposed Legislation.**

504. **Deputy Catherine Byrne** asked the Minister for Health and Children the status of the Nurses and Midwives Bill; when she will publish same; and if she will make a statement on the matter. [30344/08]

**Minister for Health and Children (Deputy Mary Harney):** The main objectives of the proposed new Nurses and Midwives Bill are to enhance the protection of the public in its dealings with the professions of nursing and midwifery and to ensure the integrity of these professions through the continued promotion of high standards of professional education, training and practice and professional conduct.

Late last year the Government approved the publication of the draft general scheme of the Bill as part of a public consultation process. This process resulted in a total of 213 submissions being made to the Department of Health and Children. The General Scheme is now being revised following the response to the consultation process and the revised Heads of the Bill are being prepared for submission to Government for its approval.

I consider this legislation to be essential to the modernisation of the nursing and midwifery professions and to the protection of the public. I intend to publish the revised Bill as soon as possible after the Government has approved the revised Heads.

*Question No. 505 answered with Question No. 470.*

### **Nursing Homes Repayment Scheme.**

506. **Deputy Catherine Byrne** asked the Minister for Health and Children the number of outstanding appeals being examined by the health repayment scheme appeals office; the number of appeals officers employed to work in this office; and if she will make a statement on the matter. [30346/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Repayment Scheme Appeals Office is an independent office established to provide an appeals service to those who wish to appeal the decision of the Scheme Administrator under the Health (Repayment Scheme) Act 2006. The Health Repayment Scheme Appeals Office has advised my Department that up to the 19th September 2008 it has received 4,129 completed appeal forms. The Appeals Officer must investigate each appeal independently, these investigations can require additional reviews by the Health Service Executive and the Scheme Administrator and certain appeals present a high level of complexity. In addition a very high percentage of appellants have requested an Oral Hearing. Up to the 19th September 2008 the Appeals Officer has carefully and thoroughly considered and assessed 2,102 appeals and has issued decisions to each of these appellants. In addition 590 appeals have been withdrawn by the appellant. Two Appeals Officers have been appointed to consider appeals.

507. **Deputy Catherine Byrne** asked the Minister for Health and Children the waiting time for an oral hearing to be heard by the health repayment scheme appeals office; and if she will make a statement on the matter. [30347/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Repayment Scheme Appeals Office is an independent office established to provide an appeals service to those who wish to appeal the decision of the Scheme Administrator under the Health (Repayment Scheme) Act 2006.

Up to the 19th September 2008 the Health Repayment Scheme Appeals Office has received 1,942 requests for Oral Hearings from appellants who have lodged appeal forms. The Appeals Officer must investigate each appeal independently, these investigations can require additional reviews by the Health Service Executive and the Scheme Administrator and certain appeals present a high level of complexity. Arrangements are made for an Oral Hearing when the Appeals Officer has completed his/her initial investigations. Up to the 19th September, the Appeals Officer has completed 828 Oral Hearings at locations around the country.

*Question No. 508 answered with Question No. 479.*

### **Hospital Staff.**

509. **Deputy Catherine Byrne** asked the Minister for Health and Children if her attention has been drawn to the situation at Our Lady's Children's Hospital in Crumlin where a large group of postgraduate student nurses who have worked in the hospital for the past 12 months will not be recruited by the hospital at the conclusion of their studies as is the usual practice; if this decision is due to Health Service Executive financial cutbacks; her views on the importance of retaining specialist children's nurses in this hospital; and if she will make a statement on the matter. [30351/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility

[Deputy Mary Harney.]

of the Health Service Executive under the Health Act, 2004. It is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### **Health Services.**

510. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [30363/08]

**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 numbers of doctors, nurses and other health care professionals employed in the public health services. The Government has also invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the health care needs of the population into the future.

As the Deputy will be aware, the Health Service Executive (HSE) has a responsibility to deliver services in accordance with the provisions of the 2008 National Service Plan and within the financial allocation to the HSE and the Government approved employment ceiling. The recruitment of staff is an issue for decision by the HSE having regard to service priorities and allocated budgets. The HSE has a policy of prioritising the filling of frontline posts to enable the delivery of services to patients and clients.

It is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

511. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when the Health Service Executive assessment will be undertaken in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [30378/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The Executive, therefore, is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the case investigated and to have a reply issued directly to the Deputy.

512. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [30380/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hackett):** 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 Depart-

ment has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### **Departmental Advertising.**

513. **Deputy John Deasy** asked the Minister for Health and Children the amount spent on advertising in the Irish language by her Department and by agencies under the aegis of her Department since the enactment of the Official Languages Act 2003; and if she will make a statement on the matter. [30396/08]

**Minister for Health and Children (Deputy Mary Harney):** The information requested by the Deputy is not readily available within my Department. This information is currently being collated and will be forwarded to the Deputy as soon as it becomes available. My Department has also requested the Parliamentary Affairs Division of the Health Service Executive to reply directly to the Deputy in respect of related expenditure by the Executive.

### **Cancer Screening Programme.**

514. **Deputy Pat Breen** asked the Minister for Health and Children further to Parliamentary Question No. 179 of 12 March 2008, when BreastCheck will be rolled out in County Clare; the proposals she will put in place in the interim with no routine mammography available in the mid-west region; if she supports plans to charge women for routine mammographies; and if she will make a statement on the matter. [30416/08]

**Minister for Health and Children (Deputy Mary Harney):** BreastCheck commenced the screening process in the Western Region in May 2007, with the provision of a mobile unit on the grounds of Roscommon County Hospital. I officially opened the BreastCheck static unit for the Western Region at University Hospital Galway last December. The National Cancer Screening Service has informed my Department that roll out of the BreastCheck programme to individual counties, including County Clare will be dictated by BreastCheck's management and operational considerations.

In relation to mammography in the Mid-West region, the Health Service Executive (HSE) has advised my Department that breast imaging services are available at Limerick Regional Hospital through a breast clinic which provides rapid access for all women with breast symptoms. Urgent referrals to the breast clinic for mammography are usually carried out within two weeks.

There are no plans to charge women for mammograms provided by the public health service. The HSE have also advised my Department that consideration is being given to the availability of mammography for women who do not have symptoms, pending the roll-out of BreastCheck. This consideration will have to ensure that women with actual symptoms are given absolute priority.

It is important that clear criteria are applied to distinguish between urgent and routine cases. Significant work has already been undertaken in the area of symptomatic breast disease services, supported by the Irish College of General Practitioners, in relation to referral criteria and the development of appropriate referral forms to allow for appropriate triage of urgent and non-urgent cases.

The implementation of the National Quality Assurance Standards for Symptomatic Breast Disease will ensure that every woman in Ireland who develops breast cancer has an equal opportunity to be managed in a centre which is capable of delivering the best possible results.

[Deputy Mary Harney.]

Any woman who has immediate concerns or symptoms should contact her GP who, where appropriate, will refer her to the symptomatic services in her area.

### **Nursing Homes Repayment Scheme.**

515. **Deputy Michael Ring** asked the Minister for Health and Children when a claim will be finalised in respect of a person (details supplied) in County Mayo. [30419/08]

**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.

### **Hospital Services.**

516. **Deputy Michael Ring** asked the Minister for Health and Children the reason for the waiting period (details supplied) for people to be called to the endocrinology and diabetes day care centre at the University College Hospital, Galway; and if she will make a statement on the matter. [30427/08]

**Minister for Health and Children (Deputy Mary Harney):** The management of hospital services generally is a matter for the Health Service Executive and the individual hospitals concerned. 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 case investigated and to reply directly to the Deputy.

### **Nursing Homes Repayment Scheme.**

517. **Deputy Michael Ring** asked the Minister for Health and Children the costs of paying companies (details supplied) to finalise their work beyond their contract date. [30431/08]

**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 has informed my Department that it exercised its right under the contract to require the Scheme Administrator to complete the claims and services that were outstanding beyond their contract date. It is not possible at this stage to estimate exactly the cost of the completion of the work in progress but the contract provides that completion of outstanding claims and services is on the same terms as originally tendered.

518. **Deputy Michael Ring** asked the Minister for Health and Children when an appeal under the health repayment scheme will be finalised in respect of a person (details supplied) in County Mayo in view of the fact that the appeal has been ongoing for a year. [30435/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Repayment Scheme Appeals Office is an independent office established to provide an appeals service to those who wish to appeal the decision of the Scheme Administrator under the Health (Repayment Scheme) Act 2006.

The claimant referred to by the Deputy lodged an Appeal Form with the Health Repayment Scheme Appeals Office on 21 January 2008 and lodged an Oral Hearing Form on 25 January 2008. The Appeals Officer must investigate each appeal independently, these investigations can



require additional reviews by the Health Service Executive and the Scheme Administrator and certain appeals present a high level of complexity. Arrangements are made for an Oral Hearing when the Appeals Officer has completed his/her initial investigations. An oral hearing will be arranged for the claimant in Galway.

When an Appeals Officer has made a determination on this appeal he/she will write to the claimant and will provide the claimant with the reasons for the decision.

#### **Health Services.**

519. **Deputy Michael Ring** asked the Minister for Health and Children if she will have a person (details supplied) in County Mayo reassessed for orthodontic treatment; and the appeals mechanism available if treatment is refused. [30441/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Health Service Staff.**

520. **Deputy Michael Ring** asked the Minister for Health and Children the position regarding an appointment (details supplied) in County Mayo. [30452/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Nursing Homes Repayment Scheme.**

521. **Deputy Michael Ring** asked the Minister for Health and Children when a claim under the health repayment scheme by a person (details supplied) in County Mayo will be awarded. [30454/08]

**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.

522. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will receive their payment under the health repayment scheme. [30469/08]

**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.



523. **Deputy Michael Ring** asked the Minister for Health and Children if she would instruct the scheme administrator to urgently view a claim by a person (details supplied) in County Galway. [30470/08]

**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.

#### **Hospital Services.**

524. **Deputy Pat Breen** asked the Minister for Health and Children if she will report on the progress made in putting in place an adult cystic fibrosis facility at Limerick Regional Hospital; the number of posts that have been filled at the cystic fibrosis facility both for paediatric and adult cystic fibrosis patients; if a consultant respiratory physician with a cystic fibrosis speciality has been appointed at the hospital; and if she will make a statement on the matter. [30473/08]

**Minister for Health and Children (Deputy Mary Harney):** I have identified the need to improve services for persons with cystic fibrosis as a priority in the Estimates process over recent years. Since 2006, additional revenue funding of €6.78m has been allocated to the Health Service Executive (HSE) to develop services for patients with cystic fibrosis.

The HSE has advised that 44 additional staff dealing with cystic fibrosis have been appointed to date across a number of hospitals, including St Vincent's, Beaumont, Temple Street, Crumlin, Tallaght, Cork University Hospital, Galway, Limerick and Waterford. The necessary funding is available to facilitate the recruitment of a further 37 staff nationally. My Department has requested the Parliamentary Affairs Division of the HSE to reply directly to the Deputy regarding the development of the service at the Mid West Regional Hospital, Limerick.

#### **Ambulance Service.**

525. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if instructions have been given to the ambulance service to the effect that they are not to attend motor accidents until informed that a person is trapped; the position in this regard; and if she will make a statement on the matter. [30481/08]

**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, including ambulance 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 a reply issued directly to the Deputy.

*Question No. 526 answered with Question No. 470.*

#### **Health Services.**

527. **Deputy Denis Naughten** asked the Minister for Health and Children the provision which has been made for County Roscommon clients in a project (details supplied) in County Westmeath; the status of the project; and if she will make a statement on the matter. [30493/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services

was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the issue investigated and to have a reply issued directly to the Deputy.

### **Housing Aid for the Elderly.**

528. **Deputy Michael Ring** asked the Minister for Health and Children the number of applications received in respect of a scheme (details supplied) from March 2008 to date; and the number which were approved grant aid. [30505/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hackett):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the issue investigated and to have a reply issued directly to the Deputy.

*Questions Nos. 529 and 530 answered with Question No. 488.*

### **Hospital Staff.**

531. **Deputy Denis Naughten** asked the Minister for Health and Children when the second general surgeon at Roscommon County Hospital will be appointed on a full-time permanent basis; if this appointment is dependent on funding being made available; and if she will make a statement on the matter. [30523/08]

532. **Deputy Denis Naughten** asked the Minister for Health and Children when the competition for a general surgeon at Portiuncula Hospital, County Galway, will be completed and a person appointed on a full-time permanent basis; if this appointment is dependent on funding being made available; and if she will make a statement on the matter. [30524/08]

533. **Deputy Denis Naughten** asked the Minister for Health and Children when the new appointment of a surgeon with a speciality in gastrointestinal surgery will be appointed to Roscommon and Portiuncula Hospitals on a full-time permanent basis; if this appointment is dependent on funding being made available; and if she will make a statement on the matter. [30525/08]

534. **Deputy Denis Naughten** asked the Minister for Health and Children when the third consultant physician at Roscommon County Hospital will be appointed on a full-time permanent basis; if this appointment is dependent on funding being made available; and if she will make a statement on the matter. [30526/08]

647. **Deputy Denis Naughten** asked the Minister for Health and Children the steps which are being put in place to provide additional staffing for the high dependency unit at Roscommon County Hospital; the number of occasions in the last 12 months that this facility was not available to admit patients due to staffing shortages; and if she will make a statement on the matter. [30527/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 531 to 534, inclusive, and 647 together.

[Deputy Mary Harney.]

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### **Children in Care.**

535. **Deputy Róisín Shortall** asked the Minister for Health and Children if her attention has been drawn to the fact that there is no social welfare or foster care payment available to the guardian of children who are left in his or her care by a sole surviving parent who has been incarcerated; and if she will ensure that contact is made with the Department of Social and Family Affairs to address this anomaly. [30549/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The foster care allowance can only be paid in respect of children who are deemed to be in need of care and protection and who are taken into the care of the Health Service Executive and placed in foster care or relative care in accordance with the Child Care Regulations, 1995. Under the current legislation, the Health Service Executive must assess the needs of a child placed in care and the suitability of the prospective foster or relative carers, and draw up a care plan. The implementation of the care plan places significant responsibilities and duties on foster carers, whether relatives or non-relatives. The Foster Care Allowance is paid in recognition of these additional responsibilities and the additional costs of looking after foster children. Decisions relating to the payment of social welfare allowances are a matter for my colleague the Minister for Social and Family Affairs.

### **Nursing Home Repayment Scheme.**

536. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be approved payment under the health repayment scheme. [30558/08]

**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.

537. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be awarded payment under the health repayment scheme. [30559/08]

**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.

### **Hospital Services.**

538. **Deputy Finian McGrath** asked the Minister for Health and Children if she will assist a person (details supplied) in Dublin 3. [30583/08]

**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.

539. **Deputy Pat Breen** asked the Minister for Health and Children further to Parliamentary Question No. 132 of 8 May 2008 when the review of acute hospital services in the mid-west region will be published; and if she will make a statement on the matter. [30593/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive commissioned Horwath Consultants in association with Teamwork Management Services in February 2007 to examine the arrangements for the provision of acute hospital services in the Mid West with a view to identifying the best configuration of such services in the region including arrangements for A&E, critical care, acute medicine and surgery, together with diagnostic services so that the highest quality of care can be delivered to the population of the region.

The work of the consultants will act as one of the inputs to decisions on how best to reconfigure acute services in the Mid West region. The Government and the Executive are committed to ensuring that the approach to re-organisation of services is carried out in consultation with the key stakeholders and that each element is progressed incrementally. I believe that it is important to work with health professionals and other interested parties to secure an increasing set of improvements over time. This approach will, I am confident, produce the best outcome for patients.

540. **Deputy Pat Breen** asked the Minister for Health and Children the reason referrals to a hospital (details supplied) in County Limerick for services are closed; and if she will make a statement on the matter. [30594/08]

541. **Deputy Pat Breen** asked the Minister for Health and Children the reason two independent reports into the provision of resources at a hospital (details supplied) in County Limerick have not been implemented; and if she will make a statement on the matter. [30595/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 540 and 541 together.

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### **Hospital Waiting Lists.**

542. **Deputy Pat Breen** asked the Minister for Health and Children the number of patients awaiting outpatient services at a hospital (details supplied) in County Limerick; and if she will make a statement on the matter. [30596/08]

**Minister for Health and Children (Deputy Mary Harney):** The management of waiting lists generally, including out patient waiting lists, is a matter for the Health Service Executive and the individual hospitals concerned. Therefore, the Executive is the appropriate body to consider

[Deputy Mary Harney.]

the particular issue raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the issue investigated and to reply directly to the Deputy.

#### **Departmental Agencies.**

543. **Deputy Joan Burton** asked the Minister for Health and Children the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of her Department; and if she will make a statement on the matter. [30615/08]

**Minister for Health and Children (Deputy Mary Harney):** The level of pay (with salary scale where appropriate) and any allowances paid to the CEOs of State agencies under the aegis of the Department of Health and Children are set out in the following table. These rates are those payable as of 1 March 08. The revised rates for 1 September 08 are in the process of being sanctioned.

Agency Name	Current Pay	Pension	Allowances
An Bord Altranais	€135,300	LGSS	No allowances
Children Acts Advisory Board	€189,526*	HSE Employee Model Superannuation Scheme	No allowances
Crisis Pregnancy Agency	€88,490 – €109,455 (LSI 2)	CPA Employee Superannuation Scheme	No allowances
Dental Council	€84,066 – €103,982 (LSI 2)	LGSS	No allowances
Food Safety Authority of Ireland	€154,775	FSAI Employee Superannuation Scheme 2000	No allowances
Food Safety Promotion Board	€125,027	FSPB Employee Superannuation Scheme	No allowances
Health Information & Quality Authority	€199,502	HIQA Employee Superannuation Scheme	No allowances
Health Insurance Authority	€95,236 – €117,446 (LSI 2)	HIA Employee Superannuation Scheme	No allowances
Health Research Board	€154,775	Local Government Superannuation Scheme	No allowances
Health Service Executive	€369,713**	Substantive Post: Member of VHSS 25% of balance of salary paid to nominated Private Pension Scheme	Car allowance of €15,000 per annum
Health and Social Care Professionals Council	€95,236 — €110,381	HSCPC Employee Superannuation Scheme	No allowances
Irish Blood Transfusion Service	€167,979.50	IBTS Employee Superannuation Scheme	Use of company car
Irish Medicines Board	€147,036	Local Government Superannuation Scheme	No allowances
Medical Council	€182,233	Local Government Superannuation Scheme	No allowances
Mental Health Commission	€135,300 – €154,775	MHC Employee Superannuation Scheme	No allowances
National Cancer Screening Service	€136,352**	Local Government Superannuation Scheme	No allowances
National Cancer Registry Board	€90,468 – €111,577 (LSI 2)	Nominated Health Agencies Superannuation Scheme	No allowances
National Council for Professional Development of Nursing & Midwifery	€109,455	Local Government Superannuation Scheme	No allowances
National Paediatric Hospital Development Board	€120,000	Vacant	Travel allowance of €3,708 per annum
National Social Work Qualifications Board	€84,066 – €103,982 (LSI 2)	Nominated Health Agencies Superannuation Scheme	No allowances
National Treatment Purchase Fund	€135,300	NTPF Employee Superannuation Scheme	No allowances
Office of Tobacco Control	€84,066 – €103,982 (LSI 2)	OoTC Employee Superannuation Scheme	No allowances
Pharmaceutical Society of Ireland	€146,773**	Local Government Superannuation Scheme	€5,999
Postgraduate Medical & Dental Board	€89,021 – €105,618	Local Government Superannuation Scheme	No allowances
Pre-Hospital Emergency Care Council	€88,490 – €109,455 (LSI 2)	Local Government Superannuation Scheme	Medical Advisor Allowance of €17,570.20
Voluntary Health Insurance Board	€297,024**	25% of salary paid to nominated Private Pension Scheme	Car allowance of €25,000 p.a.
Women's Health Council	€84,066 – €103,982 (LSI 2)	Local Government Superannuation Scheme	No allowances

\* The current post holder is on secondment from the HSE and the National Director 1 rate.

The Children Acts Advisory Board recoup to the HSE the approved rate for the post of €146,773.

\*\* Personal to holder.



[Deputy Mary Harney.]

Depending on the terms and conditions of individual contracts of employment, CEOs of certain state agencies may be eligible to participate in a Performance Related Award Scheme in line with the provisions and principles of the Review Body on Higher Remuneration in the Public Sector. All schemes must be approved by the Department of Finance. Where agencies participate in the Scheme, awards are made to the CEO directly by the Board of the agency concerned.

### Departmental Staff.

544. **Deputy Joan Burton** asked the Minister for Health and Children the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of her and each Minister of State within her Department; and if she will make a statement on the matter. [30630/08]

592. **Deputy Lucinda Creighton** asked the Minister for Health and Children the number of civil service staff dealing with constituency matters in her office; the number of civil service staff dealing with constituency matters in the offices of Ministers of State within her Department; and the cost in salaries for these staff per annum. [31132/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 544 and 592 together.

The information requested by the Deputies is set out in the following tables.

Table 1 — Staffing Position September 2008

Civil Servants					Political Appointees				Overall Total
2008	Private Secretary	Executive Officer	Staff Officer	Clerical Officer	Special Advisor	Personal Secretary	Personal Assistant	Civilian Driver	
<b>Minister for Health &amp; Children</b>									
Private Office	1	2	1	4	2		1		11
Constituency Office				2			1		3
<b>Minister for Children &amp; Youth Affairs</b>									
Private Office	1	1		3	1				6
Constituency Office				1.6		1	1		3.6
<b>Minister of State with responsibility for Health Promotion &amp; Food Safety</b>									
Private Office	1	2		3				2	8
Constituency Office				3		1	1		5
<b>Minister of State with responsibility for Older People</b>									
Private Office	1	1	0.5	2				2	6.5
Constituency Office				2		1	1		4
<b>Minister of State with responsibility for Equality, Disability Issues &amp; Mental Health</b>									
Private Office	1	0.8		2				2	5.8
Constituency Office				1		1	1		3
Overall Total	5	6.8	1.5	23.6	3	4	6	6	55.9

Table 2 — Staffing Position 31 December 2007

Civil Servants					Political Appointees				
2007	Private Secretary	Executive Officer	Staff Officer	Clerical Officer	Special Advisor	Personal Secretary	Personal Assistant	Civilian Driver	Overall Total
<b>Minister for Health &amp; Children</b>									
Private Office	1	2	1	4	4		1		13
Constituency Office				2			1		3
<b>Minister for Children</b>									
Private Office	1	1		3.1	1				6.1
Constituency Office				3.8		1	1		5.8
<b>Minister of State with responsibility for Health Promotion &amp; Food Safety</b>									
Private Office	1	1	1	2				2	6
Constituency Office				3		1	1		5
<b>Minister of State with responsibility for Older People</b>									
Private Office	1	1	0.5	2				2	6.5
Constituency Office				2		1	1		4
<b>Minister of State with responsibility for Disability Issues &amp; Mental Health</b>									
Private Office	1	1		3	1			2	8
Constituency Office						1	1		2
Overall Total	5	6	1.5	24.9	6	4	6	6	59.4

Table 3 — Administrative Budget Details for Ministerial Offices

2007	Total Pay	Overtime (included in Total Pay)	Travel & Subsistence Payments	Ministerial Expenses
	€m	€m	€m	€m
Minister for Health & Children	1.235	0.003	0.074	0.015
Minister for Children	0.643	0.022	0.034	0.014
Minister of State with responsibility for Health Promotion & Food Safety	0.101	0.002	0.044	0.006
Minister of State with responsibility for Older People	0.469	0.007	0.086	0.012
Minister of State with responsibility for Disability Issues & Mental Health	0.674	0.002	0.080	0.011
<b>Total</b>	<b>3.122</b>	<b>0.036</b>	<b>0.318</b>	<b>0.058</b>

[Deputy Mary Harney.]

Projected 2008	Total Pay	Overtime (included in Total Pay)	Travel & Subsistence Payments	Ministerial Expenses
	€m	€m	€m	€m
Minister for Health & Children	1.139	0.003	0.039	0.015
Minister for Children and Youth Affairs	0.637	0.013	0.008	0.011
Minister of State with responsibility for Health Promotion & Food Safety	0.414	0.007	0.074	0.011
Minister of State with responsibility for Older People	0.542	0.018	0.061	0.012
Minister of State with responsibility for Equality, Disability Issues & Mental Health	0.516	0.014	0.101	0.010
Total	3.248	0.055	0.283	0.059

### Health Services.

545. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if the Health Service Executive is carrying out an investigation into the running of a facility (details supplied) in County Tipperary following a complaint from employees of the facility; and if she will make a statement on the matter. [30672/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** As the Deputy is aware the organisation (details supplied) is a voluntary organisation that provides services for people with disabilities on behalf of the HSE. From the details supplied it would appear that the Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive, under the Health Act 2004, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

### Nursing Homes Repayment Scheme.

546. **Deputy Bernard Allen** asked the Minister for Health and Children the reason a person (details supplied) in County Cork has been refused a payment under the health repayment scheme. [30690/08]

**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.

547. **Deputy Bernard Allen** asked the Minister for Health and Children the reason a person (details supplied) in County Cork has been refused a payment under the health repayment scheme. [30691/08]

**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.

548. **Deputy Bernard Allen** asked the Minister for Health and Children the reason a person (details supplied) in County Cork has been refused a payment under the health repayment scheme. [30692/08]

**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.

#### **Hospital Services.**

549. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be called for surgery in Beaumont Hospital. [30703/08]

**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.

#### **Nursing Home Repayment Scheme.**

550. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will receive payment under the health repayment scheme. [30704/08]

**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 Services.**

551. **Deputy Michael Ring** asked the Minister for Health and Children if there is a consultant service (details supplied) provided in County Mayo; and if she will make a statement on the matter. [30705/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

552. **Deputy Michael Ring** asked the Minister for Health and Children the number of occasions that audiology clinics are held in Mayo in respect of children and adults; the waiting time for an appointment; and if she will make a statement on the matter. [30706/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

553. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be called for their orthodontic treatment. [30708/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

*Questions Nos. 554 and 555 answered with Question No. 385.*

### **Health Care Provision.**

556. **Deputy Michael Ring** asked the Minister for Health and Children if the Government of the UK pays, on an annual basis to this State, a sum of money to ensure that persons whose only pension or income is from the UK and who are resident here will receive medical treatment; if there is a written agreement on this matter; the amount of the payment for each of the past ten years; the way this money was dispersed to each of the Health Service Executive areas; and if she will make a statement on the matter. [30719/08]

**Minister for Health and Children (Deputy Mary Harney):** Regulation (EC) 1408/71 facilitates free movement of workers and others within the EU by providing for coordination between member states' health care and social security systems. In relation to health care, its provisions ensure that where people are affiliated with the health care system of one member state (insured with that system or covered by it), but residing or staying in another member state, they can access the public health care system of that member state in certain circumstances. The Regulation provides for the reimbursement of health care costs in one member state to persons affiliated with the health care system of another member state.

Under the terms of a formal bilateral reimbursement agreement in place since 1973 between Ireland and the UK, arising from the application of Regulation (EC) 1408/71, net liability between the two countries has been calculated on a lump sum basis rather than an individual basis and comprehends such persons as temporary visitors from the UK; UK pensioners and their dependants residing in Ireland; and the dependant families residing in Ireland of persons employed in the UK. The payment made in any one year is determined based upon an estimate of the number of persons falling within categories eligible for reimbursement and for whom each country is liable and an estimate of the average cost of providing health care treatment. The estimated number of pensioners for whom each country is liable is based on a survey by both administrations undertaken every three years. Such a survey has been completed this year and will be applied to determine the liabilities for the years 2007, 2008 and 2009.

The amounts received from the UK during the period 1998 to 2007 are as follows:

Year	€ millions	Year	€ millions
1998	114.3	2003	310.3
1999	136.1	2004	348.0
2000	184.5	2005	448.6
2001	185.5	2006	396.7
2002	249.6	2007	450.0

Payments received in any one year can relate to both final settlements in respect of previous years' liabilities and advance payments in respect of the current year. In relation to the dispersal of the monies received under this agreement, these monies were previously incorporated as income into the Appropriations-in Aid in the Department of Health and Children's Vote. With the establishment of the Health Service Executive (HSE) this money now is included as an Appropriation-in Aid in the HSE Vote. The income offsets a portion of the gross funding requirements of the HSE at national level and reduces the net liability to the Exchequer. In relation to how the money is dispersed, this is the responsibility of the HSE. However, it is understood that it forms part of the budget allocation system of the HSE in conjunction with Exchequer funding.

#### **Nursing Home Repayment Scheme.**

557. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be awarded payment under the health repayment scheme. [30722/08]

**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.

558. **Deputy Michael Ring** asked the Minister for Health and Children the number of claims, fully processed but not yet paid under the health repayment scheme with details on a county basis; and when will these claims be paid. [30731/08]

559. **Deputy Michael Ring** asked the Minister for Health and Children the reason for the delay in the payment of claims that have been fully processed under the health repayment scheme; and if she will make a statement on the matter. [30736/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 558 and 559 together.

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 has informed my Department that since the commencement of the scheme 17,684 offers of repayment totalling over €330m have been made while 13,291 payments totalling over €274m have been processed.

The HSE has advised that there are 723 claims that have been fully processed but not yet paid under the health repayment scheme. It is intended that these payments will be made shortly. The following is a breakdown by county.



[Deputy Mary Harney.]

County	Number of applications
Cork	75
Clare	22
Cavan	16
Carlow	14
Dublin	140
Donegal	51
Galway	24
Kildare	35
Kilkenny	12
Kerry	25
Longford	8
Limerick	33
Leitrim	11
Laois	8
Louth	20
Monaghan	14
Meath	19
Mayo	33
Offaly	8
Roscommon	9
Sligo	33
Tipperary	29
Waterford	20
Wicklow	15
Westmeath	20
Wexford	13
Outside Rep of Ireland	16
Total	723

### Health Services.

560. **Deputy Michael Ring** asked the Minister for Health and Children if she will instruct the Health Service Executive to fund the use of an art assist machine in respect of a person (details supplied) in County Mayo in view of the fact that their only source of income is the State pension. [30738/08]

561. **Deputy Michael Ring** asked the Minister for Health and Children the number of persons in an area (details supplied) in County Mayo who are using equipment funded or partially funded by the Health Service Executive; the number of persons who have applied for funding to use this equipment but who have been refused; and if she will make a statement on the matter. [30739/08]

**Minister of State at the Department of Health and Children (Deputy Mary Wallace):** I propose to take Questions Nos. 560 and 561 together.

The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the

Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Medical Cards.**

562. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a medical card renewal will issue to persons (details supplied) in County Kildare; and if she will make a statement on the matter. [30751/08]

**Minister for Health and Children (Deputy Mary Harney):** As the Health Service Executive has the operational and funding responsibility for the medical card benefit, it is the appropriate body to consider the particular case raised by the Deputy. My Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

*Question No. 563 answered with Question No. 385.*

#### **Health Service Staff.**

564. **Deputy Mary Upton** asked the Minister for Health and Children the numbers of Health Service Executive employees in frontline services and non-front line services for each year since 2005; if she will provide this information in tabular form; and if she will make a statement on the matter. [30786/08]

**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 numbers of doctors, nurses and other healthcare professionals employed in the public health services. The Government has also invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the healthcare needs of the population into the future.

Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

*Question No. 565 answered with Question No. 409.*

#### **Hospitals Building Programme.**

566. **Deputy Mary Upton** asked the Minister for Health and Children her views on the status of the National Children's Hospital project; the long-term future for Crumlin Hospital; and if she will make a statement on the matter. [30788/08]

**Minister for Health and Children (Deputy Mary Harney):** The development of the National Paediatric Hospital is a priority project for the Government. The objective is to provide a world class specialist paediatric service for children in this country.

[Deputy Mary Harney.]

The National Paediatric Hospital Development Board was established in May, 2007. Its primary function is to plan, design, furnish and equip the new national paediatric hospital. The HSE is working closely with the Board in progressing the project.

The project is currently at initiation stage. A contract has been awarded for business advisory services. A detailed Development Brief for the new hospital is being prepared and is due for completion by the end of the 1st Quarter 2009. The Development Brief will be converted into a detailed design, outlining the exact dimensions and specifications for the new hospital, to allow the project proceed to tender for construction.

The legal requirements to enable the transfer of the designated site for the hospital to the HSE have been agreed.

The long-term future of the Crumlin facility following transfer of current services to the National Paediatric Hospital will be a matter for discussion between the Hospital, the HSE and my Department.

### **Health Repayment Scheme.**

567. **Deputy Frank Feighan** asked the Minister for Health and Children when payment will be made to a person (details supplied) in County Leitrim. [30800/08]

**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.

### **Services for People with Disabilities.**

568. **Deputy Finian McGrath** asked the Minister for Health and Children the position regarding a matter (details supplied). [30802/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management, delivery and funding of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### **Child Protection.**

569. **Deputy Brian Hayes** asked the Minister for Health and Children the action being taken by her Department and the Health Service Executive to implement in full the recommendations contained within the McElwee report published earlier in 2008; and if she will make a statement on the matter. [30808/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** Following on from the release of the McElwee Report, my predecessor, Brendan Smith TD, Minister for Children, established a group comprising senior officials of:

- The Office of the Minister for Children;
- The HSE;

- An Garda Síochána;
- The Department of Justice, Equality and Law Reform;
- The Department of Education and Science;

for the purpose of:

- (a) Reviewing adherence to the Children First Guidelines in light of the Report.
- (b) Considering how to ensure better
  - knowledge of the Children First Guidelines;
  - training and education about the Guidelines;
  - communications and information exchanges;
  - structures and roles to ensure full adherence to the Guidelines by all the agencies encompassed by the membership of the group; and
- (c) advising my Office regarding the matters covered above.

The group has had a number of meetings, and the members are examining methodologies to facilitate more pro-active management of current administrative systems, to enhance organisational procedures and compliance therewith, and to promote the full promulgation of the Children First guidelines. All the aforementioned actions will ensure that sufficient protections do and continue to operate within organisations that have any role in relation to those working with children, and that all are fully aware of their responsibilities in this regard.

My Office also recently completed a detailed and wide-ranging review of Children First, and on foot of this a number of documents were published, including:

- National review of compliance with Children First;
- Analysis of submissions made on national review of compliance with Children First;
- Service users' perceptions of the Irish Child Protection System.

The Deputy also raises the issue of implementation of the recommendations by the Health Service Executive. The Deputy's question has been forwarded to the HSE and I have requested that the HSE reply to the Deputy directly with regard to the information he has sought.

### **Health Services.**

570. **Deputy Michael Ring** asked the Minister for Health and Children if transport will be provided to a person (details supplied) in County Mayo in view of the fact that without transport being provided they will be unable to attend their medical appointments; and if she will make a statement on the matter. [30821/08]

**Minister for Health and Children (Deputy Mary Harney):** Operational responsibility for the management and delivery of health and personal social services, including patient transport, is a matter for the Health Service Executive and funding for such services is provided in the Executive's 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 matters investigated and to have a reply issued directly to the Deputy.

### Services for People with Disabilities.

571. **Deputy Joan Burton** asked the Minister for Health and Children if her attention has been drawn to the existence of a school (detail supplied) in County Dublin; her views on whether the service provided there is essential to young people with a learning disability who benefit from it and that those benefitting from this service fall into the category of most vulnerable in our society; if her attention has further been drawn to the fact that a decision has been made to close the facility as a result of the withdrawal of funding by the Health Service Executive and FÁS; if she will review and reverse this decision to withdraw funding in order that this facility can continue in existence; and if she will make a statement on the matter. [30841/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

### Health Service Staff.

572. **Deputy Denis Naughten** asked the Minister for Health and Children the number of social workers allocated to separated children seeking asylum; the ratio of social workers to separated children; and the ratio of social workers to Irish children in care. [30859/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The Deputy's question relates to the management and delivery of health and social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### Medical Cards.

573. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the average cost per annum of a full medical card. [30860/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive has informed my Department that the average cost of a medical card is €1,650 per annum.

574. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the average cost per annum of a general practitioner only card. [30861/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive has informed my Department that the average cost of a GP visit card is €380 per annum.

*Questions Nos. 575 and 576 answered with Question No. 409.*

### Health Services.

577. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the number of home help hours which have been cut since October 2007. [30865/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hackett):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Depart-

ment has requested the Parliamentary Affairs Division of the Executive to arrange to have the issue investigated and to have a reply issued directly to the Deputy.

### **Hospital Waiting Lists.**

578. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be called for a cataract operation. [30870/08]

**Minister for Health and Children (Deputy Mary Harney):** The management of waiting lists generally is a matter for the Health Service Executive and the individual hospitals concerned. 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 case investigated and to reply directly to the Deputy.

Patients waiting more than three months on a surgical waiting list may qualify for treatment under the National Treatment Purchase Fund. It is open to the person in question or anyone acting on their behalf to contact the Fund directly in relation to their case.

### **Care of the Elderly.**

579. **Deputy Joanna Tuffy** asked the Minister for Health and Children the annual expenditure by her Department and appropriate bodies in providing new beds in public nursing homes for each of the years 2002 to 2007 and to date in 2008; if this information will be provided in tabular form; and if she will make a statement on the matter. [30881/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. The 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.

### **Nursing Home Subventions.**

580. **Deputy Joanna Tuffy** asked the Minister for Health and Children the expenditure by her Department or the appropriate authorities in nursing home subventions for residents in private nursing homes for each of the years 2002 to 2007 and to date in 2008; if this information will be provided in tabular form; and if she will make a statement on the matter. [30883/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. The Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### **Care of the Elderly.**

581. **Deputy Michael Creed** asked the Minister for Health and Children her plans to provide a day care centre for the elderly at a location (details supplied) in County Cork; and if she will make a statement on the matter. [30896/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services



[Deputy Máire Hocht.]

was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the issue investigated and to have a reply issued directly to the Deputy.

### **Child Care Services.**

582. **Deputy Alan Shatter** asked the Minister for Health and Children the action taken to require the Health Service Executive to comply with its statutory obligations and to publish reports for each of the years 2006 and 2007 with regard to the workings of the childcare services as required under Irish children's legislation. [30905/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** Section 8 of the Childcare Act 2001 required the then Health Boards to review the adequacy of child care and family support services in their area. This was, and remains, a unique requirement among community based services and serves to highlight the importance placed on these services by Government, and society in general.

The establishment of the Health Service Executive in 2005 necessitated the re-orientation of these Section 8 reports to reflect the new unitary structure. This re-orientation involved, inter alia, the development of a standardised template for compiling the data and producing the reports. This work has now been completed and the report in respect of 2005 has already been published by the HSE this year.

At a recent meeting between myself, officials from my Office and senior HSE Child Welfare and Protection managers, I was informed that the 2006 report is now also complete and its publication by the HSE imminent. Further, the 2007 report is expected to be complete, and published, before the end of this year. Thereafter, I have been informed by the HSE of the expectation that future reports will be produced in a timely fashion.

### **English Language Tests.**

583. **Deputy Enda Kenny** asked the Minister for Health and Children if she will amend the requirement for the successful completion of the international English language testing system examination in order to obtain a person's registration with the Irish Medical Council; if an exemption may be created for people who have successfully completed English in their junior and leaving certificate examinations; and if she will make a statement on the matter. [31033/08]

**Minister for Health and Children (Deputy Mary Harney):** The Minister for Health and Children does not have a role in relation to setting the detailed requirements for registration with the Medical Council. These are defined by the Council in its own rules.

The Council has informed me that successful completion of the International English Language Testing System (IELTS) examination, as a demonstration of competence in English, is the first step in the process of applying for registration with the Medical Council for a minority of doctors, mainly those from outside the EU. Under current legislation and regulations the majority of doctors do not have to sit the IELTS.

The requirement to provide evidence of competence in English is intended to safeguard the interests of patients as effective communication is at the core of being a good doctor.

### **Health Repayment Scheme.**

584. **Deputy Frank Feighan** asked the Minister for Health and Children the position regard-

ing an application for the nursing home repayments scheme by a person (details supplied) in County Leitrim; and if she will make a statement on the matter. [31061/08]

**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.

*Question No. 585 answered with Question 380.*

### **Hospitals Building Programme.**

586. **Deputy Joan Burton** asked the Minister for Health and Children the contacts and meetings which have taken place between the Health Service Executive, the Minister for Justice, Equality and Law Reform, herself and officials from her Department in relation to the location of the new Central Mental Hospital on the Thornton prison site; and if she will make a statement on the matter. [31069/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** There are no records of any meetings between the Minister for Health and Children and the Minister for Justice, Equality and Law Reform in relation to the relocation of the Central Mental Hospital (CMH) to Thornton Hall. However the matter was discussed at Cabinet in the context of the Memorandum to Government seeking approval to purchase the site and the subsequent Memorandum to approve the development of the hospital on the site. Since my appointment earlier this year, I have met the Health Service Executive and have had discussions in relation to the redevelopment of the CMH.

Since the acquisition of the Thornton Hall site, there have been various meetings, correspondence and telephone calls between my officials and officials of the Department of Justice, Equality and Law Reform and the Irish Prison Service. My officials are also engaged in regular meetings with the Health Service Executive, including the management of the CMH, in relation to the project, and they are jointly represented on working groups charged with progressing the redevelopment.

### **Health Services.**

587. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the reason for the delay in transferring a person (details supplied) in Dublin 24 to a convalescent home near to their home; and if a bed has been available for them in a private nursing home for a number of weeks. [31077/08]

**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.

### **National Treatment Purchase Fund.**

588. **Deputy Edward O’Keefe** asked the Minister for Health and Children if she will assist in having a person (details supplied) in County Cork referred to the National Treatment Purchase Fund for a specific operation. [31104/08]

589. **Deputy Edward O’Keeffe** asked the Minister for Health and Children if she will arrange for a person (details supplied) in County Cork to be referred to a specific fund as they have been waiting 18 months for an outpatient appointment. [31105/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 588 and 589 together.

The management of out-patient waiting lists is a matter for the Health Service Executive and the individual hospitals concerned. Therefore, the Executive is the appropriate body to consider the particular cases raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the cases investigated and to reply directly to the Deputy in each case.

#### **Health Repayment Scheme.**

590. **Deputy Edward O’Keeffe** asked the Minister for Health and Children if she will investigate the refusal of a payment to a person (details supplied) in County Cork under the long stay repayment scheme. [31106/08]

**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.

#### **Nursing Home Subventions.**

591. **Deputy Edward O’Keeffe** asked the Minister for Health and Children if she will assist in having enhanced nursing home subvention approved in respect of a person (details supplied) in County Cork. [31107/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. The Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

*Question No. 592 answered with Question No. 544.*

#### **Health Services.**

593. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when a reply will issue from the Health Service Executive to Parliamentary Question No. 387 of 17 June 2008. [31154/08]

**Minister for Health and Children (Deputy Mary Harney):** My Department has been in contact with the HSE in relation to its response. I am informed that a reply is being finalised and will be issued shortly to the Deputy.

594. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when a reply will issue from the Health Service Executive to Parliamentary Question No. 136 of 18 June 2008. [31156/08]

**Minister for Health and Children (Deputy Mary Harney):** My Department has been in contact with the HSE in relation to its response. I am informed that a reply is being finalised and will be issued shortly to the Deputy.

595. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when a reply will issue from the Health Service Executive to Parliamentary Question No. 185 of 10 July 2008. [31157/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive has informed my Department that a reply to the Parliamentary Question referred to by the Deputy will issue shortly.

596. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when a reply will issue from the Health Service Executive to Parliamentary Question No. 188 of 10 July 2008. [31158/08]

**Minister for Health and Children (Deputy Mary Harney):** My Department has been in communication with the Health Service Executive and I understand that the Executive is working to finalise the information requested. When the necessary information is compiled I will arrange to have it forwarded to the Deputy.

#### Seirbhísí Tacaíochta.

597. D'fhiafraigh **Deputy Caoimhghín Ó Caoláin** den Aire Sláinte agus Leanaí an bhféachfaidh sí as an nua ar sheirbhísí méala agus an gcuirfidh sí próiseas sa tsiúil le polasaí a fhorbairt d'fhonn freastal cuimsitheach agus luath a dhéanamh orthu siúd uile atá faoi bhrón sa tír seo. [31175/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** Seoladh Tuarascáil an Ghrúpa Shaineolaigh faoi Pholasaí Sláinte Meabhrach, — Fís don Athrú — i Mí Eanáir 2006, a chuireann ar fáil creatlach do sheachadadh seirbhíse sláinte meabhrach atá nua aimseartha agus den scoth sna seacht go deich mbliana atá romhainn. Molann an Tuarascáil forbairt seirbhísí cuimsithigh i bhfoirne ildhisciplíneacha atá dírithe ar dhaoine agus a ngátar, tacaíocht lucht méala san áireamh.

Tá an Tuarascáil glactha ag an Rialtas mar bunús ar forbairt na seirbhísí sláinte meabhrach as seo amach. Seachas sin, sa Tuarascáil 'Lámh Chuidithe' — Straitéis Náisiúnta Do Gníomhaíocht Faoi Chosc Féinmharaithe 2005-2014 — is é cuspóir faoi Réimse Gníomhaíochta 23 ná chun cinntiú go soláthraítear seirbhís éifeachtach agus chaighdeánaithe agus freagra tacúil ag lucht gairme ábhartha i raon suímh go háirithe nuair a tharlaíonn bás trí féinmharú. Freisin, molann an Réimse Gníomhaíochta go gcuirtear i bhfeidhm iniúchadh agus athbhreithniú ar raon agus ar chaighdeán na seirbhísí tacaíochta ginearálta méala agus na seirbhísí sonracha atá ar fáil le tacú leis na daoine sin atá faoi mhéala tar éis féinmharaithe.

I 2007, choimisiúnaigh an Oifig Náisiúnta na hÉireann do Chosc Féinmharaithe athbhreithniú mar sin agus foilsíodh an Tuarascáil i 2008. D'fhorbair an Oifig Náisiúnta na foilseacháin tacaíochta do lucht méala 'You Are Not Alone', a léiríonn na tacaíochta atá ar fáil agus chun comhairle shimplí phraiticiúil a chur ar fáil.

Freisin, d'ullmhaigh an Oifig Náisiúnta Eolaire faoi na Seirbhísí Tacaíochta Méala atá ar fáil. Soláthraítear ann liosta de sheirbhísí tacaíochta méala atá tiomanta do dhaoine a bhfuair cara/gaol leo bás trí lámh a chur ina mbás féin. Cuimsíonn na Seirbhísí grúpaí áitiúla, grúpaí féinchabhrach agus gníomhaireachtaí náisiúnta deonacha a bhfuil brainsí acu ar fud na tíre. Tá an Eolaire agus an Leabhráin Eolais ar fáil ón Oifig Náisiúnta agus ó na hOifigigh Réigiúnacha

[Deputy John Moloney.]

Acmhainne. Freisin, tá siad ar fáil ar fud na tíre ó dochtúirí, cróinéirí, adhlacóirí agus ón Garda Síochána.

Ina theannta sin, tugann an Feidhmeannacht Seirbhíse Sláinte, agus an Oifig Náisiúnta na hÉireann do Chosc Féinmharaithe, tacaíocht do ghrúpaí deonacha a chuireann seirbhísí tacaíochta do lucht méala ar fáil.

### **Hospital Services.**

598. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if she will intervene to halt the Health Service Executive plan to end acute inpatient care at Monaghan General Hospital by the end of November 2008, closing Monaghan's 50 inpatient beds, its six critical care beds and transferring all inpatient and critical care to Cavan General Hospital without increasing bed numbers in Cavan; and if she will make a statement on the matter.

[31176/08]

**Minister for Health and Children (Deputy Mary Harney):** The Teamwork Report, prepared for the Health Service Executive (HSE), clearly indicated that the service configuration in the North East region was unsustainable. It recommended a reconfiguration of hospital services across the existing five hospital sites in order to ensure the highest level of patient safety. The Report also identified a significant future role for all five hospital sites in the provision of acute hospital services.

The Report has helped to inform the approach being adopted by the HSE in implementing its Transformation Programme. The Programme involves widespread and fundamental change and is designed to build a health system that is in line with the model of care emerging internationally. The overriding aim, which I fully support, is the need to improve safety and achieve better standards of care for patients in the region.

As part of the reconfiguration of acute hospital services in the North East the HSE is planning to transfer acute inpatient services from Monaghan to Cavan. The transfer is scheduled to take place later this year. The HSE is working to ensure that the necessary capacity is in place prior to or in parallel with the transfer date in order to ensure a smooth transition.

For example a Medical Assessment Unit is being established at Cavan to help manage the anticipated increase in activity. The average length of stay for inpatients is to be reduced in line with best practice. The discharge planning process will also be improved. Alternatives to acute inpatient care will be required through the planned provision of additional packages of care in the Cavan/Monaghan community care area together with an increase in capacity at Monaghan. Enhancements in pre-hospital care in the Cavan/Monaghan area will also be required.

### **Departmental Reports.**

599. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when the steering group which she referred to in her reply to Parliamentary Question No. 110 of 10 July 2008 will complete its work and report; and if she will make a statement on the matter.

[31178/08]

**Minister for Health and Children (Deputy Mary Harney):** The Steering Group is expected to complete its work and report to me within the next few months.

### **Child Care Services.**

600. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if she will



ensure that the Health Service Executive immediately reinstates its plan to provide a comprehensive out-of-hours social care service for at-risk children in view of the crisis in child protection and inadequate social care services; and if she will make a statement on the matter. [31179/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The Government and the Health Service Executive (HSE) remain committed to the development of a comprehensive needs-based service for children at risk. In this regard, I personally chair regular meetings between officials from my Office (OMCYA) and Senior Child Welfare and Protection managers in the HSE aimed at improving the provision of services to children at risk. A key component of these discussions has been the provision of out of hours care.

As a result of these contacts it has now been agreed that rather than proceeding with the development of a stand alone social work out of hours service, the HSE is instead taking the opportunity provided by the proposed integration of hospital and community services at a regional level, to develop alternative proposals based on a more integrated approach which builds on its existing out of hours services including GPs, acute hospital services and mental health services. The HSE is currently finalising issues around the development of the necessary protocols and assessing the requirement for any further supports which will be necessary. It is anticipated that significant progress will be made in this regard over the coming weeks.

The aim is to ensure that persons seeking personal social services outside normal working hours can be triaged and provided with appropriate advice, information, support and, in emergency situations, access to specialist staff, such as staff working in the areas of mental health and suicide prevention. In this context the HSE is also working towards the provision of a system whereby Gardaí can access appropriate residential care options for children taken into care out of hours under Section 12 of the Child Care Act. In so doing, the HSE hopes to provide a standardised response across the country. This approach promises a more effective and integrated model of service provision which acknowledges the linkages between services such as mental health and social work while endeavouring to utilise the overall resources already in place to appropriately address incidents occurring outside usual working hours.

### **Hospital Services.**

601. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if she will ensure that the orthopaedic unit at Our Lady's Hospital Navan, which serves the entire north-east region remains fully operational and is not closed for any period to make savings at the cost of patient care; and if she will make a statement on the matter. [31180/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive (HSE) has advised that it has been reviewing the need for cost containment measures between now and year end to ensure that expenditure across the Louth/Meath Hospital group, including Our Lady's Hospital, Navan is managed within the approved budget. Any necessary measures will be discussed with staff and staff associations. The HSE has indicated that savings will need to be achieved in a number of areas including overtime, on call, agency and locum costs. This may involve some reduction in elective activity.

### **Health Services.**

602. **Deputy Martin Ferris** asked the Minister for Health and Children if she will address the shortfall in funding from the Health Service Executive to a group (details supplied) in County Kerry which is having a serious affect on their ability to provide essential services to people with intellectual disabilities in the area; and if she will make a statement on the matter. [31181/08]



**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, including funding for the group (details supplied), which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

#### **National Lottery Funding.**

603. **Deputy Martin Ferris** asked the Minister for Health and Children if a decision has been made in relation to an application for lottery funding by a group (details supplied) in County Kerry; and if she will make a statement on the matter. [31208/08]

**Minister for Health and Children (Deputy Mary Harney):** An application for funding from the 2008 National Lottery allocation has been received from this organisation. This is one of a large number currently being assessed by this department. You will be informed of the outcome of the application as soon as a decision has been made.

#### **Hospital Services.**

604. **Deputy Seán Sherlock** asked the Minister for Health and Children if she will expedite an outpatient clinic appointment for a person (details supplied) in County Cork who has been waiting over two years to be called to Cork University Hospital; and if she will make a statement on the matter. [31225/08]

**Minister for Health and Children (Deputy Mary Harney):** The management of hospital services generally, including out-patient waiting lists, is a matter for the Health Service Executive and the individual hospitals concerned. 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 case investigated and to reply directly to the Deputy.

#### **Health Services.**

605. **Deputy Seán Sherlock** asked the Minister for Health and Children the percentage of home help being provided by private operators in the north and east Cork region of the Health Service Executive; and if she will make a statement on the matter. [31226/08]

**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 matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

606. **Deputy James Bannon** asked the Minister for Health and Children the options open to a person (details supplied) in County Longford; and if she will make a statement on the matter. [31230/08]

**Minister for Health and Children (Deputy Mary Harney):** There has been a growing demand for, and investment in, speech and language therapy in the health services over the last number of years.

There were a number of issues contributing to difficulties accessing Speech and Language Therapy services, one of which had been the supply of qualified personnel available to fill vacant posts. A particular priority for my Department and the Department of Education and Science in recent years has been the expansion of the supply of therapy graduates. In this regard, the number of training places for Speech and Language Therapy has been increased from 25 to 105, with the establishment of three new Speech and Language Therapy Schools in National University of Ireland Galway (NUIG), University College Cork (UCC) and University of Limerick (UL), which represents an increase of 320% since 1997.

The number of speech and language therapists employed in the public service has grown from 282 whole time equivalents in 1997 to 721 in 2008. This is an increase of 439 wholetime equivalents, which represents a growth of 156% in that period. The Government continues to support the development of new Speech and Language Therapy posts, particularly in the areas of Disability and Primary Care. My Department is working closely with the HSE, and representatives of the professions, with a view to ensuring that the optimum number of such posts are filled as expeditiously as possible, having due regard to the requirement on the HSE to operate within its budget.

### **Health Repayment Scheme.**

607. **Deputy Paul Connaughton** asked the Minister for Health and Children when a decision will be made on an application for refund of nursing home charges by a person (details supplied) in County Galway; and if she will make a statement on the matter. [31231/08]

**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.

### **Hospitals Building Programme.**

608. **Deputy Emmet Stagg** asked the Minister for Health and Children if she will include phase 3C of Naas General Hospital in the final 2008 Health Service Executive capital plan. [31245/08]

**Minister for Health and Children (Deputy Mary Harney):** Project proposals have, following a detailed process of consideration, been prioritised by the Health Service Executive so as to fit within indicative funding levels under the National Development Plan. In drawing up its Capital Plan the Health Service Executive is required to prioritise the capital infrastructure projects to be progressed within its overall capital funding allocation under the National Development Plan 2007-2013, taking account of the NDP targets for division of capital investment between the Acute and Primary, Community & Continuing Care pillars. Although the project referred to was not prioritised for inclusion by the Executive this year 2008, Naas General Hospital has benefited from a completed major capital project in recent years. In 2003, a €75m capital project comprising the following departments was completed — Main Entrance Concourse, Out Patient Department, Accident & Emergency, Radiology Department, Pharmacy, Pathology Department, Operating Department, Intensive Care Unit & Coronary Care Unit, Inpatient Wards, Day hospital for Older People and a Rehabilitation/Assessment Ward for Older People.

**Health Services.**

609. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of children and adults awaiting assessment for occupational therapy in County Kildare. [31246/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal social services, including occupational therapy for people with a disability as defined in the Disability Act 2005, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

**Health Service Staff.**

610. **Deputy Emmet Stagg** asked the Minister for Health and Children if the seven vacant posts in community occupational therapy in County Kildare have been filled; and if not the reason for same. [31247/08]

**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 numbers of doctors, nurses and other healthcare professionals employed in the public health services. The Government has also invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the healthcare needs of the population into the future.

Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

611. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of vacant public health nurse positions in County Kildare. [31249/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act, 2004. It is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

**Health Services.**

612. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of people receiving home care packages in County Kildare; the number on the waiting list for home care packages in County Kildare; and the number of people awaiting assessment for home care packages in County Kildare. [31257/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hackett):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

613. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of people in County Kildare awaiting admission to a long term bed in public nursing homes in County Kildare and their circumstances be it in acute hospital beds, living at home and so on. [31258/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hackett):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. The Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

#### **Cancer Screening Programme.**

614. **Deputy Emmet Stagg** asked the Minister for Health and Children further to Parliamentary Question No. 145 of 10 July 2008, when the national roll out of BreastCheck will be sufficiently developed. [31260/08]

**Minister for Health and Children (Deputy Mary Harney):** BreastCheck commenced roll out in the Western Region in May 2007 and in the Southern Region last October and is in the process of extending the programme to all eligible women in the age range 50-64 years.

The expert advice from BreastCheck and from the National Cancer Forum, as contained in the National Strategy for Cancer Control, is that following the national extension of the programme, the upper age limit should be extended to women aged 69 years. The priority of BreastCheck is to screen women who have not yet been screened and accordingly it is fully focussed at present on the completion of the first round of screening in the West and South. I will consider extending the age limit as recommended when the national roll-out of the programme is sufficiently developed and it is assured that a quality service is being delivered. Any woman irrespective of her age who has immediate concerns or symptoms should contact her GP who, where appropriate, will refer her to the symptomatic services in her area.

#### **Health Services.**

615. **Deputy Emmet Stagg** asked the Minister for Health and Children if, in view of the waiting lists for eye examinations for children at Maynooth and at Naas Health Centres, she will use optometrists as well as ophthalmologists to reduce the waiting times in both health centres. [31262/08]

**Minister for Health and Children (Deputy Mary Harney):** As the Health Service Executive has the operational and funding responsibility for Primary Care services, it is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### Health Services.

616. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of permanent speech and language therapists in Kildare/west Wicklow; the number of temporary speech and language therapists; and the number of vacancies for posts in the Kildare west Wicklow service. [31267/08]

**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 numbers of doctors, nurses and other healthcare professionals employed in the public health services. The Government has also invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the healthcare needs of the population into the future.

Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

617. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of children awaiting orthodontic treatment in County Kildare; and the number of orthodontists working in the service. [31268/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

618. **Deputy Emmet Stagg** asked the Minister for Health and Children the waiting times for hearing tests in respect of children in County Kildare at Newbridge and at Tallaght Health Centres. [31270/08]

**Minister for Health and Children (Deputy Mary Harney):** The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

### Services for People with Disabilities.

619. **Deputy David Stanton** asked the Minister for Health and Children further to Parliamentary Question No. 463 of 26 September 2007, if the strategic review of the Health Service Executive funded adult day services for people with disabilities has been completed by the HSE National Review Group; when this report will be published; and if she will make a statement on the matter. [31283/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** 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.

620. **Deputy David Stanton** asked the Minister for Health and Children the way in which the disability unit of the Office of Disability and Mental Health is working to improve sheltered work and training opportunities for people with disabilities; and if she will make a statement on the matter. [31284/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** In January 2008, the Government announced the establishment of the Office for Disability and Mental Health to support the Minister for Disability & Mental Health in exercising his responsibilities across four Government Departments: Health & Children, Education & Science, Enterprise, Trade & Employment and Justice, Equality & Law Reform.

A core function of the Office is to promote and develop an integrated, systematic approach to the implementation of government policy and initiatives in relation to services for people with disabilities and mental health difficulties.

One of the key priorities is to develop an appropriate continuum of training and employment support services for people with disabilities by working together with the Dept. of Enterprise, Trade and Employment, FÁS and the HSE.

Very substantial progress has been made in recent years in the areas of disability and mental health, but much remains to be done. To this end the Office is supporting a joint HSE/FÁS initiative to support people with disabilities while transitioning from rehabilitative training to vocational training and/or employment.

Likewise, the office is concerned to ensure that services that are provided to people with disabilities are consistent with their need and are delivered in integrated mainstream settings, where appropriate. To this end the Office is currently working with the HSE to carry out a comprehensive review of all adult day services. A key desired outcome of this is that people with disabilities who participate in, or who are capable of participating in employment, do so in a manner which is consistent with the mainstream policy and legislative provision.

### **Child Care Services.**

621. **Deputy David Stanton** asked the Minister for Health and Children the amount of funding made available under the National Childcare Investment Programme under the capital grants scheme in 2006, 2007 and 2008; the expected amount of capital grants in 2009; the amount of the €575 million which is available for capital grant funding only over the five year NCIP and if she will make a statement on the matter. [31287/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** As the Deputy is aware, I have responsibility for the National Childcare Investment Programme (NCIP) 2006 — 2010. Of the €575 million allocated to the Programme, €358 million has been allocated for Capital Grants. €20.7 million in Capital Grants was approved in 2006, €114.2 million was approved in 2007 and €64.3 million has been approved to date in 2008. The total funding approved under the NCIP to date is €199.2 million leaving a balance of €158.8 million of the Programme allocation remaining to be approved.

The funding approved under the NCIP to date is expected to lead to the creation of almost 30,000 new childcare places, as well as supporting an additional 44,000 places.



622. **Deputy David Stanton** asked the Minister for Health and Children the projects that received capital funding under the National Childcare Investment Programme since it began; the amount of funding these projects received; and if she will make a statement on the matter. [31288/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** As the Deputy is aware, I have responsibility for the National Childcare Investment Programme (NCIP) 2006-2010. Of the €575m allocated to the Programme, €358m has been allocated for Capital Grants. To date, 924 capital grants have been approved in respect of 882 facilities. The accompanying table provides a breakdown of these figures by community-based and private providers.

NCIP Capital Recipients: 01 January 2006 to date

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				
Borris Community Playschool Ltd	NCIP Borris Community Playschool Ltd	CB	Carlow	€ 48,000
Forward Steps Resource Centre Limited	NCIP Forward Steps Resource Centre Limited	CB	Carlow	35,000
Bagenalstown Family Resource Centre Limited (Stepping Stones Childcare Centre)	NCIP Bagenalstown Family Resource Centre Limited (Stepping Stones Childcare Centre)	CB	Carlow	1,200,000
Tullow Childcare Association Ltd t/a Tots to Teens	NCIP Tullow Childcare Association Ltd t/a Tots to Teens	CB	Carlow	540,000
Kildavin Afterschool Facility	NCIP Kildavin Afterschool Facility	CB	Carlow	57,906
Carlow V.E.C. Childcare Centre	NCIP Carlow V.E.C. Childcare Centre	CB	Carlow	345,700
Askea Community Service Limited	NCIP Askea Community Playgroup	CB	Carlow	450,000
MacNean Community Resources Limited	NCIP Mac Nean Womens Group	CB	Cavan	14,000
MacNean Community Resources Limited	NCIP Mac Nean Out of School Childcare Service	CB	Cavan	20,000
Drumgoon Community Centre Co-op Society Ltd	NCIP Little Rays	CB	Cavan	480,000
Ballyconnell Den Development	NCIP Ballyconnell Den Development	CB	Cavan	100,000
Cootehill Community Resource House Project	NCIP Cootehill Community Resource House	CB	Cavan	850,000
Arvagh Area Childcare Limited	NCIP Busy Bees Childcare Facility	CB	Cavan	955,000
Ballymachugh Childcare Group	NCIP Ballymachugh Childcare Group	CB	Cavan	100,000
Ballymachugh Childcare Group	NCIP Ballymachugh Childcare Group	CB	Cavan	750,000
Ballyjamesduff Community Council	NCIP Ballyjamesduff Community Council	CB	Cavan	1,200,000
Blacklion Childcare Committee	NCIP Blacklion Childcare Committee	CB	Cavan	480,000
Bailieborough Community Resource House Ltd	NCIP Bailieborough Community Resource House Ltd	CB	Cavan	347,332
Bailieborough Community Resource House Ltd	NCIP Bailieborough Community Resource House Ltd	CB	Cavan	800,000
Clare Family Resource Centre	NCIP Clare Family Resource Centre	CB	Clare	200,000
Clare Family Resource Centre	NCIP Clare Family Resource Centre	CB	Clare	1,000,000
West Clare Early Years Care and Education Services Limited	NCIP Lisseycasey — Tir na nOg	CB	Clare	913,590
West Clare Early Years Care and Education Services Limited	NCIP Ri Ra (Kilrush)	CB	Clare	990,000

Key:

CB = Community Based.  
SE = Private Provider.

NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i> West Clare Early Years Care and Education Services Limited	NCIP Seahorses (Kilkee)	CB	Clare	€ 1,179,000
Sixmilebridge and District Community Complex Society Ltd	NCIP Sixmilebridge and District Community Complex Society Ltd	CB	Clare	100,000
Sixmilebridge and District Community Complex Society Ltd	NCIP Sixmilebridge and District Community Complex Society Ltd	CB	Clare	1,100,000
Obar Newmarket-on-Fergus Ltd.	NCIP Obar Newmarket-on-Fergus Ltd.	CB	Clare	720,000
County Clare VEC	NCIP Kilrush Creche — Adult Education Centre	CB	Clare	95,957
County Clare VEC	NCIP Kilrush Creche — Adult Education Centre	CB	Clare	636,000
Board of Management of Holy Family Junior School	NCIP Holy Family Schools	BOM	Clare	369,440
Lisdoonvarna Failte Ltd	NCIP Lisdoonvarna Community Creche	CB	Clare	66,114
Lisdoonvarna Failte Ltd	NCIP Lisdoonvarna Community Creche	CB	Clare	994,605
Mountshannon Community Council	NCIP Iniscealtra Pre-school	CB	Clare	1,000,000
Brigis Mantle Initiatives Ltd	NCIP Brigit's Garden	CB	Clare	616,000
Kildysart Community Focus	NCIP Kildysart Community Focus	CB	Clare	1,000,000
Liscannor Childcare Service	NCIP Liscannor Childcare Service	CB	Clare	426,809
Killaloe Community Development Co Ltd	NCIP An Sean Scoil	CB	Clare	1,200,000
Inagh Development Company Ltd.	NCIP Inagh Development Company Ltd	CB	Clare	223,655
Newbury House Family Centre Ltd.	NCIP Newbury House Family Centre Ltd.	CB	Cork City	45,000
Wallaroo Playschool Ltd.	NCIP Wallaroo Playschool Ltd.	CB	Cork City	300,000
Mahon CDP Community Creche	NCIP Mahon Community Creche and Child Development Centre	CB	Cork City	36,329
Togher Family Centre Ltd.	NCIP New Togher Childcare Initiative	CB	Cork City	67,000
Colaiste Stiofan Naofa	NCIP Colaiste Stiofan Naofa	CB	Cork City	771,995
Silversprings Community Playschool	NCIP Silversprings Community Playschool	CB	Cork City	1,000,000
Farranree Development Company Ltd	NCIP Little Steps Childcare Facility	CB	Cork City	29,192
Naionra Lus na Meala	NCIP Naionra Lus na Meala	CB	Cork City	18,843

Key:  
CB = Community Based.  
SE = Private Provider.

NCIP Capital Recipients: 01 January 2006 to date — *continued*

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Young Women's Group (A constituent member of Cork Anti-Poverty Resource Network Ltd)	NCIP Young Women's Group (A constituent member of Cork Anti-Poverty Resource Network Ltd)	CB	Cork City	237,785
Young Women's Group (A constituent member of Cork Anti-Poverty Resource Network Ltd)	NCIP Young Women's Group (A constituent member of Cork Anti-Poverty Resource Network Ltd)	CB	Cork City	284,000
Cork Institute of Technology	NCIP Cork Institute of Technology	NFP	Cork City	700,000
St. Joseph's (Mayfield) Community Association	NCIP St. Joseph's (Mayfield) Community Association	CB	Cork City	10,000
St. Joseph's (Mayfield) Community Association	NCIP St. Joseph's (Mayfield) Community Association	CB	Cork City	116,000
Gaelscoil Mhachan	NCIP Gaelscoil Mhachan	BOM	Cork City	300,000
St. Brendan's Girl's School	NCIP St. Brendan's Girl's School	CB	Cork City	25,000
Cushing Road Childcare Steering Group	NCIP Cushing Road Childcare Steering Group	CB	Cork City	150,000
St Patrick's Boys National School	NCIP St Patrick's Boys National School	BOM	Cork City	650,000
Cuddles Creche	NCIP Cuddles Creche	CB	Cork City	825,186
Maria Assumpta Preschool	NCIP Maria Assumpta Preschool	BOM	Cork City	8,750
Cobh Youth Services Ltd	NCIP Cobh Youth Services Ltd	CB	Cork City	150,000
Caheragh Community Playgroup Ltd	NCIP Caheragh Community Playgroup Ltd	CB	Cork County	599,569
Ballyhass Community Childcare Facility	NCIP Ballyhass Community Childcare Facility	CB	Cork County	61,845
Liscarroll Community Council	NCIP Liscarroll Community Council Ltd	CB	Cork County	604,000
Le Cheile — Family Resource Centre (Mallow) Ltd	NCIP Le Cheile Family Resource Centre (Mallow) Ltd	CB	Cork County	1,200,000
Ballygarvan 'Tiny Tots' Community Pre-school Ltd	NCIP Ballygarvan 'Tiny Tots' Community Pre-school	CB	Cork County	40,000
Ballygarvan 'Tiny Tots' Community Pre-school Ltd	NCIP Ballygarvan 'Tiny Tots' Community Pre-school	CB	Cork County	250,000
Youthreach Mallow Childcare Committee	NCIP Youthreach Mallow Childcare Committee	CB	Cork County	1,000,000
Conna Community Childcare Ltd.	NCIP Conna Community Childcare Committee	CB	Cork County	335,675
Blackwater Community Childcare Ltd	NCIP Blackwater Community Childcare Ltd	CB	Cork County	95,286
Comhaltas Cosanta Gaeltachta Chuil Aodha Teo.	NCIP Ionad Oige Chuil Aodha	CB	Cork County	600,000
Spraioi na Laoi le Naionra Bheal Atha'n Ghaorthaidh	NCIP Spraioi na Laoi le Naionra Bheal Atha'n Ghaorthaidh	CB	Cork County	580,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Donoughmore Family Resource Centre Ltd	NCIP Donoughmore Family Resource Centre Ltd	CB	Cork County	575,418
Castletownbere Community Pre School and Day Nursery Ltd.	NCIP Castletownbere Community Pre School and Day Nursery Ltd.	CB	Cork County	1,284,153
An Naionra Charraig Ui Leighin	NCIP An Naionra Charraig Ui Leighin	CB	Cork County	583,157
Ardara Community Childcare Ltd.	NCIP Ardara Community Childcare Ltd	CB	Donegal	86,704
Ardara Community Childcare Ltd.	NCIP Ardara Community Childcare Ltd	CB	Donegal	258,071
Lifford Development Ltd	NCIP Lifford Development Ltd	CB	Donegal	313,727
South West Donegal Communities Partnership Ltd	NCIP South West Donegal Communities Partnership Ltd	CB	Donegal	350,000
South West Donegal Communities Partnership Ltd	NCIP South West Donegal Communities Partnership Ltd	CB	Donegal	505,000
Coiste Naionra Fhanada	NCIP Coiste Naionra Fhanada	CB	Donegal	8,000
T.T. Childcare Ltd	NCIP T.T. Childcare Ltd	CB	Donegal	148,914
Quigley's Point Community Centre Ltd	NCIP Quigley's Point Community Playgroup	CB	Donegal	309,799
Rosses CDP	NCIP Seirbhis Iar-Scoil na Rosann	CB	Donegal	20,122
Udaras na Gaeltachta	NCIP Ionad Cúram Páistí Ghaoth Dobhair	CB	Donegal	1,000,000
Comhlacht Forbartha an Tearmainn	NCIP Craoibhin	CB	Donegal	944,745
Ionad Curam Paisti an Clochan Liath	NCIP Ionad Curam Paisti an Clochan Liath	CB	Donegal	1,000,000
Malin Head Community Association Ltd	NCIP Malin Head Community Association Ltd	CB	Donegal	500,000
Donegal Playgroup Ltd	NCIP Donegal Playgroup Limited	CB	Donegal	70,000
Convoy Community Playgroup	NCIP Convoy Community Playgroup	CB	Donegal	500,000
Scoil Naomh Fiachra	NCIP Scoil Naomh Fiachra	CB	Donegal	20,000
St. Oran's Pre-school	NCIP St. Oran's Pre-school	CB	Donegal	18,000
Bocan Community Playgroup	NCIP Bocan Community Playgroup	CB	Donegal	100,000
Bocan Community Playgroup	NCIP Bocan Community Playgroup	CB	Donegal	465,000
Naionra Leitir Ceanainn	NCIP Naionra Leitir Ceanainn	CB	Donegal	20,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Connolly Childrens Centre Ltd.	NCIP Connolly Childrens Centre Ltd.	CB	Dublin County Borough	101,444
Mellow Spring Childcare Development Centre Ltd	NCIP Mellow Spring Childcare Development Centre Ltd	CB	Dublin County Borough	50,000
Naionra Lios na nÓg	NCIP Naionra Lios na nÓg	CB	Dublin County Borough	175,500
Born Free Ltd.	NCIP Born Free Ltd.	CB	Dublin County Borough	40,000
Finglas Childcare Ltd	NCIP Finglas Childcare Ltd	CB	Dublin County Borough	56,525
Finglas Childcare Ltd	NCIP Finglas Childcare Ltd	CB	Dublin County Borough	1,500,000
Lourdes Youth & Community Services(First Steps Creche)	NCIP Lourdes Youth & Community Services(First Steps Creche)	CB	Dublin County Borough	69,000
Carmelite Father Whitefriars	NCIP Scallywags Creche	CB	Dublin County Borough	15,000
New Life Centre	NCIP New Life Centre	CB	Dublin County Borough	75,000
Pobal Gael Bhaile Munna Teoranta / Naionra Glor Na nGael	NCIP Pobal Gael Bhaile Munna Teoranta / Naionra Glor Na nGael	CB	Dublin County Borough	31,233
The National College of Ireland	NCIP The National College of Ireland	NFP	Dublin County Borough	176,309
Rathmines Community Partnership Ltd	NCIP Rathmines Partnership Childcare Facility	CB	Dublin County Borough	1,400,000
Kilbarrack Community Childcare Services Ltd TA Lir Childcare Centre	NCIP Kilbarrack Community Childcare Services Ltd TA Lir Childcare Centre	CB	Dublin County Borough	64,024
Cherry Orchard Childcare Project	NCIP Cherry Orchard Childcare Project	CB	Dublin County Borough	2,000,000
KLEAR Ltd	NCIP KLEAR Ltd	CB	Dublin County Borough	25,000
Ballyfermot Youth Centre and Childcare Facility Ltd T/AS The Base	NCIP Ballyfermot Youth Centre and Childcare Facility Ltd T/AS The Base	CB	Dublin County Borough	239,023
The Paddocks Development Project Limited	NCIP The Paddock Family Resource Centre	CB	Dublin County Borough	100,000
St. Raphael's Pre-school & Afterschool Project	NCIP St. Raphael's Pre-school and Afterschool Project	BOM	Dublin County Borough	155,000
Harold's Cross National School	NCIP Harold's Cross National School	CB	Dublin County Borough	231,000
Dublin City Council	NCIP Liberty Park Crèche	CB	Dublin County Borough	325,552

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NCIP Capital Recipients: 01 January 2006 to date — *continued*

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Cabra Multiplex Crèche	NCIP Cabra Multiplex Crèche	CB	Dublin County Borough	237,200
SAOL Project Ltd	NCIP SAOL Project Ltd	CB	Dublin County Borough	44,000
St Michael's Primary School	NCIP St Michael's Primary School	BOM	Dublin County Borough	100,000
St Matthew's National School	NCIP St Matthew's National School	BOM	Dublin County Borough	809,750
Sean O'Casey Community Centre	NCIP Sean O'Casey Community Centre	CB	Dublin County Borough	1,200,000
Pobal Toddlers	Pobal Toddlers	CB	Dublin County Borough	1,200,000
Finglas Childcare Limited	NCIP Finglas Childcare Service St Brigid's	CB	Dublin County Borough	37,917
Finglas Childcare Limited	NCIP Finglas Childcare Service St Josephs	CB	Dublin County Borough	38,744
Finglas Childcare Limited	NCIP Finglas Childcare Service Walnut Creche	CB	Dublin County Borough	44,479
Finglas Childcare Limited	NCIP Finglas Childcare Service Mother of Divine Grace	CB	Dublin County Borough	45,137
Finglas Childcare Limited	NCIP Finglas Childcare Service St Kevins	CB	Dublin County Borough	267,386
First Steps Trust Ltd	NCIP St. Joseph's Nursery	CB	Dublin County Borough	192,000
Dublin 12 Childcare Consortium	NCIP Dublin 12 Childcare Consortium	CB	Dublin County Borough	1,400,000
Barnardos — Republic of Ireland Ltd (The Cottage Childcare Project)	NCIP Barnardos The Cottage Childcare Project	CB	Dunlaoghaire Rathdown	156,094
Mountwood Fitzgerald Community Development Company Ltd	NCIP Mountwood Fitzgerald Community Development Company Limited	CB	Dunlaoghaire Rathdown	1,000,000
UCD Creche	NCIP UCD Creche	NFP	Dunlaoghaire Rathdown	1,000,000
Oatlands Primary School	NCIP Oatlands Primary School	BOM	Dunlaoghaire Rathdown	200,000
Ballyogan Community Development Management Committee Ltd	NCIP Ballyogan Community Development Management Committee Ltd	CB	Dunlaoghaire Rathdown	1,600,000
Dalkey Community Pre-school Playgroup Ltd	NCIP Dalkey Community Pre-school Playgroup Ltd	CB	Dunlaoghaire Rathdown	40,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Sophia Housing Association Limited	NCIP Hazel Grove Nurturing Centre	CB	Fingal	57,000
Edenmore Community Playgroup	NCIP Edenmore Community Playgroup	CB	Fingal	670,000
Balbriggan Community Childcare Group	NCIP Balbriggan Community Childcare Group	CB	Fingal	1,008,000
Respond Housing Association(Mulhuddart Community Afterschool Club)	NCIP Mulhuddart Community Afterschool Club	CB	Fingal	52,086
Corduff Childcare Service Limited	NCIP Corduff Childcare Service Ltd	CB	Fingal	100,000
Corduff Childcare Service Limited	NCIP Corduff Childcare Service Ltd	CB	Fingal	1,100,000
Rush Youthreach/Co. Dublin V.E.C.	NCIP Rush Youthreach	CB	Fingal	8,111
Barnardos — Republic of Ireland Ltd (Family Support Project — Roselawn, Blachardstown)	NCIP Barnardos — Republic of Ireland Ltd (Family Support Project — Roselawn)	CB	Fingal	325,000
Portumna Community Childcare Ltd.	NCIP Portumna Community Childcare Ltd	CB	Galway City	60,000
Mervue Community Childcare Group	NCIP Mervue Community Childcare Group	CB	Galway City	215,000
Mervue Community Childcare Group	NCIP Mervue Community Childcare Group	CB	Galway City	814,500
St Columbas Credit Union Enterprises Ltd	NCIP Ballinfoyle Community Childcare	CB	Galway City	1,220,000
Corrandulla Community Resource Centre Ltd. (formerly Corrundulla Community Playgroup)	NCIP Corrandulla Community Resource Centre Ltd. (formerly Corrundulla Community Playgroup)	CB	Galway County	700,000
Coiste Naionra Scoil Caitriona	NCIP Coiste Naionra Scoil Caitriona	CB	Galway County	8,000
Tuam Community Development Resource Centre Limited	NCIP Happy Days Creche	CB	Galway County	212,742
Ionad Tacaiochta Teaghligh Teoranta	NCIP Naiolann Sailearna	CB	Galway County	1,000,000
Glinisk Community Childcare Ltd	NCIP Glinisk Community Childcare Ltd	CB	Galway County	1,000,000
Renvyle Childcare Company Ltd.	NCIP Renvyle Childcare Committee	CB	Galway County	600,000
Coiste Ionad Curam Leanai i gCarna	NCIP Forbairt Chonamara Lair	CB	Galway County	600,000
Mountbellew Community Childcare Centre Ltd	NCIP Mountbellew Community Childcare Centre Ltd	CB	Galway County	1,000,000
Naionra Cill Allachtain	NCIP Naionra Cill Allachtain	CB	Galway County	90,000
Ionad Curam Leanai An Spideal Teo Ltd.	NCIP Ionad Curam Leanai an Spideal Teo	CB	Galway County	73,128
Ionad Curam Leanai An Spideal Teo Ltd.	NCIP Ionad Curam Leanai an Spideal Teo	CB	Galway County	162,203

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Kinvara Community Council Ltd.	NCIP Kinvara Children's Centre	CB	Galway County	1,400,000
Ballinasloe Community Childcare Group Ltd	NCIP Ballinasloe Community Childcare Group Ltd	CB	Galway County	160,000
Ballinasloe Community Childcare Group Ltd	NCIP Ballinasloe Community Childcare Group Ltd	CB	Galway County	840,000
Comharchumann Forbartha Inis Mor Teo.	NCIP Naionra Arann	CB	Galway County	800,000
Kilcoona Community Childcare Ltd	NCIP Little Acorns	CB	Galway County	175,000
Kilcoona Community Childcare Ltd	NCIP Little Acorns	CB	Galway County	825,000
Connemara West Plc	NCIP Letterfrack Community Childcare Centre	CB	Galway County	215,513
Coiste Naionra Na Minna	NCIP Coiste Naionra Na Minna	CB	Galway County	8,000
Cortoon/Lavally Community Development Company Limited	NCIP Cortoon/Lavally Community Development Company Ltd	CB	Galway County	30,494
Listowel Family Resource Centre Ltd.	NCIP Listowel Family Resource Centre Ltd.	CB	Kerry	1,000,000
Cumann Iosaef Teo	NCIP Cumann Iosaef Teo	CB	Kerry	251,212
Ballyspillane Community & Family Resource Centre Ltd.	NCIP Ballyspillane Community Playgroup	CB	Kerry	1,000,000
Furies Community Pre-school Committee	NCIP Furies Community Childcare Service	CB	Kerry	50,000
Sneem Community Development Ltd	NCIP Sneem Community Development Ltd	CB	Kerry	309,197
Coiste Forbartha Fionntra	NCIP Ceann Tra	CB	Kerry	65,634
St. Brigid's Community Centre	NCIP St. Brigid's Community Centre	CB	Kerry	165,371
Comhlacht Oige Lispoil Teo	NCIP Comhlacht Oige Lispoil Teo	CB	Kerry	505,000
Dromthacker Creche Ltd	NCIP Dromthacker Creche Ltd	CB	Kerry	178,283
Ballyduff Family & Community Support Forum Ltd.	NCIP Buddies Childcare	CB	Kerry	200,000
Ballyduff Family & Community Support Forum Ltd.	NCIP Buddies Childcare	CB	Kerry	1,000,000
Holy Cross	NCIP Holy Cross Board of Management Community Playgroup	CB	Kerry	100,000
Moyderwell Mercy Primary School Board of Management	NCIP Moyderwell Mercy After School	CB	Kerry	40,000
Killorglin Family Resource Centre Ltd.	NCIP Community & Family Resource Centre	CB	Kerry	426,500

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Beaufort Special Needs Project Ltd.	NCIP Beaufort Special Needs Project	CB	Kerry	855,000
Rath Oraig Community Childcare	NCIP Rath Oraig Community Childcare	CB	Kerry	100,000
Nai Ionad Na Cille Limited	NCIP Nai Ionad na Cille Ltd.	CB	Kerry	714,830
Causeway Community Economic Social and Development Committee	NCIP Na Leanai	CB	Kerry	591,714
Cordal Community Pre-school Playgroup	NCIP Cordal Community Pre-school Playgroup	CB	Kerry	14,907
Rathmore Community Childcare Ltd	NCIP Rathmore Community Childcare Centre	CB	Kerry	175,596
Listry Community Council Ltd	NCIP Listry Community Council Ltd	CB	Kerry	127,000
Muire Gan Smal School Age Childcare Centre Ltd	NCIP Muire Gan Smal School Age Childcare Centre	CB	Kerry	70,000
Athy Community Development Project Ltd t/a Happy Days Childcare Service	NCIP Happy Days	CB	Kildare	936,000
Naomh Bride Community Playgroup	NCIP Kilocullen Community Childcare & Education Centre Ltd	CB	Kildare	648,800
Respond! (Flinters Estate Community Group)	NCIP Flinters Estate Community Group	CB	Kildare	106,801
Sugrath Community Out-of-School Playcare Service	NCIP Sugrath Afterschool Care	CB	Kildare	1,000,000
Celbridge Community Centre Ltd	NCIP Celbridge Community Centre Ltd.	CB	Kildare	34,530
Teach Tearmainn Housing Association Ltd (Women's Refuge)	NCIP Teach Tearmainn Housing Association Ltd (Women's Refuge)	CB	Kildare	245,000
Respond Housing Association (Easton Drive)	NCIP Respond Housing Association (Easton Drive)	CB	Kildare	80,000
St Conleth's NS	NCIP Early Intervention Unit for children with ASD	CB	Kildare	26,473
Athy Travellers Support Group Ltd	NCIP Athy Travellers Support Group Ltd	CB	Kildare	174,456
The Creche	NCIP The Creche	CB	Kildare	384,376
Freshford District and Childcare Limited	NCIP Freshford District & Childcare Group	CB	Kilkenny	275,000
Freshford District and Childcare Limited	NCIP Freshford District & Childcare Group	CB	Kilkenny	800,000
Callan Community Network Ltd	NCIP Callan Community Network Ltd	CB	Kilkenny	194,925

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Newpark Close Community Development Ltd.	NCIP Newpark Close Community Development Ltd.	CB	Kilkenny	45,772
Urlingford On The Move Ltd	NCIP Urlingford On The Move Ltd	CB	Kilkenny	377,074
Loughboy Area Resource Centre Limited	NCIP Loughboy Area Resource Centre	CB	Kilkenny	1,400,000
Danesfort Childcare Facility Ltd	NCIP Danesfort Childcare Facility Ltd	CB	Kilkenny	800,000
Muckalee Community Project Ltd T/A Muckalee Community Playgroup	NCIP Muckalee Community Project Ltd t/a Muckalee Community Playgroup	CB	Kilkenny	70,000
Ballyhall Kindergarten Limited	NCIP Ballyhall Kindergarten Limited	CB	Kilkenny	220,000
Portarlinton Childcare Committee Ltd (Na Paisti)	NCIP Portarlinton Childcare Committee Ltd (Na Paisti)	CB	Laois	738,879
St. Abban's Community Association Ltd.	NCIP St. Abban's Community Association	CB	Laois	265,000
Killadooley Childcare Group	NCIP Killadooley Childcare Group	CB	Laois	1,000,000
Ballacolla Pre-school Group	NCIP Ballacolla Pre-school Group	CB	Laois	56,000
County Leitrim Partnership / Carrick-on-Shannon Traveller DWG	NCIP County Leitrim Partnership — Carrick-on-Shannon Traveller Childcare Working Group	CB	Leitrim	40,000
County Leitrim Partnership / Carrick-on-Shannon Traveller DWG	NCIP County Leitrim Partnership — Carrick-on-Shannon Traveller Childcare Working Group	CB	Leitrim	600,000
Mohill Resources Limited	NCIP Mohill Resources Limited	CB	Leitrim	500,000
Mohill Resources Limited	NCIP Mohill Resources Limited	CB	Leitrim	700,000
Carrigallen Childcare Facility Ltd	NCIP Carrigallen Pastoral Council representing St. Felims Diocesan Trust	CB	Leitrim	137,988
Manorhamilton Childcare Services Limited	NCIP Tiny Hearts Creche & Tiny Toppers Playschool	CB	Leitrim	247,000
St. Munchins Family Resource Centre Limited	NCIP St. Munchins Family Resource Centre	CB	Limerick City	150,000
St. Munchins Family Resource Centre Limited	NCIP St. Munchins Family Resource Centre	CB	Limerick City	615,365
Conradh na Gaeilge	NCIP Naionra Montessori Cnoc Theas	CB	Limerick City	127,986
St. John's Girls and Infant Boys School	NCIP St. John's Pre-school Committee	CB	Limerick City	440,000
St. Mary's Pre-school Committee	NCIP St. Mary's Pre-school Management Committee	CB	Limerick City	80,000
Southill Afterschools Club	NCIP Southill Afterschools Club	CB	Limerick City	100,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Kings Island Community Creche	NCIP Kings Island Community Creche	CB	Limerick City	103,288
Childworld Creche — Our Lady of Lourdes Services Group	NCIP Childworld Creche — Our Lady of Lourdes Community Services Group	CB	Limerick City	101,241
Teddy's Community Playgroup	NCIP Teddy's Community Playgroup	CB	Limerick County	299,535
Desmond Ability Resource Complex Ltd	NCIP Desmond Ability Resource Complex Ltd	CB	Limerick County	160,867
Broadford Voluntary Housing Association	NCIP Broadford Voluntary Housing Association	CB	Limerick County	231,554
Rathkeale Community Childcare Ltd	NCIP Rathkeale Community Childcare Ltd	CB	Limerick County	885,730
Stepping Stones	NCIP Stepping Stones	CB	Limerick County	1,000,000
ACM Community Development Society Ltd	NCIP ACM Community Centre Afterschool Service	CB	Limerick County	31,736
ACM Community Development Society Ltd	NCIP ACM Community Centre Afterschool Service	CB	Limerick County	466,191
Kilmallock Community Childcare Service Ltd	NCIP Kilmallock Afterschool Project	CB	Limerick County	22,789
Herbertstown Community Childcare Committee	NCIP Herbertstown Community Childcare	CB	Limerick County	397,980
Banogue Community Creche Limited	NCIP Banogue Community Creche Committee	CB	Limerick County	35,159
Granard Community Playgroup Ltd	NCIP Granard Community Playgroup	CB	Longford	58,389
Longford Women's Link	NCIP Catkins Nursery	CB	Longford	50,000
Ballymahon Community Group Ltd	NCIP Tumbling Tots	CB	Longford	42,204
St. Marys Childcare Campus Ltd	NCIP St Marys Childcare Campus Ltd	CB	Longford	208,103
Legan Community Childcare Limited	NCIP Legan Community Childcare Ltd (T/A Naoi Rath Ré)	CB	Longford	19,718
Club Ardagh	NCIP Club Ardagh	CB	Longford	400,000
Our Lady of the Wayside — Longford Traveller Preschool	NCIP Our Lady of the Wayside — Longford Traveller Preschool	CB	Longford	15,000
Lanesborough/Ballyleague Community Childcare Service Ltd.	NCIP Lanesboro/Ballyleague Community Playschool	CB	Longford	380,000
Lios na nOg	NCIP Lios na nOg	CB	Louth	101,250
Lios na nOg	NCIP Lios na nOg	CB	Louth	237,541

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Muirhevnamor Community Youth Project Ltd	NCIP Muirhevnamore Community Council Ltd	CB	Louth	250,000
Kilcurry Community Development Co Ltd.	NCIP Kilcurry Community Development Co Ltd.	CB	Louth	1,000,000
Lifestyle Development Group Ltd	NCIP Lifestyle Development Group	CB	Louth	419,070
Drogheda Women's Refuge & Childcare Centre Ltd	NCIP Drogheda Women's Refuge & Childcare Centre Ltd	CB	Louth	130,200
Dundalk I.C.T.U. Centre Ltd	NCIP Dundalk I.C.T.U. Centre Ltd	CB	Louth	800,000
Little Scholars	NCIP Little Scholars	CB	Louth	1,000,000
Termonfeekin Development Group	NCIP Termonfeekin Development Group	CB	Louth	112,934
Termonfeekin Development Group	NCIP Termonfeekin Development Group	CB	Louth	399,630
Women's Aid Dundalk Ltd.	NCIP Women's Aid Dundalk Ltd.	CB	Louth	61,626
Redeemer Creche and Playgroup	NCIP Redeemer Creche and Playgroup	CB	Louth	1,000,000
Killean Childcare Limited	NCIP Killean Community Playgroup	CB	Mayo	32,500
The Neale Community Playgroup	NCIP The Neale Community Playgroup	CB	Mayo	594,000
Louisburgh Childcare Ltd	NCIP Louisburgh Childcare	CB	Mayo	718,851
Aghamore Community Development Co. Ltd	NCIP Aghamore Community Childcare Association	CB	Mayo	488,000
Carracastle Community Childcare Co Ltd.	NCIP Carracastle Community Childcare Co Ltd.	CB	Mayo	117,901
"Scribbles", Kilmaine Community Playschool & Afterschool	NCIP "Scribbles", Kilmaine Community Playschool & Afterschool	CB	Mayo	300,000
Robeen Community Playschool Ltd	NCIP Robeen Community Playschool Ltd	CB	Mayo	575,000
Roundfort Community Playgroup Ltd.	NCIP Roundfort Community Playgroup Ltd.	CB	Mayo	500,000
Attymass Community Childcare Committee	NCIP Attymass Community Childcare	CB	Mayo	221,100
Clar IRD	NCIP Clar IRD	CB	Mayo	1,200,000
Taugheen Playgroup Limited	NCIP Taugheen Playgroup Limited	CB	Mayo	37,500
Naionra Baile Chruaich Teoranta	NCIP Naionra Baile Chruaich Teoranta	CB	Mayo	25,000
Ballyglass Preschool Playgroup	NCIP Ballyglass Community Playgroup and Afterschool Club	CB	Mayo	980,000

Key:

CB = Community Based.

SE = Private Provider.

NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Greenhills Community Development Ltd	NCIP Greenhills Childcare Centre	CB	Mayo	14,159
Trim Community Childcare Ltd	NCIP T.I.D.E. SMASH Project	CB	Meath	185,697
Summerhill Community Childcare Ltd (The Hive)	NCIP Summerhill Community Childcare Ltd (The Hive)	CB	Meath	80,497
Simonstown Childcare Facility Ltd	NCIP Le Cheile — Simonstown Childcare Facility	CB	Meath	58,648
KC Childcare Ltd	NCIP KC Childcare Ltd	CB	Meath	26,622
Lagore Road Community Childcare Ltd	NCIP Lagore Road Community Childcare Ltd	CB	Meath	200,000
Lagore Road Community Childcare Ltd	NCIP Lagore Road Community Childcare Ltd	CB	Meath	1,000,000
St. Oliver's Community Centre Ltd	NCIP Happy Days	CB	Meath	106,800
Sunshine Community Childcare	NCIP Sunshine Community Childcare	CB	Meath	100,000
Sunshine Community Childcare	NCIP Sunshine Community Childcare	CB	Meath	1,100,000
Navan Community Childcare Centre Ltd	NCIP Navan Community Childcare Centre Ltd	CB	Meath	200,000
Navan Community Childcare Centre Ltd	NCIP Navan Community Childcare Centre Ltd	CB	Meath	1,000,000
Baconstown Community Playgroup	NCIP Baconstown Community Playgroup	CB	Meath	959
Pixies Community Preschool	NCIP Pixies Community Preschool	CB	Meath	48,690
Tru Beginnings Community Playgroup Limited	NCIP Tru Beginnings Community Playgroup Limited	CB	Monaghan	71,303
Ballybay Community Creche Committee Ltd	NCIP Ballybay Community Creche Committee Ltd	CB	Monaghan	200,571
Acorn Pre-school Service	NCIP Acorn Pre-school Service	CB	Monaghan	710,000
Monaghan Community Development Committee	NCIP Monaghan Community Development Committee	CB	Monaghan	1,600,000
Mol an Oige Community Childcare Limited	NCIP Mol an Oige Community Childcare Limited	CB	Monaghan	650,000
The Art Mooney Childcare Centre	NCIP The Art Mooney Childcare Centre	CB	Monaghan	50,000
The Art Mooney Childcare Centre	NCIP The Art Mooney Childcare Centre	CB	Monaghan	600,000
Doohamlet Childcare	NCIP Doohamlet Childcare	CB	Monaghan	303,000
Clones Community Childcare	NCIP Clones Community Childcare	CB	Monaghan	1,000,000

Key:

CB = Community Based.

SE = Private Provider.

NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Edenbeag Childcare Centre Ltd	NCIP Edenbeag Childcare Centre Ltd	CB	Monaghan	650,000
Magherarney Community Childcare Service	NCIP Magherarney Community Childcare Service	CB	Monaghan	1,170,064
Tydavnet Tots to Teens	NCIP Tydavnet Tots to Teens	CB	Monaghan	1,000,000
Ballycommon Community Playschool	NCIP Ballycommon Community Playschool	CB	Offaly	87,426
Children In Need	NCIP Children In Need	CB	Offaly	6,000
Jack & Jill Playgroup	NCIP Jack & Jill Playgroup	CB	Roscommon	8,247
Cam Community Playgroup	NCIP Cam Community Playgroup	CB	Roscommon	520,000
Tulsk Community Childcare Ltd	NCIP Tulsk Community Childcare Ltd	CB	Roscommon	55,000
Tulsk Community Childcare Ltd	NCIP Tulsk Community Childcare Ltd	CB	Roscommon	141,688
County Roscommon V.E.C.	NCIP All Stars Creche READ Centre	CB	Roscommon	130,000
Buttercups Tarmonbarry/Clondra Community Playschool	NCIP Buttercups Tarmonbarry/Clondra Community Playschool	CB	Roscommon	154,913
Buttercups Tarmonbarry/Clondra Community Playschool	NCIP Buttercups Tarmonbarry/Clondra Community Playschool	CB	Roscommon	189,676
Arigna Community Playschool	NCIP Arigna Community Playschool	CB	Roscommon	60,000
St. John's National School Pre School Service	NCIP St. John's National School Pre School Service	CB	Roscommon	175,000
Busy Bees Daycare & Family Centre Limited	NCIP Busy Bees Daycare & Family Centre	CB	Sligo	10,000
Aclare Community Childcare & Family Centre Ltd	NCIP Aclare Family Resource Centre	CB	Sligo	93,615
Sligo Social Service Council Ltd	NCIP Charles Street	CB	Sligo	12,487
Little Buddies Community Playgroup	NCIP Little Buddies Community Playgroup	CB	Sligo	48,673
Little Buddies Community Playgroup	NCIP Little Buddies Community Playgroup	CB	Sligo	254,011
Cherryswan Ltd T/A Tir Na nOg Childcare	NCIP Tir Na nOg (Collooney Childcare)	CB	Sligo	669,879
Castlepark Community Playgroup Ltd	NCIP Sandcastles Childcare	CB	Sligo	292,526
Merville Youth & Community Centre Ltd	NCIP Dream Chasers Childcare Services	CB	Sligo	171,441

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NCIP Capital Recipients: 01 January 2006 to date — *continued*

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Ballyrush Community Childcare Ltd	NCIP Ballyrush Community Childcare Ltd	CB	Sligo	74,000
Ballyrush Community Childcare Ltd	NCIP Ballyrush Community Childcare Ltd	CB	Sligo	197,332
St. Brendan's Afterschool Care Limited	NCIP St Brendan's Afterschool	CB	Sligo	180,000
Coolaney Community Playgroup Ltd	NCIP Little Haven	CB	Sligo	1,200,000
Tallaght Tots	NCIP Tallaght Tots	NFP	South Dublin County	1,000,000
The Shanty Educational Project Ltd	NCIP Fledglings Childcare — Tallaght Leisure Centre	CB	South Dublin County	64,000
The Shanty Educational Project Ltd	NCIP Fledglings Childcare — Brookfield Community Centre	CB	South Dublin County	87,000
The Shanty Educational Project Ltd	NCIP Fledglings Childcare — CNCF EcoHouse at Kiltipper	CB	South Dublin County	89,000
The Shanty Educational Project Ltd	NCIP Fledglings Childcare — St. Anne's Fettercairn	CB	South Dublin County	96,500
St. Mary's Community Playgroup	NCIP St. Mary's Community Playgroup	CB	South Dublin County	450,000
Fettercairn Community Childcare Ltd	NCIP The Little Children's Centre	CB	South Dublin County	8,641
St Basil's Senior Training Centre	NCIP St Basil's Senior Training Centre	CB	South Dublin County	318,164
Barnardos — Republic of Ireland Ltd (Family Support Project, Millbrook, Tallaght)	NCIP MacUlliam Child and Family Centre	CB	South Dublin County	168,200
Barnardos — Republic of Ireland Ltd (Family Support Project, Millbrook, Tallaght)	NCIP Deerpark Child and Family Centre	CB	South Dublin County	168,800
Barnardos — Republic of Ireland Ltd (Family Support Project, Millbrook, Tallaght)	NCIP Barnardos Family Support Project — Knockmore Child and Family Centre, Tallaght	CB	South Dublin County	1,200,000
South County Co-Operative Housing Society Ltd	NCIP South County Co-Operative Housing Society Ltd (St. Finian's Community Preschool)	CB	South Dublin County	382,219

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NCIP Capital Recipients: 01 January 2006 to date — *continued*

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i> Fettercairn Little Ones Ltd	NCIP Fettercairn Little Ones Ltd	CB	South Dublin County	€ 700,000
Lucan Institute of Further Education/Co. Dublin V.E.C.	NCIP Lucan Institute of Further Education	CB	South Dublin County	306,084
Jobstown Childcare Centre Ltd	NCIP Jobstown Childcare Centre Ltd	CB	South Dublin County	1,456,947
Thurles Childcare Forum	NCIP Thurles Childcare Forum	CB	Tipperary North	1,000,000
Thurles Community Social Services	NCIP Thurles Community Social Services	CB	Tipperary North	75,000
Cloughjordan Community Development Programme	NCIP Cloughjordan Community Development Programme	CB	Tipperary North	400,000
Holyross Community Childcare Centre	NCIP Holyross Community Childcare Centre	CB	Tipperary North	1,200,000
Upperchurch Childcare Group	NCIP Upperchurch Childcare Group	CB	Tipperary North	351,100
Upperchurch Childcare Group	NCIP Upperchurch Childcare Group	CB	Tipperary North	848,900
Knockanrawley Resource Centre	NCIP The Daisy Chain	CB	Tipperary South	144,123
Ballingarry Community Council Ltd	NCIP Clever Clogs	CB	Tipperary South	660,641
Ardfinnan Childcare Committee Ltd	NCIP Ardfinnan Community Playschool	CB	Tipperary South	150,000
Elm Park Area Childcare Committee Ltd	NCIP Elm Park Area Childcare Committee Ltd	CB	Tipperary South	267,842
Annacarty Childcare Ltd	NCIP Annacarty Childcare Group	CB	Tipperary South	110,836
Respond! (Comeragh Court Community Group)	NCIP Respond! (Comeragh Court Community Group)	CB	Tipperary South	29,114
Ballyporeen Childcare Committee	NCIP Ballyporeen Childcare Committee	CB	Tipperary South	1,000,000
Lisvermane Community Childcare Committee	NCIP Lullabies & Laughter Childcare	CB	Tipperary South	739,880
Donohill Preschool/Afterschool	NCIP Donohill Preschool/Afterschool	CB	Tipperary South	30,000
Donohill Preschool/Afterschool	NCIP Donohill Preschool/Afterschool	CB	Tipperary South	50,000
Clonmel Community Resource Centre Ltd	NCIP Clonmel Community Resource Centre (Tots 2 Teens)	CB	Tipperary South	138,982
Spafield Family Resource Centre	NCIP Spafield Family Resource Centre	CB	Tipperary South	600,000
Focus Point Ireland Limited	NCIP Focus Ireland — Grange Cohan	CB	Waterford City	57,000
Waterford Childcare Ltd	NCIP Waterford Childcare Centre	CB	Waterford City	1,000,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Community Based:</i>				€
Sacred Heart Community Childcare Project Ltd	NCIP Sacred Heart Community Childcare Project Ltd	CB	Waterford City	1,000,000
Dunhill Community Childcare Group	NCIP Dunhill School Age Childcare Group	CB	Waterford County	28,000
County Waterford Community Childcare Facility Company Limited	NCIP Co. Waterford Community Childcare Facility	CB	Waterford County	62,251
Respond Ltd (Marquis Drive Community Centre)	NCIP Marquis Drive Community Centre	CB	Waterford County	240,890
Ard na Ghleanna Community Group (Respond!)	NCIP Ard na Ghleanna (Respond!)	CB	Waterford County	26,281
Killucan Care Ltd.	NCIP Killucan Care Ltd.	CB	Westmeath	397,459
Ballymore Community Childcare Facility Ltd.	NCIP Ballymore, Boher, Moyvoughley & Killare Muinir Community Council	CB	Westmeath	380,000
Athlone Community Services Council Ltd.	NCIP Clonbrusk	CB	Westmeath	1,400,000
Dalton Community House	NCIP Dalton Community House	CB	Westmeath	1,214,301
Craanford Monaseed Community Childcare Ltd.	NCIP Craanford Monaseed Community Childcare Ltd.	CB	Wexford	371,000
Raheen Community Development Group Ltd.	NCIP Raheen Community Playground	CB	Wexford	41,071
St. Brigid's Community Playground	NCIP St. Brigid's Community Playground	CB	Wexford	835,082
Gorey Youth Needs Group Ltd	NCIP Gorey Youth Needs Group Ltd	CB	Wexford	1,100,000
Co. Wexford Community Workshop (New Ross) Ltd	NCIP Cunamh Mhuire Pre-School & New Ross Community Playschool	CB	Wexford	177,940
Murrintown Community Childcare Ltd	NCIP Murrintown Community School Age Childcare Project	CB	Wexford	1,000,000
Crossabeg Community Childcare Group	NCIP Crossabeg Community Childcare Group	CB	Wexford	998,000
Taghmon Action Group	NCIP Taghmon Action Group	CB	Wexford	868,439
Kilmuckridge Family Resource Centre	NCIP Kilmuckridge Family Resource Centre	CB	Wexford	985,000
Bree Community Development Group	NCIP Bree Community Childcare	CB	Wexford	792,000
Ballywaltrim Community Centre	NCIP St. Fergals Community Playground	CB	Wicklow	150,749
Tinahely Community Playground Ltd	NCIP Tinahely Community Playground	CB	Wicklow	1,200,000
Donard/Glen Community Playground Ltd	NCIP Donard/Glen Community Playground Ltd	CB	Wicklow	999,970
Community Based:	329 Groups; 337 Facilities; 371 Approved Grants		Total:	157,994,053

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Brownshill Day Care	NCIP Brownshill Day Care	SE	Carlow	100,000
Dolmen Nursery & Montessori School	NCIP Dolmen Nursery & Montessori School	SE	Carlow	16,144
Hillview Early Learning Centre	NCIP Hillview Early Learning Centre	SE	Carlow	60,750
Michele Kirby	NCIP Michele Kirby	SE	Carlow	7,500
Patty AMond	NCIP Little Buddies	SE	Carlow	100,000
Brenda Fitzgerald & Catriona Moran	NCIP Little Trinity	SE	Carlow	52,500
Valerie Coulahan & Absolute Beginners Creche & Montessori School Limited	NCIP Absolute Beginners Creche & Montessori School Limited	SE	Carlow	66,000
Burton Hall Childcare Centre	NCIP Burton Hall Childcare Centre	SE	Carlow	100,000
Step by Step Montessori Preschool	NCIP Step by Step Montessori Preschool	SE	Carlow	22,500
Small World Creche	NCIP Small World Creche	SE	Cavan	100,000
The Childrens House	NCIP The Childrens House	SE	Cavan	73,127
Little Folks World	NCIP Little Folks World	SE	Cavan	100,000
Happy Days Mullagh	NCIP Happy Days Mullagh	SE	Cavan	15,173
Scribbles Playschool	NCIP Scribbles Playschool	SE	Cavan	35,179
Angela Deighan's Montessori School	NCIP Angela Deighan's Montessori School	SE	Cavan	30,000
Martina McGovern	NCIP Abacus Childcare	SE	Cavan	50,780
Paula Donohue	NCIP Paula Donohue	SE	Cavan	100,000
Amanda Kelly	NCIP Little Willows Montessori Preschool	SE	Cavan	22,370
Peter Pan Playgroup	NCIP Peter Pan Playgroup	SE	Cavan	25,000
Peter Pan Playgroup	NCIP Peter Pan Playgroup	SE	Cavan	75,000
Mark Abu	NCIP Heritage Childcare Centre	SE	Cavan	100,000
Puddle Lane Montessori	NCIP Puddle Lane Montessori	SE	Cavan	20,750
Caroline Donnelly	NCIP Caroline Donnelly	SE	Cavan	80,000
Mini Me's	NCIP Mini Me's	SE	Cavan	60,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Philomena Philomena Sheils	NCIP Kiddies Den	SE	Cavan	100,000
Playdays Playgroup and Daycare	NCIP Playdays Playgroup and Daycare	SE	Cavan	100,000
Maghera Gardens	NCIP Laghtagoona Creche	SE	Clare	100,000
Josie's Montessori	NCIP Josie's Montessori	SE	Clare	100,000
Ladybird Lane Creche	NCIP Ladybird Lane Creche	SE	Clare	45,000
Edel O' Callaghan	NCIP Edel O' Callaghan	SE	Clare	100,000
Midlands School of Childcare Ltd	NCIP Woodhaven Montessori & Childcare Academy	SE	Clare	39,750
Hurler's Cross Playschool & Afterschool	NCIP Hurlers Cross Playschool & Afterschool	SE	Clare	75,000
Catherine Clancy	NCIP Catherine Clancy	SE	Clare	20,000
Patricia & Joe Mulcahy	NCIP Little Starlings	SE	Clare	55,451
Mary Kennedy	NCIP Mary Kennedy	SE	Clare	100,000
Deirdre Grimes	NCIP Art Farm	SE	Clare	87,229
Claire Mahoney	NCIP Claire Mahoney	SE	Clare	25,000
Aileen Molohan	NCIP Aileen Molohan	SE	Clare	100,000
Noreen O'Doherty	NCIP Rainbow Childminding Service	SE	Clare	25,000
Emmis Montessori School	NCIP Emmis Montessori School	SE	Clare	100,000
Siobhan Marie Rynne	NCIP Bon's Bunnies Creche	SE	Clare	9,718
Little Imps Childcare Limited	NCIP Little Imps — Fairy Lawn	SE	Cork City	100,000
Cheeky Cherubs	NCIP Cheeky Cherubs (Bishopstown)	SE	Cork City	100,000
City Council Creche	NCIP City Council Creche	SE	Cork City	100,000
Rockboro Pre-school	NCIP Rockboro Pre-school	SE	Cork City	60,000
Lilliput Montessori School	NCIP Lilliput Montessori School	SE	Cork City	27,363
Lilliput Montessori School	NCIP Lilliput Montessori School	SE	Cork City	66,387
CADA t/a CADA Productions	NCIP CADA First Steps	SE	Cork City	22,500
Ciara Horgan	NCIP Little Miracles Childcare Limited	SE	Cork City	26,250
Pea Pods Childcare Limited	NCIP Pea Pods Childcare	SE	Cork City	100,000

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NCIP Capital Recipients: 01 January 2006 to date — *continued*

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Teresa Honan	NCIP Teresa Honan	SE	Cork City	25,000
Kindercare	NCIP Kindercare (Ovens)	SE	Cork County	100,000
Patricia Treacy (Tir Na nOg Montessori School)	NCIP Tir Na nOg Montessori School	SE	Cork County	18,901
Claire Devaney Childcare Centre Ltd	NCIP Bright Sparks Childcare Centre	SE	Cork County	16,500
Higheare Childcare Ltd.	NCIP Higheare Childcare (Ballincollig) Ltd	SE	Cork County	62,330
Bright Sparks Montessori School	NCIP Bright Sparks Montessori School	SE	Cork County	9,369
Little Rascals Montessori & Day Care Centre	NCIP Little Rascals Montessori & Day Care Centre	SE	Cork County	100,000
Mammy Day Care	NCIP Mammy Day Care	SE	Cork County	10,137
Little Rascals	NCIP Little Rascals	SE	Cork County	83,494
Geraldine Kelleher Childminding Service	NCIP Geraldine Kelleher Childminding Service	SE	Cork County	45,000
Step by Step	NCIP Step by Step	SE	Cork County	32,901
Louise Hallissey	NCIP Up Starts Daycare	SE	Cork County	37,500
Singing in the Rain, Midleton College Pre-school & Afterschool	NCIP Singing in the Rain, Midleton College Pre-school & Afterschool	SE	Cork County	100,000
The Wendy House Montessori School	NCIP The Wendy House Montessori School	SE	Cork County	25,272
Sunnyside Creche Ltd t/a Coachford Childcare Centre	NCIP Sunnyside Creche Ltd t/a Coachford Childcare Centre	SE	Cork County	100,000
Clever Kids	NCIP Clever Kids	SE	Cork County	45,000
Teresa Malone	NCIP Little Fingers Playgroup	SE	Cork County	75,000
Babytalk Creche	NCIP Babytalk Creche	SE	Cork County	97,155
Douglas ABC Childcare Ltd	NCIP ABC Childcare Douglas	SE	Cork County	100,000
Little Einstein's Daycare Centre Ltd	NCIP Little Einstein's Daycare Centre Ltd	SE	Cork County	100,000
Old School House Creche	NCIP Old School House Creche	SE	Cork County	99,908
Tir na nOg Pre-School	NCIP Tir na nOg Pre-School	SE	Cork County	7,500
Glanmire Childcare	NCIP Glanmire Childcare	SE	Cork County	100,000
Scribbles Playschool	NCIP Scribbles Playschool	SE	Cork County	85,407

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Kildinan Montessori School	NCIP Kildinan Montessori School	SE	Cork County	9,000
Beehive Childcare	NCIP Beehive Childcare	SE	Cork County	100,000
The Children's House Montessori School	NCIP The Children's House Montessori School	SE	Cork County	60,000
Sleaveen Montessori School	NCIP Sleaveen Montessori School	SE	Cork County	30,523
Pathways Childcare	NCIP Pathways Childcare	SE	Cork County	100,000
The Haven Montessori School	NCIP The Haven Montessori School	SE	Cork County	100,000
Niamh Towey	NCIP Niamh Towey	SE	Cork County	49,970
Lisa Cronin	NCIP Doodlebugs Playschool	SE	Cork County	75,000
Panda Paws Limited	NCIP Panda Paws Limited	SE	Cork County	100,000
Mary McShortall	NCIP TLC Limited	SE	Cork County	80,000
Giggles Childcare Service	NCIP Giggles Childcare Service	SE	Cork County	100,000
Carrigtwohill Creche & Playschool	NCIP Carrigtwohill Creche & Playschool	SE	Cork County	100,000
Sli an Eolais	NCIP Sli an Eolais	SE	Donegal	100,000
Sally O'Donnell	NCIP The Glen School for Early Learning	SE	Donegal	100,000
Errigal Montessori School & Creche	NCIP Errigal Montessori School & Creche	SE	Donegal	100,000
Shelly's Childminding Service	NCIP Shelly's Childminding Service	SE	Donegal	13,500
Bright Sparks Daycare	NCIP Bright Sparks Daycare	SE	Donegal	74,250
Sinead Reddin Mooney	NCIP Family First	SE	Donegal	100,000
Lucia Dunleavy	NCIP Bee Kool Kidz	SE	Donegal	100,000
Diana McInerney	NCIP Glebe Childcare & After School Club	SE	Donegal	88,492
Kerry Ferris	NCIP Illistrin Montessori School	SE	Donegal	19,500
Pauline Doherty	NCIP The Model Creche	SE	Donegal	100,000
Claire Gallagher	NCIP Claire Gallagher	SE	Donegal	37,780
Michelle's Childcare	NCIP Michelle's Childcare	SE	Donegal	23,437
Sharon Graham	NCIP Kid Kare	SE	Donegal	8,200
The Wonder Years Creche	NCIP The Wonder Years Creche	SE	Donegal	100,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Bomany Nursery & Montessori School	NCIP Bomany Nursery & Montessori School	SE	Donegal	100,000
Rathgar Creche and Montessori Ltd TA Cranford Creche and Montessori	NCIP Cranford Creche & Montessori	SE	Dublin County Borough	100,000
Bizzy B's Creche	NCIP Bizzy B's Creche	SE	Dublin County Borough	38,531
First Steps Pre-school / Creche	NCIP First Steps Pre-school / Creche	SE	Dublin County Borough	78,965
Appletree Creche & Montessori	NCIP Appletree Creche & Montessori	SE	Dublin County Borough	100,000
Babes In The Wood Creche Ltd	NCIP Babes In The Wood Creche Ltd	SE	Dublin County Borough	30,820
Ladybug Childcare Limited	NCIP Ladybug Childcare Limited	SE	Dublin County Borough	83,753
Liliput Childcare	NCIP Liliput Childcare	SE	Dublin County Borough	100,000
Ruaile Buaile Ltd	NCIP The Toddler Inn at Hurly Buryl	SE	Dublin County Borough	34,394
St. Lawrence Montessori School	NCIP Grainne Tobin	SE	Dublin County Borough	54,132
Nurture Childcare Ltd	NCIP Nurture Childcare (Herbert Place)	SE	Dublin County Borough	48,750
Louise Clever Cloggs Creche Limited	NCIP Clever Cloggs	SE	Dublin County Borough	33,750
Little Blossom's Creche	NCIP Little Blossom's Creche	SE	Dublin County Borough	75,000
The Toddler Inn Limited	NCIP The Toddler Inn Limited	SE	Dublin County Borough	50,000
ABC Daycare	NCIP ABC Daycare	SE	Dublin County Borough	45,000
Fiona Doolan	NCIP Butterflies Crèche and Montessori	SE	Dublin County Borough	100,000
Kiddies Korner	NCIP Kiddies Korner	SE	Dublin County Borough	37,500
McDuff Enterprises TA Kidzink	NCIP Kidz Ink	SE	Dublin County Borough	100,000
Maywood Montessori Ltd	NCIP Maywood Montessori Ltd	SE	Dublin County Borough	67,875
PJ's Pre-school Limited	NCIP PJ's Pre-School Limited	SE	Dublin County Borough	18,750
The Montessori Circle	NCIP The Montessori Circle	SE	Dublin County Borough	18,750
Primary Shapes	NCIP Primary Shapes	SE	Dublin County Borough	17,479
Karen Clince	NCIP Tiger After School Care	SE	Dublin County Borough	100,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Tracy Kendall	NCIP Lullabys Montessori School	SE	Dublin County Borough	67,500
Seafield Montessori School	NCIP Seafield Montessori School	SE	Dublin County Borough	27,750
Brendan Rafferty	NCIP The Honey Tree	SE	Dublin County Borough	45,000
Merrion Montessori	NCIP Merrion Montessori	SE	Dublin County Borough	41,250
First Steps (Carleton Hall)	NCIP First Steps (Carleton Hall)	SE	Dublin County Borough	25,124
Ann Doyle	NCIP Early Learning Crèche & Montessori	SE	Dublin County Borough	50,000
Riverside Montessori School	NCIP Riverside Montessori School	SE	Dublin County Borough	36,000
Conal Keaney	NCIP Fitness for Kids	SE	Dublin County Borough	18,500
Denise Little Sponges Montessori	NCIP Little Sponges Montessori Workshop	SE	Dublin County Borough	75,000
Jo Chrobak	NCIP Grace Park Montessori Pre-school	SE	Dublin County Borough	67,500
Whitefriar Street Crèche	NCIP Whitefriar Street Crèche & Montessori	SE	Dublin County Borough	40,000
Gilford Road Montessori and Afterschool	NCIP Gilford Road Montessori and Afterschool	SE	Dublin County Borough	100,000
Baby Steps	NCIP Baby Steps	SE	Dublin County Borough	89,665
Blackhorse Childcare Ltd	NCIP Diffleys	SE	Dublin County Borough	100,000
Able Infants Montessori	NCIP Able Infants Montessori	SE	Dublin County Borough	100,000
Baron's Playschool	NCIP Baron's Playschool	SE	Dublin County Borough	99,750
The Playroom Too!	NCIP The Playroom Too!	SE	Dublin County Borough	45,000
Anne Davy	NCIP Hyde and Seek Crèche and Montessori	SE	Dublin County Borough	100,000
Carousel Day Nursery	NCIP Carousel Day Nursery (Artane)	SE	Dublin County Borough	93,750
Tir na nOg	NCIP Tir Na nOg	SE	Dublin County Borough	100,000
Daisy Chain Montessori & Childcare Ltd	NCIP Daisy Chain Montessori & Childcare Centre Ltd	SE	Dunlaoghaire Rathdown	100,000
Narnia Nursery School	NCIP Narnia Nursery School Limited — Rockfield	SE	Dunlaoghaire Rathdown	29,263
Bright Horizons Early Childhood Care & Education Centre	NCIP Bright Horizons Early Childhood Care & Education Centre (Leopardstown)	SE	Dunlaoghaire Rathdown	100,000

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NCIP Capital Recipients: 01 January 2006 to date — *continued*

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Ena Downey	NCIP Young World Montessori School & Creche	SE	Dunlaoghaire Rathdown	100,000
Raglan Day Care Centre	NCIP Raglan Day Care Centre	SE	Dunlaoghaire Rathdown	10,002
Star Tots	NCIP Star Tots	SE	Dunlaoghaire Rathdown	22,500
Mount Merrion Afterschool Centre	NCIP Mount Merrion Afterschool Centre	SE	Dunlaoghaire Rathdown	24,160
The Park Academy	NCIP The Park Academy, Cherrywood	SE	Dunlaoghaire Rathdown	100,000
Nurture Childcare Ltd	NCIP Nurture Childcare (Dun Laoghaire)	SE	Dunlaoghaire Rathdown	100,000
Koala Childcare	NCIP Koala Childcare	SE	Dunlaoghaire Rathdown	100,000
Carmel Grace	NCIP Glencairm Pre-school	SE	Dunlaoghaire Rathdown	10,326
Paula Flanagan	NCIP Paula Flanagan	SE	Dunlaoghaire Rathdown	12,500
Absorbent Minds Limited	NCIP Absorbent Minds Montessori and Afterschool Care	SE	Dunlaoghaire Rathdown	64,462
Giraffe Childcare Ltd	NCIP Giraffe Childcare & Early Learning Centre (Cherrywood)	SE	Dunlaoghaire Rathdown	40,000
Giraffe Childcare Ltd	NCIP Giraffe Childcare & Early Learning Centre (Stepaside)	SE	Dunlaoghaire Rathdown	40,000
The Nest	NCIP The Nest (Portmarnock)	SE	Fingal	50,000
Mary Doyle	NCIP Mary Doyle	SE	Fingal	54,750
Karen McGovern	NCIP Mother Hubbards Childcare (Ongar)	SE	Fingal	100,000
Swords Montessori School & Creche Ltd	NCIP Swords Montessori School & Creche Ltd	SE	Fingal	56,076
Little Apples Ltd	NCIP Little Apples Creche & Montessori — Boirimhe	SE	Fingal	100,000
Links Creche and Montessori School	NCIP Links Creche and Montessori School (Seabrook Manor)	SE	Fingal	100,000
Links Creche and Montessori School	NCIP Links Creche and Montessori School (St Olaves)	SE	Fingal	100,000
Tree Tops Day Nursery Ltd	NCIP Chuckleberries (Westmanstown)	SE	Fingal	43,875

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Treehouse Childcare Ltd	NCIP Treehouse Childcare — Donabate	SE	Fingal	48,471
Treehouse Childcare Ltd	NCIP Treehouse Childcare — Clonsilla	SE	Fingal	60,239
Clever Clogs	NCIP Clever Clogs	SE	Fingal	9,750
Collegefort Montessori Limited t/a Discovery Montessori School	NCIP Collegefort Montessori Limited t/a Discovery Montessori School	SE	Fingal	13,069
Little Apples Pre-school	NCIP Little Apples Pre-school	SE	Fingal	69,000
ABC Montessori	NCIP ABC Montessori	SE	Fingal	43,500
Jonix Educational Services Ltd	NCIP Jonix Education Services Ltd.	SE	Fingal	54,977
Marian Keegan	NCIP Bo Peep	SE	Fingal	100,000
Paula Marrey	NCIP Rivendell Cottage Creche	SE	Fingal	100,000
Joel Nudi	NCIP Early Language Intervention Ltd — Blanchardstown	SE	Fingal	24,864
Catherine Crehan Simpson	NCIP Catherine Crehan Simpson	SE	Fingal	100,000
Orla Matthews	NCIP Play2gether	SE	Fingal	85,219
Fun2see Learning & Activity Centre Limited	NCIP Fun2see Learning & Activity Centre Limited	SE	Fingal	100,000
Teresa Teresa Horan & Michael Horan	NCIP Chrysalis Montessori & Afterschool	SE	Fingal	100,000
Cathy Fitzmaurice	NCIP The Kilns Creche & Montessori Limited	SE	Fingal	100,000
Busy Lizzies	NCIP Busy Lizzies	SE	Fingal	3,748
Susan Branagan	NCIP Mischief Makers Montessori	SE	Fingal	100,000
Emma & Austin Broderick	NCIP Learn 2 Grow	SE	Fingal	33,332
School Kids Aloud Limited	NCIP School Kids Aloud Limited	SE	Fingal	18,500
Gillian O'Regan	NCIP Chapel Street Montessori	SE	Fingal	7,647
Lisa Smith	NCIP Tiny Tots Pre-school	SE	Fingal	2,913
Tadpoles Childcare	NCIP Tadpoles Childcare	SE	Fingal	100,000
Brenda Lattimore & Olive Power	NCIP Bizzy B's	SE	Fingal	13,361
Amanda Harford	NCIP Amanda Harford	SE	Fingal	87,860

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Rebecca Hemeryck	NCIP Rebecca Hemeryck	SE	Fingal	100,000
Rainbow Childcare	NCIP Rainbow Childcare	SE	Fingal	100,000
Flower Tots Pre-school	NCIP Flower Tots Pre-school	SE	Fingal	5,930
Mary Simons Cassin	NCIP Swots and Tots	SE	Fingal	75,000
Fiona Lyons	NCIP Kidoodles Creche and Montessori	SE	Fingal	75,000
Joan O Sullivan	NCIP Joan O Sullivan	SE	Fingal	73,925
Rian Coise	NCIP Rian Coise	SE	Fingal	100,000
Rachel Prouse	NCIP Missus Tattys Nursery	SE	Fingal	100,000
Giraffe Childcare Ltd	NCIP Giraffe Childcare & Early Learning Centre (Clonsilla)	SE	Fingal	40,000
Phyllis Reddington	NCIP Child's Play Creche	SE	Galway City	15,000
Stephen O'Riordan	NCIP Stephen O'Riordan	SE	Galway City	100,000
St. Nicholas Preschool / Afterschool Service	NCIP St. Nicholas Preschool / Afterschool Service	SE	Galway City	50,117
Naionra Iognaid	NCIP Naionra Iognaid	SE	Galway City	66,431
Little Wonders Creche & Montessori	NCIP Little Wonders Creche & Montessori	SE	Galway City	100,000
Alexandra Monaghan	NCIP Sunflowers	SE	Galway City	50,000
Carlie Healy	NCIP Teddy House Childcare	SE	Galway City	100,000
Sinead Ni Cheannaigh	NCIP Mol an Óige	SE	Galway City	27,750
Patrick Faherty	NCIP University Creche	SE	Galway City	100,000
Little Stars	NCIP Little Stars	SE	Galway County	44,625
Little Stars	NCIP Little Stars	SE	Galway County	56,250
Little Treasures	NCIP Little Treasures	SE	Galway County	100,000
Teddy Bears Lodge	NCIP Teddy Bears Lodge	SE	Galway County	48,750
Newtown Kids Club Ltd	NCIP Newtown Kids Club Ltd	SE	Galway County	100,000
Tir na nOg	NCIP Tir na nOg	SE	Galway County	30,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Sticky Fingers	NCIP Sticky Fingers	SE	Galway County	33,477
Little Learners	NCIP Little Learners	SE	Galway County	8,100
Claran Development Association	NCIP Claran Development Association	SE	Galway County	60,000
Tracey Hurney	NCIP The Playroom	SE	Galway County	62,226
Declan Gardiner	NCIP Little Crickets Creche & Montessori	SE	Galway County	100,000
First Friends Crèche & Montessori	NCIP First Friends Crèche & Montessori	SE	Galway County	100,000
Oran Schools Out Club	NCIP Oran Schools Out Club	SE	Galway County	27,750
Tir na nOg	NCIP Tir na nOg	SE	Galway County	100,000
Agnes McEvilly	NCIP Tots Academy	SE	Galway County	6,038
Castle Ellen Montessori School	NCIP Castle Ellen Montessori School	SE	Galway County	100,000
Grainne Holleran	NCIP Little All Stars	SE	Galway County	100,000
Fiona Kelly	NCIP Little Angels	SE	Galway County	22,875
The Village Creche	NCIP The Village Creche	SE	Galway County	100,000
Michael Malone	NCIP Ballinderry Childcare & Afterschool Care	SE	Galway County	100,000
Corofin Creche	NCIP Corofin Creche	SE	Galway County	100,000
Grace Mitchell	NCIP Nemo's Creche	SE	Galway County	52,500
Claran Afterschool Service	NCIP Claran Afterschool Service	SE	Galway County	9,375
The Beez Kneez	NCIP The Beez Kneez	SE	Galway County	100,000
Young at Art Playschool	NCIP Young at Art Playschool	SE	Galway County	3,375
Busy Bees	NCIP Busy Bees	SE	Galway County	4,500
Busy Bees	NCIP Busy Bees	SE	Galway County	20,925
Mounthawk Montessori	NCIP Clogherbrien Creche	SE	Kerry	100,000
Smartys Montessori	NCIP Smartys Montessori	SE	Kerry	41,868
Puffins of Caherciveen	NCIP Puffins of Caherciveen	SE	Kerry	45,000
Airc na Leannai	NCIP Airc na Leannai	SE	Kerry	25,605
Little Treasures	NCIP Little Treasures	SE	Kerry	18,245

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Sunflowers Childcare	NCIP Sunflowers Childcare	SE	Kerry	100,000
Toni's Childcare Service	NCIP Toni's Childcare Service	SE	Kerry	97,500
Tiny Tots	NCIP 50 Tiny Tots	SE	Kerry	100,000
Gemma Durrant	NCIP Teeny Tots Nursery	SE	Kerry	60,000
Waterville Montessori Pre-School	NCIP Waterville Montessori Pre-School	SE	Kerry	100,000
Child's Play	NCIP Child's Play	SE	Kerry	100,000
Marilyn Duffy	NCIP Starlight Starbright Montessori School	SE	Kerry	100,000
Orna O'Connell	NCIP Ballintobeenig Montessori Pre-school	SE	Kerry	100,000
Little Hoppers	NCIP Little Hoppers	SE	Kerry	100,000
Happy Campers Montessori Preschool	NCIP Happy Campers Montessori Preschool	SE	Kerry	100,000
Majella Stack	NCIP Majella Stack	SE	Kerry	60,000
Lullabys Creche & Preschool	NCIP Lullabys Creche & Preschool	SE	Kerry	100,000
Happy Hearts	NCIP Happy Hearts	SE	Kerry	25,000
Naoinra Martina	NCIP Naionra Martina	SE	Kerry	60,000
Little Treasures	NCIP Little Treasures	SE	Kerry	78,176
Nana Nellies	NCIP Nana Nellies	SE	Kerry	100,000
Natural Learning Montessori	NCIP Natural Learning Montessori	SE	Kerry	100,000
Naionra Aine	NCIP Naionra Aine	SE	Kerry	100,000
Mary Stepney	NCIP Stepping Stones Childcare Solutions	SE	Kerry	100,000
Brendan & Amanda Mannix	NCIP Ballydwyer Childcare Facility	SE	Kerry	100,000
Marguerite O'Sullivan	NCIP Marguerite O'Sullivan	SE	Kerry	100,000
Patricia Stewart & Batt Healy	NCIP Patricia Stewart & Batt Healy	SE	Kerry	100,000
Louise Foley	NCIP Louise's Day Care	SE	Kerry	9,403
Beate Wunderlich & Vincent Doyle	NCIP Beate Wunderlich	SE	Kerry	10,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Naas Childcare Ltd. T/A Tir na nOg	NCIP Naas Childcare Ltd. T/A Tir na nOg	SE	Kildare	60,000
Ryevale Montessori & Day Care	NCIP Ryevale Montessori & Day Care	SE	Kildare	45,000
Tir na nOg	NCIP Tir na nOg	SE	Kildare	33,750
Sharon Byrne	NCIP Moone Montessori School	SE	Kildare	68,783
The Purple Penguin Creche	NCIP The Purple Penguin Creche	SE	Kildare	98,100
Little Folk Pre-school Playgroup	NCIP Little Folk Pre-school Playgroup	SE	Kildare	100,000
Lots of Tots	NCIP Lots of Tots	SE	Kildare	43,526
Sharon O' Neill	NCIP Busy Beavers	SE	Kildare	100,000
Treehouse Childcare Ltd	NCIP Treehouse Childcare — Kildare	SE	Kildare	100,000
Ardreigh Montessori & Childcare Centre	NCIP Ardreigh Montessori & Childcare Centre	SE	Kildare	52,500
Happy Faces Early Learning Centre Limited	NCIP Happy Faces Early Learning Centre Limited	SE	Kildare	100,000
Little Toppers Creche & Montessori School	NCIP Little Toppers Creche & Montessori School	SE	Kildare	100,000
Happy Steps Ryebriidge Ltd	NCIP Happy Steps — The Cottage	SE	Kildare	72,266
Happy Steps Ryebriidge Ltd	NCIP Happy Steps — Ryebriidge	SE	Kildare	100,000
Blossoms Pre-school	NCIP Blossoms Pre-school	SE	Kildare	14,250
Blossoms Pre-school	NCIP Blossoms Pre-school	SE	Kildare	30,000
Bright Beginnings Limited	NCIP Bright Beginnings Limited	SE	Kildare	100,000
Early Days Creche & Daycare Centre	NCIP Early Days Creche & Daycare Centre	SE	Kildare	100,000
Happy Days Montessori & Afterschool	NCIP Happy Days Montessori & Afterschool	SE	Kildare	39,750
Buzy Bees Playschool	NCIP Buzy Bees Playschool	SE	Kildare	49,257
First Steps	NCIP First Steps	SE	Kildare	16,210
Tots Creche & Daycare Nursery	NCIP Tots Creche & Daycare Nursery	SE	Kildare	100,000
Primrose Hill Playgroup	NCIP Primrose Hill Playgroup	SE	Kildare	14,080
Wise Owl Montessori Maynooth	NCIP Wise Owl Montessori Maynooth	SE	Kildare	100,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Bernie Moore	NCIP Sport agus Spraoi	SE	Kildare	100,000
Giggles Playgroup	NCIP Giggles Playgroup	SE	Kildare	17,691
Giggles Playgroup	NCIP Giggles Playgroup	SE	Kildare	59,025
Deirdre Clever Cat's Childcare Centre	NCIP Clever Cat's Childcare Centre	SE	Kildare	100,000
Gerald & Shauna Kehoe	NCIP Acorn Montessori & Crèche Ltd	SE	Kildare	100,000
Colaiste Lorcaín	NCIP Colaiste Lorcaín	SE	Kildare	7,387
Olive Mitchell	NCIP Farm Lee Childcare	SE	Kildare	100,000
Tir na Nog Day Nursery	NCIP Tir na nOg Day Nursery	SE	Kildare	20,720
Valerie Seery	NCIP Bright Eyes (Clane)	SE	Kildare	7,350
Green Lane Montessori	NCIP Green Lane Montessori	SE	Kildare	100,000
Child's Play Early Education Company Ltd	NCIP Child's Play Creche (Hazelwood)	SE	Kildare	100,000
Paula Mullally	NCIP Kidzstuff Creche	SE	Kildare	12,850
KidCo	NCIP KidCo	SE	Kildare	27,963
Magic Years Ltd	NCIP Magic Years Ltd	SE	Kildare	100,000
Paul & Mary Burke (Busy Fingers)	NCIP Busy Fingers	SE	Kildare	100,000
Giraffe Childcare Ltd	NCIP Giraffe Childcare & Early Learning Centre (Celbridge)	SE	Kildare	40,000
Giraffe Childcare Ltd	NCIP Giraffe Childcare & Early Learning Centre (Clane)	SE	Kildare	40,000
Helen Step by Step Creche	NCIP Giraffe Childcare & Early Learning Centre (Leixlip)	SE	Kilkenny	100,000
Green Acres Creche & After School Club	NCIP Step by Step Creche	SE	Kilkenny	10,000
Talbot Gate Creche	NCIP Green Acres Creche & After School Club	SE	Kilkenny	100,000
Pixie Park Day Care Centre	NCIP Talbot Gate Creche	SE	Kilkenny	40,000
Pixie Park Day Care Centre	NCIP Pixie Park Day Care Centre	SE	Kilkenny	60,000
Sandra Nichol	NCIP Pixie Park Day Care Centre	SE	Kilkenny	100,000
Hop Scotch Day Nursery	NCIP Kiddies Kingdom	SE	Kilkenny	100,000
	NCIP Hop Scotch Day Nursery	SE	Kilkenny	100,000

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NCIP Capital Recipients: 01 January 2006 to date — *continued*

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Jack in the Box Creche & Montessori School	NCIP Jack in the Box Creche & Montessori School	SE	Kilkenny	100,000
Ann Marie Fitzgerald	NCIP Monkey Puzzle	SE	Kilkenny	100,000
Little Acorns	NCIP Little Acorns	SE	Kilkenny	100,000
Marble Creche & Montessori	NCIP Marble Creche & Montessori	SE	Kilkenny	100,000
From Home to Home	NCIP From Home to Home	SE	Kilkenny	100,000
Carmel Everard	NCIP Cloghoge Monstessori	SE	Kilkenny	22,500
Kinderland Creche	NCIP Kinderland Creche	SE	Kilkenny	90,000
Pam Drennan	NCIP Apple Tree Farm Montessori	SE	Kilkenny	100,000
Beenstalk	NCIP Beanstalk	SE	Kilkenny	100,000
Hey Diddle Diddle	NCIP Hey-Diddle-Diddle	SE	Kilkenny	63,000
Ballyhale Montessori	NCIP Ballyhale Montessori	SE	Kilkenny	100,000
Tiddlywinks	NCIP Tiddlywinks	SE	Laois	100,000
Just 4 Kids	NCIP Just 4 Kids	SE	Laois	100,000
The Orchard Childminding Service	NCIP The Orchard Childminding Service	SE	Laois	100,000
First Steps Creche and Playschool	NCIP First Steps Creche and Playschool	SE	Laois	94,876
Kevin & Niamh Coleman	NCIP Cloneen Montessori	SE	Laois	100,000
Audrey Moran, Abilities Montessori & Childcare	NCIP Abilities Montessori & Childcare	SE	Laois	100,000
First Steps Creche Limited	NCIP First Steps Creche Limited	SE	Leitrim	40,800
Caroline McCormack	NCIP Tots Haven	SE	Leitrim	100,000
Malachy Guckian	NCIP Bright Buttons Day Nursery & After School	SE	Leitrim	100,000
Doodles	NCIP Doodles	SE	Leitrim	100,000
Little Stars Nursery	NCIP Little Stars Nursery	SE	Leitrim	100,000
Starting Small Standing Tall Ltd	NCIP Starting Small Standing Tall Ltd	SE	Limerick City	100,000
Tic Toc Nursery Limited	NCIP Tic Toc Nursery Ltd (Corbally)	SE	Limerick City	100,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Adelaide Studio	NCIP Adelaide Studio	SE	Limerick City	90,000
Pebbled Pathways	NCIP Pebbled Pathways	SE	Limerick City	100,000
Mega Kids Montessori School & Playschool	NCIP Mega Kids Montessori School & Playschool	SE	Limerick County	100,000
Neil O'Carroll t/a Daydreams Creche	NCIP Daydreams Creche — Raheen	SE	Limerick County	61,814
Neil O'Carroll t/a Daydreams Creche	NCIP Daydreams Creche — Murroe	SE	Limerick County	75,000
Caherelly Kids	NCIP Caherelly Kids	SE	Limerick County	80,848
Beechwood Montessori School	NCIP Beechwood Montessori School	SE	Limerick County	4,765
All About Kids Ltd	NCIP All About Kids Ltd	SE	Limerick County	100,000
Briecens Childcare	NCIP Briecens Childcare	SE	Limerick County	90,000
Tree-Tops Playschool	NCIP Tree-Tops Playschool	SE	Limerick County	15,000
Tiny Tots	NCIP Tiny Tots	SE	Limerick County	100,000
Happy Faces	NCIP Happy Faces	SE	Limerick County	58,122
Agatha Corbett	NCIP Agatha Corbett	SE	Limerick County	9,455
Audame Ltd t/a Gymboree Play and Music	NCIP Gymboree Play and Music	SE	Limerick County	29,824
Suzi Ryan	NCIP Suzi Ryan	SE	Limerick County	20,444
Karibu Montessori & Playschool	NCIP Karibu Montessori & Playschool	SE	Limerick County	52,774
Mary Slattery	NCIP Kiddiskool Playgroup	SE	Limerick County	3,059
Yvonne Collings	NCIP Naionra na nOg	SE	Limerick County	18,076
Moira Callanan	NCIP Little Einstein's Montessori School	SE	Limerick County	39,691
Con & Teresa Nash	NCIP Templegreen Creche	SE	Limerick County	100,000
Clare Mullane	NCIP Scoil na nOg	SE	Limerick County	25,000
Caroline Dee	NCIP Caroline Dee	SE	Limerick County	16,434
Little Stars Creche Ltd.	NCIP Little Stars Creche Ltd.	SE	Limerick County	100,000
Tir na nOg	NCIP Tir na Nog	SE	Limerick County	5,144
Bluebells Montessori Nursery School	NCIP Bluebells Montessori Nursery School	SE	Limerick County	12,750
Teach Leanbh	NCIP Teach Leanbh	SE	Longford	100,000

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NCIP Capital Recipients: 01 January 2006 to date — *continued*

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Josephine Belton	NCIP Saoirse	SE	Longford	100,000
Dun Darrach Day Nursery(Mary Harvey)	NCIP Dun Darrach Day Nursery	SE	Longford	100,000
Zippizi Do Care	NCIP Zippizi Do Care	SE	Longford	100,000
Bernie McLoughlin & Ann Igoe	NCIP Scallywags Creche and Montessori	SE	Longford	37,500
Veronica Conaty	NCIP Cool 4 Kidz	SE	Longford	30,000
Yvonne Kiernan	NCIP Bright Beginnings	SE	Longford	53,200
Collette Brennan	NCIP Collette Brennan	SE	Longford	100,000
Step-by-Step	NCIP Step-by-Step	SE	Longford	100,000
Teach na Leanai	NCIP Teach na Leanai	SE	Longford	100,000
Minard Day Nursery	NCIP Minard Day Nursery	SE	Longford	100,000
Bright Beginnings	NCIP Bright Beginnings	SE	Louth	100,000
Pebble Beach	NCIP Pebble Beach	SE	Louth	43,025
Ryan-Nol Creche Ltd(T/A Daisychain Montessori & Creche)	NCIP Ryan-Nol Creche Ltd(T/A Daisychain Montessori & Creche)	SE	Louth	100,000
Tumble Tots Créche	NCIP Tumble Tots Créche	SE	Louth	5,250
Tiny Tots Nursery	NCIP Tiny Tots Nursery	SE	Louth	11,250
Tots and Co. Playgroup	NCIP Tots and Co. Playgroup	SE	Louth	80,606
Aedamar McGahon	NCIP Aedamar McGahon	SE	Louth	100,000
Lucia Sullivan	NCIP The Little Cottage	SE	Louth	100,000
Laura Kerr & Joan Durmin	NCIP Tallanstown Preschool	SE	Louth	77,920
Kool Kidz	NCIP Kool Kidz	SE	Louth	100,000
Knockbridge Childcare	NCIP Knockbridge Childcare	SE	Louth	40,000
Wheaton Montessori Academy	NCIP Wheaton Montessori Academy	SE	Louth	100,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Ivy Cottage	NCIP Ivy Cottage	SE	Louth	43,792
Peek A Boo	NCIP Peek A Boo	SE	Louth	27,558
Peter Pan Creche & Montessori School	NCIP Peter Pan Creche & Montessori School	SE	Louth	100,000
Balla Montessori and Playgroup	NCIP Balla Montessori and Afterschool	SE	Mayo	4,159
John McGowan	NCIP Park Academy Care & Education Centre Claremorris	SE	Mayo	100,000
Claremount Creche & Playschool Limited	NCIP Claremount Creche & Playschool Limited	SE	Mayo	100,000
Olive Jordan Sunflowers Creche	NCIP Sunflowers Creche	SE	Mayo	95,512
Sunny Days Creche	NCIP Sunny Days Creche	SE	Mayo	100,000
Lolly's & Robin's Montessori School	NCIP Lolly's & Robin's Montessori School	SE	Mayo	72,456
Bernadette Frazer	NCIP Stepping Stones	SE	Mayo	18,750
Angela Alder	NCIP Angela Alder	SE	Mayo	42,000
Anthony & Denise Moran	NCIP Little Cherubs	SE	Mayo	100,000
Margaret Cresham	NCIP Margaret Cresham	SE	Mayo	100,000
Tracey Keohane	NCIP Little VIP's Preschool & Afterschool	SE	Mayo	7,500
Little Rascals (Louth)	NCIP Hopscotch Creche and Montessori	SE	Meath	100,000
Karen McGovern	NCIP Mother Hubbards Creche (Flower Hill)	SE	Meath	100,000
Tom & Anne O'Gorman	NCIP Elderdale Montessori & Afterschool	SE	Meath	100,000
Sallywags Playgroup & Afterschool Service	NCIP Sallywags Playgroup & Afterschool Service	SE	Meath	35,111
Oasis Childcare Centre	NCIP Oasis Childcare Centre	SE	Meath	51,736
Kidz of the Manor	NCIP Kidz of the Manor	SE	Meath	58,650
The Glebe Creche Limited	NCIP The Glebe Creche Limited	SE	Meath	47,072
The Schoolhouse Montessori	NCIP The Schoolhouse Montessori	SE	Meath	37,331
The Belfry Creche & Montessori	NCIP The Belfry Creche & Montessori	SE	Meath	29,361
Mammy Day Care	NCIP Mammy Day Care	SE	Meath	100,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Alison Hickey	NCIP Alison Hickey	SE	Meath	100,000
Coole Montessori School	NCIP Coole Montessori School	SE	Meath	33,750
Seagrave Montessori	NCIP Seagrave Montessori	SE	Meath	9,750
Rainbow Lane Limited	NCIP Rainbow Lane Limited	SE	Meath	69,919
Stamullen Academy of Childcare Ltd	NCIP Stamullen Academy of Childcare Ltd	SE	Meath	100,000
The Kilberry School of Montessori	NCIP The Kilberry School of Montessori	SE	Meath	100,000
Forever Friends	NCIP Forever Friends	SE	Meath	1,175
Geri's Montessori	NCIP Geri's Montessori	SE	Meath	3,750
Lisa Mallan	NCIP Acorn Academy	SE	Meath	100,000
Karen Keane	NCIP Karen Keane	SE	Meath	45,000
Marion Guckian	NCIP Killoon Preschool	SE	Meath	100,000
Anne Byrne	NCIP Buzzy Bees	SE	Meath	3,000
Pear Tree Cottage	NCIP Pear Tree Cottage	SE	Meath	26,250
Tir na Nog Highscope	NCIP Tir Na Nog Highscope	SE	Meath	100,000
Aideen Newport	NCIP Aideen's Cute 'n' Clever Kids	SE	Meath	100,000
Nicola Maguire	NCIP Little Buddies Playgroup & Montessori	SE	Meath	90,000
Gortwella Creche	NCIP Gortwella Creche	SE	Meath	100,000
Hilltop Creche & Montessori	NCIP Hilltop Creche & Montessori	SE	Meath	100,000
Fiona Tierney	NCIP Fiona Tierney	SE	Meath	100,000
Vickette Ltd.	NCIP The Willows Creche & Montessori	SE	Meath	40,000
Giraffe Childcare Ltd	NCIP Giraffe Childcare & Early Learning Centre (Navan)	SE	Meath	40,000
Little Scholars Montessori Pre-School & Afterschools	NCIP Little Scholars Montessori Pre-School & Afterschools	SE	Monaghan	100,000
Clever Cloggs Full Daycare Nursery Ltd	NCIP Clever Cloggs (Knockcarrick/Annyalla)	SE	Monaghan	100,000
Joanne McCabe	NCIP Joanne McCabe	SE	Monaghan	16,000
Joann Phillips	NCIP Little Sparks	SE	Monaghan	100,000

Key:

CB = Community Based.

SE = Private Provider.



NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Susan Farrelly	NCIP Susan Farrelly	SE	Monaghan	100,000
Willow House Day Nursery	NCIP Willow House Day Nursery	SE	Monaghan	100,000
Daisychain Childcare	NCIP Daisychain Childcare	SE	Monaghan	100,000
Little Stars	NCIP Little Stars	SE	Offaly	24,569
Caroline O'Donoghue	NCIP Clever Clogs	SE	Offaly	100,000
Skippy's Creche & Preschool	NCIP Skippy's Creche & Preschool	SE	Offaly	7,650
The Cottage Playgroup	NCIP The Cottage Playgroup	SE	Offaly	60,000
Little Acorns	NCIP Little Acorns	SE	Offaly	48,473
Teresa Singleton	NCIP Kinderkare Boyle	SE	Roscommon	48,750
Chatterland Playschool & Creche	NCIP Chatterland Playschool & Creche	SE	Roscommon	22,500
Holly Hocks Creche	NCIP Holly Hocks Creche	SE	Roscommon	30,000
Cuddles and Care	NCIP Cuddles and Care	SE	Roscommon	100,000
Sean Carroll	NCIP Tangier Tots	SE	Roscommon	100,000
Linda Madden	NCIP Linda Madden	SE	Roscommon	100,000
Marion Colgan	NCIP RIGHT START Pre-School Montessori	SE	Roscommon	93,000
Mary J. Cuddy	NCIP Little Rubies	SE	Roscommon	100,000
Wonderyears Preschool	NCIP Wonder Years Pre School	SE	Roscommon	100,000
Nurture's Best	NCIP Nurture's Best Creche	SE	Roscommon	100,000
Step by Step All Day Care Centre	NCIP Step by Step All Day Care Centre	SE	Roscommon	100,000
Scooters	NCIP Scooters	SE	Sligo	26,250
Hopes & Dreams	NCIP Hopes & Dreams	SE	Sligo	100,000
Toddlers Den Creche	NCIP Toddlers Den Creche	SE	Sligo	40,264
Little Meadows	NCIP Little Meadows	SE	Sligo	100,000
Collette Carter	NCIP Collette Carter	SE	Sligo	86,085

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Care & Cuddles	NCIP Care & Cuddles	SE	South Dublin County	4,688
Montessori Matters	NCIP Montessori Matters	SE	South Dublin County	17,181
Happy Days	NCIP Happy Days	SE	South Dublin County	59,544
Little Penguins	NCIP Little Penguins	SE	South Dublin County	63,000
The Village Day Care Centre & Montessori School Ltd	NCIP The Village Day Care Centre & Montessori School Ltd	SE	South Dublin County	100,000
Montessori & More	NCIP Montessori & More	SE	South Dublin County	75,000
Celine D'Arcy	NCIP Tully Tots	SE	South Dublin County	38,073
Stepping Stones	NCIP Stepping Stones	SE	South Dublin County	100,000
Kathy B's	NCIP Montessori & After school Care	SE	South Dublin County	100,000
Starlight Playgroup	NCIP Starlight Playgroup	SE	South Dublin County	3,750
Grainne Harris	NCIP Tinkerbells	SE	South Dublin County	19,134
Jean McGovern	NCIP Happy Feet Preschool, Montessori & Afterschool	SE	South Dublin County	100,000
Tania O'Hanlon	NCIP Rossmore Montessori	SE	South Dublin County	60,000
Lisa Walsh	NCIP Little Smartys	SE	South Dublin County	49,003
Cocoon Childcare Limited	NCIP Cocoon Citywest	SE	South Dublin County	100,000
Little Saints Limited	NCIP Little Saints Limited	SE	South Dublin County	42,170
The Lodge Group t/a Knocklyon Creche & Monstessor	NCIP Knocklyon Creche & Monstessor	SE	South Dublin County	100,000
Giraffe Childcare Ltd	NCIP Giraffe Childcare & Early Learning Centre (Adamstown)	SE	South Dublin County	40,000
Giraffe Childcare Ltd	NCIP Giraffe Childcare & Early Learning Centre (Rathfarnham)	SE	South Dublin County	40,000
Little Learners Day Care & Montessori Fifi's Tots	NCIP Little Learners Day Care & Montessori	SE	Tipperary North	100,000
	NCIP Fifi's Tots	SE	Tipperary North	48,750

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Frances Playschool	NCIP Frances Playschool	SE	Tipperary North	6,000
Sugradh Childminding & Sessional Service	NCIP Sugradh Childminding & Sessional Service	SE	Tipperary North	100,000
Little Tots Academy	NCIP Little Tots Academy	SE	Tipperary North	100,000
Newport Kids Club Ltd.	NCIP Newport Kids Club Ltd.	SE	Tipperary North	100,000
Carol Thompson	NCIP Carol Thompson	SE	Tipperary North	100,000
Boologelagh Montessori School	NCIP Boologelagh Montessori School	SE	Tipperary North	100,000
Oliver & Concepta Quigley	NCIP The Great Outdoors Childcare Centre	SE	Tipperary North	100,000
Regina Ryan	NCIP Babog Day Care	SE	Tipperary North	22,304
Catherine Beverley	NCIP Stepping Stones Playgroup	SE	Tipperary North	92,250
Deirdre Shanahan	NCIP Whiz Kids Montessori	SE	Tipperary North	19,500
Clareen Country Creche	NCIP Clareen Country Creche	SE	Tipperary North	100,000
Una O'Neill	NCIP Una O'Neill	SE	Tipperary South	24,857
Wonder Years Playschool	NCIP Wonder Years Playschool	SE	Tipperary South	100,000
Happy Dayz	NCIP Happy Dayz	SE	Tipperary South	100,000
Clommel Childcare Ltd.	NCIP Clommel Childcare Ltd.	SE	Tipperary South	100,000
Marthas Montessori	NCIP Martha's Montessori — Castle Heights	SE	Tipperary South	100,000
Rebekah Donnelly	NCIP Play Together Childcare	SE	Waterford City	100,000
Olivia Hogan & Sean Dowling	NCIP Home from Home Creche	SE	Waterford City	100,000
Jigsaw Day Nursery Ltd	NCIP Jigsaw Day Nursery Ltd — Ardkeen	SE	Waterford City	39,750
Cecelia Lawless	NCIP Little Gems	SE	Waterford County	100,000
Yvonne Kelly	NCIP Bright Stars	SE	Waterford County	24,750
Ladybird Preshool & Creche	NCIP Ladybird Preshool & Creche	SE	Waterford County	60,712
Mellowes Childcare Services	NCIP Mellowes Childcare Services	SE	Westmeath	100,000
Madeline O'Neill	NCIP Rathganny Preschool	SE	Westmeath	100,000
Kidz Aloud	NCIP Kidz ALOUD!	SE	Westmeath	77,000

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NCIP Capital Recipients: 01 January 2006 to date — continued

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Annie Apples Ltd	NCIP Annie Apples Ltd	SE	Westmeath	94,425
Treasure Island Pre-school	NCIP Treasure Island Pre-school	SE	Westmeath	75,000
Waddlers & Toddlers	NCIP Waddlers & Toddlers	SE	Westmeath	100,000
First Class Montessori	NCIP First Class Montessori	SE	Westmeath	100,000
Head Start	NCIP Head Start	SE	Westmeath	100,000
Adrienne Kelly	NCIP Robyn's Nest	SE	Westmeath	73,727
Windtown	NCIP Windtown	SE	Westmeath	100,000
Anne Reynolds	NCIP Little Treasures Montessori Preschool	SE	Westmeath	100,000
Grovelands Childcare Ltd.	NCIP Grovelands Childcare — Mullingar	SE	Westmeath	100,000
Higgy's House Ltd.	NCIP Higgys House Ltd.	SE	Wexford	75,000
Carrig Briste Childcare Services	NCIP Carrig Briste Childcare Services	SE	Wexford	74,656
Daddy Day Care & Melwood After School Care	NCIP Daddy Day Care & Melwood After School Care	SE	Wexford	91,485
Puddle Lane	NCIP Puddle Lane	SE	Wexford	100,000
Mary Murphy Eager Beavers Montessori	NCIP Eager Beavers Montessori	SE	Wexford	90,000
Wiz Kids	NCIP Wiz Kids	SE	Wexford	15,492
Faylinn Education Limited	NCIP Faylinn Education Ltd	SE	Wexford	100,000
Adelia's Montessori School	NCIP Adelia's Montessori School	SE	Wexford	100,000
Brigid Doyle	NCIP Little Rascals Preschool	SE	Wexford	8,000
Daisy Daycare	NCIP Daisy Daycare	SE	Wexford	100,000
The Mill Montessori & Pre School	NCIP The Mill Montessori & Pre School	SE	Wexford	84,375
Aude Bates	NCIP Guilletots	SE	Wexford	45,000
Annagh Tots Childcare Centre / After Tots Care Centre	NCIP Annagh Tots Childcare Centre	SE	Wexford	55,165
Maud Hayes	NCIP Hazy Days	SE	Wexford	29,059
Pixies Creche & Prechool	NCIP Pixies Creche & Pre-School	SE	Wicklow	25,884
Scallywags Childcare	NCIP Scallywags Childcare	SE	Wicklow	100,000
Ashvale Creche	NCIP Ashvale Creche	SE	Wicklow	98,142

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NCIP Capital Recipients: 01 January 2006 to date — *continued*

Applicant Name	Facility	Applicant Type	County Division	Amount Approved
<i>Private Provider:</i>				€
Charlesland Court Creche Ltd	NCIP Charlesland Court Creche Ltd	SE	Wicklow	67,979
Liscolman Childcare Services	NCIP Liscolman Childcare Services	SE	Wicklow	100,000
Deepdales Montessori	NCIP Deepdales Montessori	SE	Wicklow	100,000
The Park Academy	NCIP The Park Academy, Bray	SE	Wicklow	100,000
Enniskerry Montessori School	NCIP Enniskerry Montessori School	SE	Wicklow	100,000
The Village Montessori & Daycare	NCIP The Village Montessori & Daycare	SE	Wicklow	31,500
Bam Bam Play & Learn Ltd	NCIP Bam Bam Play & Learn Ltd	SE	Wicklow	44,403
Rainbow Pre-school & Montessori	NCIP Rainbow Pre-school & Montessori	SE	Wicklow	60,000
Footprints	NCIP Footprints	SE	Wicklow	100,000
Sonasmh	NCIP Sonasmh	SE	Wicklow	26,250
Saran Wood Creche Montessori & Afterschool	NCIP Saran Wood Creche Montessori & Afterschool	SE	Wicklow	17,994
The Abbey Pre-School	NCIP The Abbey Pre-School	SE	Wicklow	67,890
Sinéad Dawson	NCIP Rainbows Preschool	SE	Wicklow	100,000
Briarwood Montessori	NCIP Briarwood Montessori	SE	Wicklow	4,781
Briarwood Montessori	NCIP Briarwood Montessori	SE	Wicklow	12,023
Joel Nudi	NCIP Early Language Intervention Ltd — Bray	SE	Wicklow	100,000
Little Ladybirds Playgroup & Childminding	NCIP Little Ladybirds Playgroup & Childminding	SE	Wicklow	100,000
Jason & Michelle Forde	NCIP Jackanory Childcare	SE	Wicklow	100,000
Adele O'Neill	NCIP Little Angels Club	SE	Wicklow	40,653
Colleen Morris	NCIP Kilmacanogue Playgroup Limited	SE	Wicklow	5,214
Bubbles Pre-School	NCIP Bubbles Pre-School	SE	Wicklow	18,572
Niamh's Montessori School	NCIP Niamh's Montessori School	SE	Wicklow	39,000
Little Flowers	NCIP Little Flowers	SE	Wicklow	96,226
Private Providers:	530 Groups; 545 Facilities; 553 Approved Grants		Total:	37,484,784
Overall Totals:	859 Groups; 882 Facilities; 924 Approved Grants		Total Approved:	195,478,837

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### **Mental Health Services.**

623. **Deputy David Stanton** asked the Minister for Health and Children if the Waiting List Report on Child and Adolescent Mental Health Services which was completed in 2007 has been published; and if she will make a statement on the matter. [31289/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The Executive, therefore, is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

### **Infectious Diseases.**

624. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the steps being taken to ensure that MRSA, C difficile and other such bugs do not infect pupils while at school here, as has happened in the outbreaks of MRSA which has led to fatalities in schools in the USA in the past year; and if she will make a statement on the matter. [31358/08]

**Minister for Health and Children (Deputy Mary Harney):** Tackling all Health Care Associated Infections (HCAIs) continues to be a priority for the Government and the Health Service Executive (HSE).

The HSE launched a National Infection Control Plan in March 2007. An Infection Control Steering Group is responsible for overseeing the implementation of the plan. Over the next 5 years the HSE aims to reduce HCAIs by 20%, MRSA infection by 30% and antibiotic consumption by 20%. Achievement of these targets will benefit all patients who are at risk. The Steering Group is supported by eight Local Implementation Teams which will ensure that all local facilities are focused on achieving the national targets.

There is little risk of transmitting MRSA to healthy people who are at low risk of becoming infected. The risk of MRSA transmission, to staff or other students in a school is low and can be greatly reduced with careful attention to hand hygiene and basic infection control practices.

Children in such settings are likely to be colonised/infected with other organisms that pose a greater potential threat to staff and students (e.g. influenza, norovirus, Group A Strep etc), for which routine screening is not required. Therefore, the availability of hand hygiene facilities (sinks and alcohol gels) and environmental cleaning regimens play an important role.

The HSE recommends that community institutions such as schools should have a policy to prevent transmission of micro organisms that emphasises the importance of standard precautions and good levels of personal hygiene by all. However, it goes without saying that if there is any concern about the clinical status of the child/resident, their general practitioner should be consulted for advice. It is important that children with MRSA are not stigmatised as they pose little risk to those with whom they come in contact.

The HSE have written to the Department of Education and Science advising it of the above. There is also a general booklet for schools on “Schools and Infection” which is available via the HSE. The Health Protection Surveillance Centre of the HSE provides a Fact Sheet “Recommendations for Care of Patients colonised with MRSA in Schools” on its website [www.hpsc.ie](http://www.hpsc.ie).

C. difficile should not be an issue in schools, as schools do not have the antibiotic pressure and other risk factors present in hospitals and long term care facilities. If a school student were



[Deputy Mary Harney.]

to have a *C. difficile* infection, the same standard advice would apply as for any other type of gastroenteritis (i.e. stay out of school until asymptomatic, and attention to basic hygiene measures such as hand washing). For someone being cared for at home with a *C. difficile* infection, there are specific recommendations included in the national *C. difficile* guidelines on [www.hpsc.ie/Publications](http://www.hpsc.ie/Publications).

### Health Services.

625. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if assistance will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [31518/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** 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.

626. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when occupational therapy intervention will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [31526/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** 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.

627. **Deputy Seán Sherlock** asked the Minister for Health and Children her policy regarding the provision of personal assistants as recommended in the commission on the status of people with a disability; and if she will make a statement on the matter. [31531/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** Under the Health Act 2004 the Health Service Executive (HSE) has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for personal assistants.

The Government has fulfilled its promise in relation to the 2008 element of the Multi-Annual Investment Programme 2006-2009 by allocating additional funding of €50m to the HSE in the 2008 Budget. While the commencement of some services had been delayed this year due to a financial review, the HSE is now in a position to roll-out the planned disability developments as outlined in its 2008 Service Plan. This includes 200,000 additional personal assistant/home support hours.

### Consultancy Contracts.

628. **Deputy Arthur Morgan** asked the Minister for Health and Children the amount that was spent by her Department on consultants in 2007 and to date in 2008. [31649/08]

**Minister for Health and Children (Deputy Mary Harney):** The information requested is currently being compiled and will be forwarded to the Deputy as soon as possible.

### **Recreational Facilities.**

629. **Deputy Olivia Mitchell** asked the Minister for Health and Children the progress made regarding the commitment in the Programme for Government to increase the development of public play and recreation areas for children; and if she will make a statement on the matter. [29344/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** Ready, Steady Play: A National Play Policy, which was published in 2004, provides a framework for the development of public play facilities in Ireland with the overall aim of ensuring that children have access to a range of quality play opportunities to enrich their childhood.

In addition to the Play Policy, Teenspace National Recreation Policy for Young People was launched in September 2007. The policy provides a strategic framework for the promotion of positive recreational opportunities aimed principally at young people aged 12 to 18. The policy adopts an evidence-based approach and makes proposals to address issues which emerged from a public consultation process which was undertaken by my Office and was also informed through the findings of independent research commissioned by my Office.

While the Office of the Minister for Children and Youth Affairs has an overall role in supporting implementation of the play and recreation policies, actions fall to be implemented by a wide range of government departments and agencies. The Department of Environment, Heritage and Local Government, the Department of Sports, Arts and Tourism and the Department of Community Rural and Gaeltacht Affairs all have schemes and programmes which support the development of appropriate facilities. Other Departments and Agencies have schemes and programmes which also contribute to overall development of recreational opportunities more generally.

In terms of the planning process for improved play and recreational facilities, the Planning and Development Act 2000 makes a number of provisions aimed at embedding improved planning of social and community and cultural requirements for communities. The Act also expressly supports the provision, or facilitation of the provision, of services for the community including, in particular, schools, crèches and other education and childcare facilities. Community facilities falling within this mandatory objective can include facilities for children's play including playgrounds, skateboard parks and other facilities, libraries and community halls. Development contributions can also be sought by planning authorities to help pay for facilities servicing new developments such as community and other recreational amenities. Section 48 allows for open spaces and recreational and community facilities and amenities to be provided under a development contribution scheme.

Guidelines for Planning Authorities on Development Plans, published in June 2007, emphasise the objectives for the provision of public open space and recreation space, including space and places for children to play, and the preservation, improvement and extension of amenities and recreational amenities. While is ultimately a matter for the members of the local authority, as planning authority in their area, to determine the level of contribution and the types of development to which the scheme will apply, the emphasis on improved planning and provision is embedded in the development process.

Under the Sports Capital Programme, which is administered by the Department of Arts, Sport and Tourism, funding is allocated to sporting and community organisations at local, regional and national level throughout the country. Through the Sports Capital Programme

[Deputy Barry Andrews.]

Government has invested considerable sums into important sporting infrastructure with allocations made of over €725 million in more than 7,340 separate sports projects since 1998. This investment has transformed the Irish sporting landscape with improved facilities in virtually every village, town and community in the country. Some Sports Capital Programme allocations have been made to assist grantees, in particular Local Authorities, in the provision of public play and recreation areas such as multi-use games areas and skate parks.

It terms of children specific projects, the Department of Community Rural and Gaeltacht Affairs and the HSE have co-funded the development of new playgrounds or refurbishment of existing playgrounds in RAPID areas since 2004. The 2008 Scheme has made €3m available for the development of playgrounds. The Department of the Environment, Heritage and Local Government have also provided Playground Grants and Skateboard Grants Schemes between 2004 and 2006. A Primary School Outdoor Facilities Enhancement Scheme was also funded under CLÁR programme in 2004/5. Since the publication of the Play Policy, over €28m has been allocated to the provision of play facilities which has resulted in the development of an additional 300 play facilities throughout the country. In addition to the development of these play facilities, up to €1 million has been allocated, via dormant accounts funding, for a Playbus Scheme. This measure is intended to provide interventions that support the family unit, by providing play development and parenting development outreach services to children and their parents, experiencing social exclusion in disadvantaged and isolated areas. Applications under this scheme are currently being processed. My Office is also actively working on the development of a youth café programme as set out in the Programme for Government. The National Children's Advisory Council has reported recently to me on this matter and further work is underway to bring a more strategic approach to existing funding arrangements, clearer standards and criteria for the development of new cafés.

My Office is continuing to monitor, promote and support the development of play and recreational opportunities for children and young people with this wide range of stakeholders.

#### **Health Services.**

630. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [30575/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

#### **Children in Care.**

631. **Deputy Denis Naughten** asked the Minister for Health and Children the number of hostel accommodations here used for separated children aged 16 to 18; her views on reports that nearly all hostels have failed inspections by HIQ and SSI; and the reason no reports have been published on these accommodations. [30857/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The Deputy's question relates to the management and delivery of health and social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my 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.

632. **Deputy James Reilly** asked the Minister for Health and Children if she will provide detailed scoring of the audit of breast cancer services carried out under the recent health information and quality review audit; the score achieved by the South Infirmiry Hospital, Cork; and if she will make a statement on the matter. [29414/08]

**Minister for Health and Children (Deputy Mary Harney):** Last June I approved National Quality Assurance Standards for Symptomatic Breast Disease Services under the Health Act 2007. The Standards were subsequently published by the Health Information and Quality Authority (HIQA). In September 2007, the Authority announced that it would carry out a national quality review of symptomatic breast disease services against the standards. HIQA has informed my Department that the objectives of the national quality review of symptomatic breast disease services are to: Assess current services against the standards with a view to highlighting key issues that need to be addressed in advance of transition to ensure patients are treated appropriately and safely; review the transition process to ensure key risk areas are identified and managed as services change; and identify where services are meeting the standards and highlighting good practice to be built on for the future.

The review is in two phases with an initial self assessment undertaken by the service providers themselves. Designated cancer centres are then subject to an on-site validation visit. It is important to note that while non-designated centres undertook self-assessments, the questions under relevant sections differed from those used with designated centres as appropriate. The self-assessment process does not result in a single, aggregate score.

Specifically in relation to South Infirmiry, no audit has been undertaken. South Infirmiry undertook a self-assessment, the results of which have not been validated. As a matter of course, the Authority does not publish information which has not been validated.

The process of on-site follow-ups with designated centres has just begun and will continue for the remainder of 2008 and into 2009. This process is part of a longer-term programme which will help provide assurance that the Standards are being met.

*Question No. 633 answered with Question No. 389.*

*Question No. 634 answered with Question No. 391.*

### Infectious Diseases.

635. **Deputy James Reilly** asked the Minister for Health and Children her views on the opinion of the State Claims Agency that the State could face a potential liability of €500 million relating to legal claims from people infected by MRSA; the number of actions that have been taken against the State; and if she will make a statement on the matter. [29424/08]

**Minister for Health and Children (Deputy Mary Harney):** Health care associated infections (HCAIs) are not new. For centuries they have been a side effect of medical treatment, especially in hospitals. There are a number of types of HCAIs, MRSA and *C. difficile* are the most widely publicised. The more medical care a person requires, the more likely they are to develop a health care associated infection. These infections are more common among people with serious illnesses or at high risk such as patients with a weakened immune system, patients who have been treated for leukaemia or cancer, or who have had an organ transplant. Tackling HCAIs continues to be a challenge for all healthcare systems. Ireland is not unique in this regard and tackling HCAIs continues to be a priority for the Government and the Health Service Executive.

[Deputy Mary Harney.]

The State Claims Agency (SCA) has indicated a worst case scenario of costs in the region of €300m to €500m spread over a ten to fifteen year period. There are 102 hospital-acquired infections claims.

### **Health Services.**

636. **Deputy Catherine Byrne** asked the Minister for Health and Children the way in which a person visiting Ireland on holiday can avail of necessary dialysis treatment while in this country; the location at which they can access this treatment; and if she will make a statement on the matter. [29755/08]

**Minister for Health and Children (Deputy Mary Harney):** Dialysis units seek to facilitate holiday dialysis patients from other jurisdictions where possible. Priority is given to those travelling for family occasions.

Under EU regulations people requiring certain specialised treatments, including dialysis, may access such care under EU arrangements while on a temporary stay in another Member State.

The European Health Insurance Card [EHIC] is issued under the provisions of Regulation (EC) 1408/71 and ensures that a person who is eligible for public healthcare in one EU Member State can access necessary public healthcare in another Member State while on a temporary stay there. These arrangements also apply in Iceland, Liechtenstein, Norway and Switzerland.

The service is provided on the basis that prior agreements are entered into with regard to the availability of the particular service. The arrangement is made in advance between the patient's unit and the proposed holiday destination. It should be noted that the EHIC Card does not cover the cost of treatment in a private setting, nor does it cover individuals travelling from countries outside the EU. Such patients need to arrange with their health insurer to have the necessary treatment made available and to contract directly with the private sector.

My Department has asked the Health Service Executive to reply directly to the Deputy regarding the locations where public dialysis services can be accessed.

637. **Deputy Seán Barrett** asked the Minister for Health and Children the plans she has to introduce clinical guidelines for the provision of criteria for the diagnosis, management and treatment of epilepsy similar to those in operation in the UK and due to be extended to Northern Ireland later in 2008; and if she will make a statement on the matter. [29759/08]

**Minister for Health and Children (Deputy Mary Harney):** The management and treatment of epilepsy is the responsibility of primary care and secondary care working in tandem. We recognise the need to expand access to neurology services and note a number of neurology posts have been advertised and are being filled. The Department has no plans currently to develop guidelines for the management of epilepsy, but the HSE is conducting a review of neurology services including those for epilepsy.

### **Hospitals Building Programme.**

638. **Deputy Brian Hayes** asked the Minister for Health and Children the discussions that have taken place between her Department, the Health Service Executive and the Department of Finance in connection with the €850 million commitment under the national development plan to establish a national paediatric hospital and associated ambulatory care units at Tallaght and other locations; the number of such meetings in 2008; the dates of same; if the ambulatory care units which were to be established in four locations are only being established at one location; and if she will make a statement on the matter. [29889/08]



**Minister for Health and Children (Deputy Mary Harney):** Discussions have taken place between my Department, the Health Service Executive and the Department of Finance on the HSE's Capital Plan. The Capital Plan includes provision for the development of the National Paediatric Hospital and the associated Ambulatory and Urgent Care Centre at Tallaght.

The National Paediatric Hospital Development Board was established in May 2007. Its primary function is to plan, design, furnish and equip the new paediatric hospital. The HSE is working closely with the Board in progressing the project.

The project is currently at initiation stage. A detailed Development Brief for the new hospital is being prepared and is due for completion by the end of the 1st Quarter 2009. The Development Brief will be converted into a detailed design, outlining the exact dimensions and specifications for the new hospital, to allow the project proceed to tender for construction.

The Development Brief for the National Paediatric Hospital will be informed by the work undertaken last year for the HSE by RKW, a UK-based healthcare planning company. RKW recommended that an Ambulatory and Urgent Care service be established and operated by the new hospital. They recommended that the first off-site Ambulatory and Urgent Care Centre (A/UCC) be developed as a pilot project at Tallaght Hospital and offer a range of services including urgent care consultations, outpatient services and day surgery.

RKW advised that a second A/UCC could be developed at Blanchardstown once the initial model has been evaluated and should be timed to introduce additional capacity at the point when it is required to meet projected growth in population demand. They also identified potential for consultant led paediatric outpatient services at Loughlinstown and advised that consideration be given to establishing a nurse led minor injury service. The Loughlinstown service model would be informed by the experience of the earlier centres.

### **Hospital Charges.**

639. **Deputy Denis Naughten** asked the Minister for Health and Children the reason some hospitals run by the Health Service Executive issue an outpatient charge for attendance at the venesection clinics, while others do not; if she will ensure that haemochromatosis sufferers are not penalised as a result of this policy; and if she will make a statement on the matter. [29949/08]

**Minister for Health and Children (Deputy Mary Harney):** Patients admitted on a day case basis, other than medical card holders, are subject to a charge under the Health (In-Patient Charges)(Amendment) Regulations 2007. Patients attending out-patient departments are not subject to a charge.

In this context I have asked the Health Service Executive to ensure that there is a consistent policy in relation to the provision of venesection services throughout the country and that haemochromatosis patients are seen as out-patients.

### **Hospital Waiting Lists.**

640. **Deputy Róisín Shortall** asked the Minister for Health and Children if her attention has been drawn to the waiting time for assessment of ear, nose and throat services at Temple Street Children's Hospital; the reason there are so few weekly clinics; the further reason so few patients are seen at these clinics; the further reason that there is no provision made for parents to be notified when the hospital receives a cancellation from another patient; and the plans she has to reform this process. [30039/08]

**Minister for Health and Children (Deputy Mary Harney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health



[Deputy Mary Harney.]

Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular issues raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matters investigated and to have a reply issued directly to the Deputy

### **Health Repayment Scheme.**

641. **Deputy John O'Mahony** asked the Minister for Health and Children when a decision will be made on an appeal for a person (details supplied) in County Cavan in respect of the health repayment scheme; and if she will make a statement on the matter. [30053/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Repayment Scheme Appeals Office is an independent office established to provide an appeals service to those who wish to appeal the decision of the Scheme Administrator under the Health (Repayment Scheme) Act 2006.

The Health Repayment Scheme Appeals Office received a completed Appeal Form from the claimant referred to by the Deputy on 29 February 2008 and this appeal is being processed.

When an Appeals Officer has made a determination on this appeal he/she will write to the claimant and will provide the claimant with the reasons for the decision.

*Question No. 642 answered with Question No. 494.*

### **Nursing Home Subventions.**

643. **Deputy Catherine Byrne** asked the Minister for Health and Children the amount spent on the nursing home subvention scheme to date; the number of persons who have participated in this scheme; and if she will make a statement on the matter. [30349/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. The 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.**

644. **Deputy Catherine Byrne** asked the Minister for Health and Children the number of specialist staff employed by the Health Service Executive to care for patients suffering from cystic fibrosis; the number of isolation beds available for patients; if she will introduce isolation units throughout the country; and if she will make a statement on the matter. [30350/08]

**Minister for Health and Children (Deputy Mary Harney):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular issues raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matters investigated and to have a reply issued directly to the Deputy.

**Health Services.**

645. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter regarding a person (details supplied) in Dublin 5. [30364/08]

**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.

**Nursing Homes Repayment Scheme.**

646. **Deputy Michael Ring** asked the Minister for Health and Children the number of persons who have submitted a claim under the health repayment scheme; and the number of claims that have been finalised. [30430/08]

**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 has advised my Department that as of 19th September 38,859 claim forms have been received under the Health Repayment Scheme. It is estimated that following adjustments for rejections and duplicate claims, the number of valid claims will be approximately 19,300. 17,684 claimants have received an offer of repayment and it is anticipated that the remaining offers will be processed by the end of November 2008.

*Question No. 647 answered with Question No. 531.*

**Health Services.**

648. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter regarding a person (details supplied). [30577/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

649. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter regarding a person (details supplied) in Dublin 5. [30578/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

**Hospitals Building Programme.**

650. **Deputy Pat Breen** asked the Minister for Health and Children, further to Parliamentary Questions Nos. 214, 375 and 413 of 2 April 2008, when the Health Services Executive's capital

[Deputy Pat Breen.]

allocation programme for 2007 to 2013 will be published; if this plan includes the €39 million phase one development of Ennis General Hospital; and if she will make a statement on the matter. [30592/08]

**Minister for Health and Children (Deputy Mary Harney):** Project proposals have, following a detailed process of consideration, been prioritised by the Health Service Executive so as to fit within indicative funding levels under the National Development Plan. I have requested the Executive to prioritise and accelerate appropriate developments at Ennis General Hospital so as to support the modernisation of service delivery. My Department has been advised by the HSE that these developments will be incorporated within the Executive's capital programme in line with the hospital development in the Mid-Western Region and, specifically, the Ennis Hospital Development Control Plan. I understand that the HSE will shortly be publishing the details of its capital programme on its web site.

*Question No. 651 answered with Question No. 385.*

### **Nursing Home Subventions.**

652. **Deputy Mary Upton** asked the Minister for Health and Children the status of the fair deal for nursing homes patients plan; the reason this has not been implemented; if there are legal problems in implementing this deal; when she expects that this fair deal will be implemented; and if she will make a statement on the matter. [30797/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Both the Minister for Health and Children and I are fully committed to introducing the new Nursing Homes Support Scheme in 2009. However, the legislation required in order to introduce the Scheme is complex and has involved careful drafting in order to ensure that the interests of older people requiring residential care are fully protected. The Minister for Health and Children expects to bring the Bill before the Houses of the Oireachtas for debate in this Dáil session.

### **Departmental Expenditure.**

653. **Deputy Joanna Tuffy** asked the Minister for Health and Children the annual expenditure that has been paid out by her Department or the appropriate authorities for contract beds in private nursing homes for each of the years 2002 to 2007 and to date in 2008; if this information will be provided in tabular form; and if she will make a statement on the matter. [30882/08]

**Minister of State at the Department of Health and Children (Deputy Máire Hctor):** Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. The 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.**

654. **Deputy Olwyn Enright** asked the Minister for Health and Children the details of the availability and access to the school dental service in each town in County Laois; the age or class of the children called up in each town; the number of children seen by the service in each

town each year for the past five years; the catchment area for each town; and if she will make a statement on the matter. [30886/08]

655. **Deputy Olwyn Enright** asked the Minister for Health and Children the details of the availability and access to the school dental service in each town in County Offaly; the age or class of the children called up in each town; the number of children seen by the service in each town each year for the past five years; the catchment area for each town; and if she will make a statement on the matter. [30887/08]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 654 and 655 together.

The Deputy's question relates to the funding, management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

*Question No. 656 answered with Question No. 479.*

#### **Nursing Homes Repayment Scheme.**

657. **Deputy Frank Feighan** asked the Minister for Health and Children the position regarding an appeal, dated May 2008, regarding an application for the nursing home repayments scheme by a person (details supplied) in County Sligo; and if she will make a statement on the matter. [31060/08]

**Minister for Health and Children (Deputy Mary Harney):** The Health Repayment Scheme Appeals Office is an independent office established to provide an appeals service to those who wish to appeal the decision of the Scheme Administrator under the Health (Repayment Scheme) Act 2006. The Health Repayment Scheme Appeals Office has advised that it received a completed appeal form from the claimant referred to by the Deputy on 12 June 2008 and this appeal is being processed. When an Appeals Officer has made a determination on this appeal he/she will write to the claimant and will provide the claimant with the reasons for the decision.

#### **Hospital Services.**

658. **Deputy Frank Feighan** asked the Minister for Health and Children the progress that has been made since this Deputy's correspondence several weeks ago directly with the Minister in the case of a person (details supplied) in County Roscommon; the situation regarding this patient; if her attention has been drawn to the fact that this patient's health is deteriorating while they await surgery; and if she will make a statement on the matter. [31062/08]

**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 (HSE) and funding for all health services has been provided as part of its overall vote. As I advised the Deputy by letter on 26 August 2008, the matter raised by him has been referred to the HSE. I understand that the hospital is in communication with the person in question in relation to an appointment.

#### **Services for People with Disabilities.**

659. **Deputy James Bannon** asked the Minister for Health and Children if the transport of

[Deputy James Bannon.]

those with disabilities who are over the age of 18 years to training centres falls within the remit of her Department and the Health Service Executive, as home-to-centre transport is essential for such school leavers, who need secure transport to access training facilities; and if she will make a statement on the matter. [31096/08]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

#### **Child Care Services.**

660. **Deputy Paul Gogarty** asked the Minister for Health and Children if she will put measures in place with the Health Service Executive to facilitate the appointment of a child-minding adviser in the South Dublin County Council area, through the South Dublin County Childcare Committee, in view of the fact that this post has been vacant for some time with the result that vital work is not being carried out in an area with a high population of children; and if she will make a statement on the matter. [31102/08]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** In 2001 funding was provided to the HSE to appoint and pay for the costs of a Childminder Advisory Officer in each local community care area. My Office is aware that the post for South Dublin County Childcare Committee is currently vacant and this matter has been raised by my Office with the HSE and a response is awaited. I have also requested the HSE to reply to the Deputy directly.

#### **Hospital Services.**

661. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if she will intervene to address the crisis in dermatology services in the north-east Health Service Executive region in view of the waiting list at Our Lady of Lourdes Hospital in Drogheda and in view of the fact that St. James's Hospital in Dublin has been unable to accept patients, as heretofore, from outside its official catchment area; and if she will make a statement on the matter. [31177/08]

**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.

#### **Departmental Agencies.**

662. **Deputy Leo Varadkar** asked the Minister for Health and Children the bonuses, merit awards and other payments above the basic salary that have been approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis for the decision to approve such awards; and if she will make a statement on the matter. [31196/08]

**Minister for Health and Children (Deputy Mary Harney):** The Performance Related Award (PRA) Scheme in operation in Non Commercial State Sponsored Bodies was introduced fol-

lowing a decision by the Government on the implementation of recommendations of the Review Body on Higher Remuneration in the Public Sector. PRA Schemes have only been approved by the Department of Finance in respect of the CEOs of five Non Commercial State Sponsored Bodies under the aegis of my Department.

Where agencies participate in the Scheme awards made are solely a matter for the Board of the agency concerned and must be in accordance with the principles set out by the Review Body. In this regard, awards should be related to the achievement of highly demanding and challenging targets and stretch objectives which are difficult but not impossible to achieve. Payments have not yet been awarded in respect of 2008 as the Scheme only provides for the payment of awards after the year end, when it has been demonstrated that the prior agreed stretched objectives have been met. Details of awards made to individual officers under the Scheme by the various Boards are not disclosed on the basis that they are confidential to the individual concerned, however the range of awards made in respect of 2005 to 2007 is as follows:

Year	Number of Agencies where Awards Made	Minimum Award	Maximum Award
		€	€
2005	4	9,256	21,212
2006	4	9,985	24,029
2007	2	10,658	25,500

#### State Airports.

663. **Deputy Olivia Mitchell** asked the Minister for Transport the progress made regarding the commitment in the programme for Government to open terminal two at Dublin Airport in 2009; and if he will make a statement on the matter. [29322/08]

**Minister for Transport (Deputy Noel Dempsey):** I have been informed by the Dublin Airport Authority that the construction of Terminal Two at Dublin Airport is due to be completed in the fourth quarter of 2009.

#### Regional Airports.

664. **Deputy Olivia Mitchell** asked the Minister for Transport the progress made regarding the commitment in the programme for Government to enhance the capacity of the regional airports to attract more direct international services through the €86 million regional airports capital grant; and if he will make a statement on the matter. [29323/08]

**Minister for Transport (Deputy Noel Dempsey):** In February 2007, the Government approved grants under Transport 21 amounting to €86 million, consisting of €39 million under Measure 1 (90% funding), for safety/security projects, and €47 million under Measure 2 (75% funding), for developmental projects at the six regional airports in the period up to the end of 2010. Total grant payments so far, at just under €6 million, reflect the fact that in most cases, major projects such as terminal, apron and runway works were at the preliminary stages. The level and phasing of investment in the regional airports is currently being examined by my Department as part of an overall review of Capital Programme. In the meantime, the regional airports have been informed that Exchequer Capital Funding will be restricted to current contractual commitments in 2008 and 2009. My Department is in contact with the regional airports about the implications for spending between now and the end of 2009.



### **Tourism Industry.**

665. **Deputy Olivia Mitchell** asked the Minister for Transport the progress made regarding the commitment in the programme for Government to make rural locations more readily accessible for tourists on shorter visits through the delivery of the plans outlined in Transport 21; and if he will make a statement on the matter. [29324/08]

**Minister for Transport (Deputy Noel Dempsey):** Transport 21, the largest investment package ever in Ireland's transport infrastructure, is making a significant contribution to the ongoing development of Ireland's tourism industry. By improving and transforming transport links all around the country it gives visitors to Ireland greater options when it comes to travelling between our cities and accessing rural locations. Iarnród Éireann is in the process of introducing new Intercity railcars across the network, bringing a new standard of comfort and quality to train travel. As part of a comprehensive package of investment in the bus network, Transport 21 is funding 239 new vehicles for Bus Éireann.

Transport 21 is also providing investment in the six regional airports, to be used principally to enhance safety and security and for terminal and runway extensions. Transport 21 is also investing in the national roads network, with one of the five major inter-urban motorways (the M1) already completed, and the other four on target for completion in 2010.

### **Noise Pollution.**

666. **Deputy Finian McGrath** asked the Minister for Transport if he will support a matter (details supplied). [29505/08]

**Minister for Transport (Deputy Noel Dempsey):** It is unclear if the Deputy is referring to any one particular occurrence relating to aircraft noise, or a series of occurrences. The Dublin Airport Authority (DAA) has advised me that it has a noise and flight track monitoring system in place which allows them to monitor the track flown and noise generated by each and every aircraft arriving at and/or departing the airport. This tracks deviations from environmental air corridors which were agreed by the Irish Aviation Authority (IAA), Dublin Airport and the airlines based at the Airport, defining the airspace in the runway approaches where most aircraft are required to operate. These corridors were designed to minimise disturbance in neighbouring communities. Of course there may be occasions when Air Traffic Control may be required to route an aircraft outside these environmental air corridors. To assist the DAA with deviations from the environmental corridors and general noise complaints a free phone aircraft disturbance line has been in operation for some time now — 1 800 200 034. I am advised by the DAA that every complaint regarding aircraft noise is logged, investigated and personally responded to.

### **Road Safety.**

667. **Deputy Joe Costello** asked the Minister for Transport if there is a mechanism equivalent to the breathalyser which can test a motorist for driving under the influence of drugs other than alcohol; and if he will make a statement on the matter. [29641/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** The Road Traffic Acts provide that a member of the Garda Síochána may, where he or she is of the opinion that a person in charge of a mechanically propelled vehicle in a public place is under the influence of a drug or drugs to such an extent as to be incapable of having proper control of that vehicle, require that person to go to a Garda station and further require that person to submit to a blood test or to provide a urine sample. There is no feasible basis as yet in Ireland or in Europe

for the introduction of a preliminary roadside test for drugs, as testing devices are still in the prototype stages. However, the Medical Bureau of Road Safety is keeping abreast of developments in this area and is keeping me informed on the matter.

### **Parking Regulations.**

668. **Deputy Ciarán Lynch** asked the Minister for Transport if his attention has been drawn to the abuse of disabled parking permits; the plans he has to introduce legislation to control their use; and if he will make a statement on the matter. [30065/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** Measures to strengthen enforcement against illegal use of the parking permits were provided in changes to the Road Traffic Acts between 2004 and 2007. However, I am aware that a number of organisations are of the view that the present permit scheme is being abused or misused in various ways. A review of the disabled persons' parking scheme is underway in my Department, and the outcome will determine if any legislative amendments are required.

### **Noise Pollution.**

669. **Deputy John O'Mahony** asked the Minister for Transport the legislation which defines the maximum legal sound levels from various categories of motor vehicles; the maximum levels in respect of each vehicle category; and if he will make a statement on the matter. [30120/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** It is a requirement for the registration and entry into service of new motor vehicles in the European Union that they have type-approval in accordance with Directive 70/157/EEC as amended, which sets down the permissible sound levels and exhaust systems for motor vehicles. Vehicle in-service standards are specified in the Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963 which require vehicles to be fitted with a silencer or other device to reduce to a reasonable level the noise caused by the escape of exhaust gases from the engine. Article 85 of these Regulations prohibits the use in a public place of a vehicle which causes excessive noise. Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No 477 of 2006) the Road Safety Authority is responsible for vehicle standards.

### **Road Network.**

670. **Deputy Jimmy Deenihan** asked the Minister for Transport if he will approve funding in the Estimates to enable Kerry County Council to provide a new replacement bridge at Ballinagher, Lixnaw, County Kerry; and if he will make a statement on the matter. [31100/08]

**Minister for Transport (Deputy Noel Dempsey):** The improvement and maintenance of regional and local roads, including bridges, in its area is a matter for Kerry County Council to be funded from its own resources supplemented by State grants. A road grant of €100,000 was allocated to Kerry County Council in 2008 for Ballinagar Bridge under the Specific Improvement Grant Scheme. It is open to Kerry County Council to continue to prioritise this scheme for funding, and to include it among its Specific Improvement Grant Scheme applications for funding in 2009. Regional and local road grants for 2009 will be allocated early in the new year.

671. **Deputy Niall Collins** asked the Minister for Transport the procedure for a person or group of persons to take a public road into their private ownership; and if he will make a statement on the matter. [31183/08]

**Minister for Transport (Deputy Noel Dempsey):** Sections 12 and 73 of the Roads Act 1993, as amended by the Roads Act 2007, deal with the abandonment of public roads and the extinguishment of public rights-of-way by a road authority, respectively.

### Departmental Transport.

672. **Deputy Fergus O'Dowd** asked the Minister for Transport the number, type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by his Department for each of the past three years; and if he will make a statement on the matter. [29559/08]

**Minister for Transport (Deputy Noel Dempsey):** The information requested by the Deputy is contained in the following table. These vehicles are all State owned by the Irish Coastguard.

MAKE-MODEL	COST inc VAT+ VRT	CO <sub>2</sub>
	€	
FORD MONDEO 1.8 LX (5 DR)	18,322	182g
HONDA QUAD	6,200	Og /exempt
HONDA TRX 400 ATV	6,200	Og /exempt
HONDA TRX 400 ATV	6,200	Og /exempt
HONDA QUAD	6,200	Og /exempt
ISUZU DMAX 4 WD CAB	24,000	216g
ISUZU DMAX 4 WD CAB	24,000	216g
ISUZU DMAX 4 WD CAB	24,000	216g
ISUZU DMAX 4 WD CAB	24,000	216g
2005 Totals: 9	139,122	
HONDA TRX 400 ATV	6,200	Og /exempt
HONDA TRX 400 ATV	6,200	Og /exempt
HONDA 400 TRX	6,200	Og /exempt
HONDA TRX 400 ATV	6,200	Og /exempt
HONDA TRX 400 ATV	6,200	Og /exempt
HONDA 400 TRX	6,200	Og /exempt
HONDA TRX 400 ATV	6,200	Og /exempt
HONDA TRX 400 ATV	6,200	Og /exempt
HONDA TRX 400 ATV	6,200	Og /exempt
TOYOTA LANDCRUISER COM LC LWB GX COMM 3.0	34,500	237g
TOYOTA LANDCRUISER COM LC LWB GX COMM 3.0	34,500	237g
TOYOTA LANDCRUISER COM LC LWB GX COMM 3.0	34,500	237g
TOYOTA LANDCRUISER COM LC LWB GX COMM 3.0	34,500	237g
TOYOTA LANDCRUISER COM LC LWB GX COMM 3.0	34,500	237g
TOYOTA LANDCRUISER COM LC LWB GX COMM 3.0	34,500	237g
TOYOTA LANDCRUISER COM LC LWB GX COMM 3.0	34,500	237g
2006 Totals: 16	297,300	
FORD RANGER NT D-CAB XL 2.5 143PS	23,900	208g
FORD RANGER NT D-CAB XL 2.5 143PS	23,900	208g
FORD RANGER NT D-CAB XL 2.5 143PS	23,900	208g
FORD RANGER NT D-CAB XL 2.5 143PS	23,900	208g
FORD RANGER NT D-CAB XL 2.5 143PS	23,900	208g

MAKE-MODEL	COST inc VAT+ VRT	CO <sub>2</sub>
	€	
HONDA TRX420	6,200	Og /exempt
HONDA TRX420	6,200	Og /exempt
FORD MONDEO LX 1.6 5 SPEED	18,322	172g
FORD MONDEO LX 1.6 5 SPEED	18,322	172g
TOYOTA HILUX D4D CREW CAB	24,898	206g
HONDA TRX500FE 4 STROKE 2-4 WHEEL DRIVE	7,490	Og /exempt
HONDA TRX500FE 4 STROKE 2-4 WHEEL DRIVE	7,490	Og /exempt
HONDA TRX500FE 4 STROKE 2-4 WHEEL DRIVE	7,490	Og /exempt
HONDA TRX500FE 4 STROKE 2-4 WHEEL DRIVE	7,490	Og /exempt
2007 Totals: 5	223,402	

### Transport Policy.

673. **Deputy James Bannon** asked the Minister for Transport the measures he has put in place to utilise the benefits of promoting group transport as a means of achieving Ireland's CO<sub>2</sub> emissions targets; the importance he places on the contribution that a modal shift to public transport could make in this regard; and if he will make a statement on the matter. [29607/08]

**Minister for Transport (Deputy Noel Dempsey):** I recognise that current trends in travel and transport are unsustainable. The Government's vision is for a sustainable transport system by 2020 and that to achieve this vision, there will need to be a significant modal shift away from the private car towards public transport, cycling and walking. It is my intention to publish, before the end of the year, a Sustainable Travel and Transport Action Plan to achieve the Government's vision.

It is important to make progress towards the required modal shift in advance of the publication of the Sustainable Travel and Transport Action Plan. Accordingly, my Department supports a range of measures in this regard including: Transport 21, which provides for the development of more efficient and integrated transport systems involving, in particular, the enhancement of public transport services by the expansion of the rail and Luas networks and the provision of additional bus capacity; continued subvention of public transport services; a Greenschool's Travel Module aimed at over 260,000 schoolchildren over the next 5 years; the DTO's One Small Step Campaign and as part of that implementation of a workplace travel plan for my Department, and work towards the development of a National Cycling Policy.

### Pension Provisions.

674. **Deputy Finian McGrath** asked the Minister for Transport if he will support a matter (details supplied). [29669/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** The individual concerned is a pensioner of Dublin Port Company. The situation remains as outlined in the response to the Deputy's Parliamentary Question No. 474 of 26 September 2007 and more recently in my response of 4 September 2008 to the Deputy's letter of 20 August 2008.

Dublin Port Company is the responsible authority for the administration of pension schemes within the company. Accordingly, payments under such pension schemes are an operational matter for the company.

[Deputy Noel Ahern.]

Legislative provisions relating to superannuation schemes in the State owned port companies are contained in Sections 40 and 41 of the Harbours Act 1996, which contain a provision for dispute resolution.

### **Public Transport.**

675. **Deputy Seán Barrett** asked the Minister for Transport the plans he has to improve and upgrade public transportation services that will link Dún Laoghaire town centre with the Dundrum/Sandyford town centre in view of connectivity, the economic development of Dún Laoghaire and the ferryport's gateway function; and if he will make a statement on the matter. [29909/08]

**Minister for Transport (Deputy Noel Dempsey):** The provision of public transport services throughout the country including those serving Dun Laoghaire and Dundrum/Sandyford, is a matter for the CIE companies, the RPA in the case of LUAS and private bus operators in conjunction with, as appropriate, the relevant local authorities.

### **Departmental Staff.**

676. **Deputy Leo Varadkar** asked the Minister for Transport the number of staff sent from his Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if he will make a statement on the matter. [30000/08]

**Minister for Transport (Deputy Noel Dempsey):** The number of people from the Department of Transport who attended the above conference is one at a cost of €671.55. In relation to Agencies this is a matter for the Agencies themselves.

### **Road Traffic Offences.**

677. **Deputy Fergus O'Dowd** asked the Minister for Transport when section 5 of the Road Traffic Act 2006 will commence; the reason it has not been implemented; and if he will make a statement on the matter. [30001/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** Commencement of Section 5 is dependent on the necessary administrative, logistical and IT arrangements being in place to support the proposed disqualification system. The matter has proved to be very complex, and a starting date cannot be determined as yet.

### **Driving Tests.**

678. **Deputy Fergus O'Dowd** asked the Minister for Transport to reconsider past positive statements concerning the accuracy of the National Vehicle Driver File database in view of recent information; the plans he has to overhaul the database; and if he will make a statement on the matter. [30002/08]

**Minister for Transport (Deputy Noel Dempsey):** As I have indicated previously I am satisfied that the data on both the driver and vehicle records is accurate and fit for purpose. This is supported by the relatively small number of returned non-deliveries of driving licence and motor tax renewal reminders which are generated from NVDF data and issued each month to drivers and vehicle owners whose licences are about to expire.

To further improve data accuracy in relation to motor vehicle ownership, we extended our online services in June last to enable approved motor dealers notify the NVDF system about

the purchase and sale of vehicles over the internet. Where this facility is used the new ownership particulars are recorded on the NVDF system within 24 hours of the dealer notifying the change. Returns show that the system is operating very well and at this relatively early stage some 20% of overall change of ownership notices are notified through this channel. Nearly 250 motor dealers are now using the facility and it is estimated that they account for about 40% of transactions which involve motor dealers. The website [www.motortrans.ie](http://www.motortrans.ie) provides the facility for dealers to apply to use the facility.

There are also arrangements in place with the operators of the dedicated website [www.ne-waddress.ie](http://www.ne-waddress.ie) whereby changes of address for driving licence and motor tax purposes notified to the NVDF through that channel and a significant number of changes are captured in that way.

### **Road Network.**

679. **Deputy Fergus O'Dowd** asked the Minister for Transport the strategies he will put in place to continue paying the proportion of maintenance and improvement costs of local and non-national roads in view of the decline in local government finances; and if he will make a statement on the matter. [30003/08]

**Minister for Transport (Deputy Noel Dempsey):** The provision and improvement of regional and local roads in their areas is a matter for local authorities to be funded from their own resources supplemented by State grants.

Road grants for regional and local roads are allocated annually under a number of grant categories. The level of grants allocated to individual authorities is determined each year having regard to a number of factors including the total funds available in a particular year, eligibility criteria for the different grant schemes, road pavement conditions, length of road network, the need to prioritise projects and competing demands from other local authorities. In determining the annual regional and local road grant allocations, the overall objective is to resource each local authority appropriately in relation to their ongoing and specific needs.

Road grants for 2009 will be allocated early in the New Year.

### **Public Transport.**

680. **Deputy Fergus O'Dowd** asked the Minister for Transport the number of hybrid electric double decker buses funded by his Department; the number in operation in State owned fleets; the plans he has for the future expansion of the hybrid bus fleet; and if he will make a statement on the matter. [30004/08]

**Minister for Transport (Deputy Noel Dempsey):** I understand that Dublin Bus expects delivery of a hybrid double decker bus in the coming weeks. This will be the first such bus to be acquired by the CIE group and will be trialled for three years. The cost of its acquisition will be met by my Department.

It is my intention to publish, before the end of the year, a Sustainable Travel and Transport Action Plan which will inter alia set out my intentions in relation to improving the sustainability of the public transport fleet.

### **Aviation Authority Pension Fund.**

681. **Deputy Fergus O'Dowd** asked the Minister for Transport if he will report on the status of the Irish Aviation Authority pension fund; and if he will make a statement on the matter. [30005/08]



**Minister for Transport (Deputy Noel Dempsey):** The status of the Irish Aviation Authority (IAA) pension fund is reported in the IAA's Annual Report for 2007. The report indicates a deficit of some €64m as at 31 December 2007.

It is a matter for the Authority, the trustees of the pension scheme and the employees of the Authority in the first instance to determine how this deficit is best addressed. The Authority has raised some issues with my Department and further discussions are to take place on these.

#### **Aviation Regulations.**

682. **Deputy Fergus O'Dowd** asked the Minister for Transport when he will introduce legislation to allow for the testing of pilots for drugs and alcohol; and if he will make a statement on the matter. [30006/08]

**Minister for Transport (Deputy Noel Dempsey):** Irish, European and International requirements and regulations require an air operator to establish policies and procedures with regard to the consumption of alcohol and psychoactive substances. These policies and procedures are published in air operators' Operations Manuals, with which all air crew are obliged to comply, and the air operator is required to monitor compliance with these policies and procedures.

Specifically, Irish Aviation Authority (Operations) Order, S.I. No. 61 of 2006 and Irish Aviation Authority (Personnel Licensing) Order, S.I. No. 333 of 2000 and subsequent amendment Orders, available on the IAA website [www.iaa.ie](http://www.iaa.ie) address these matters.

A review of the requirements relating to aviation personnel is being conducted by my Department in consultation with the Irish Aviation Authority.

#### **Driving Tests.**

683. **Deputy Fergus O'Dowd** asked the Minister for Transport the actions he has taken to implement the recommendations of the Commercial Vehicle Testing Review; the resources he has allocated to implement the recommendations; when the recommendations will be carried out; and if he will make a statement on the matter. [30007/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** Responsibility for commercial vehicle testing is a matter for the Road Safety Authority under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No 477 of 2006).

In December 2007 Minister Dempsey accepted the recommendations made by the RSA for reforming the commercial vehicle roadworthiness testing regime and for addressing a number of other related issues. Implementation arrangements are a matter for the RSA, subject to the overall financial resources, both Exchequer and non-Exchequer, available to the Authority. I have made it clear that this programme of reform should be a priority area of work for the Authority.

#### **Electric Transport Vehicles.**

684. **Deputy Thomas P. Broughan** asked the Minister for Transport the number of charge points for electric vehicles in operation here; the number of charge points at planning stage; the timeframe for their operation; his views on the optimum number of charge points necessary to facilitate a significant fleet of electric cars; and if he will make a statement on the matter. [30074/08]

728. **Deputy Mary Upton** asked the Minister for Transport the supports and initiatives he has initiated to support the increased use of electric transport vehicles particularly in urban

areas; his plans to support the increased use of electric vehicles; and if he will make a statement on the matter. [30796/08]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 684 and 728 together.

The detailed information requested is not available in my Department. I recognise the need to achieve a shift towards more sustainable transport modes and, to this end, I propose to publish a Sustainable Travel and Transport Action Plan before the end of this year. It is my intention that the Plan will include actions to promote a switch to electric vehicles.

### **Greenhouse Gas Emissions.**

685. **Deputy Thomas P. Broughan** asked the Minister for Transport his estimate for transport CO<sub>2</sub> emissions for each year for the next five years in view of the impact of the current downward economic trend; his assessment of the impact of a lack of economic growth on the size of the vehicle fleet and on transport CO<sub>2</sub> emissions for 2008 and the following five years; and if he will make a statement on the matter. [30075/08]

**Minister for Transport (Deputy Noel Dempsey):** The production of reliable estimates of CO<sub>2</sub> emissions for transport is a matter for the Environmental Protection Agency. My Department is not in possession of estimates sought for the years in question.

Notwithstanding the current economic climate, it remains essential to progress measures in the medium and long term to deliver a sustainable transport system. I propose to publish a Sustainable Travel and Transport Action Plan before the end of the year which will target a significant reduction in CO<sub>2</sub> emissions from transport by 2020.

### **Light Rail Project.**

686. **Deputy Thomas P. Broughan** asked the Minister for Transport his plans to review the feasibility of a LUAS line to Coolock which would also serve the area surrounding Northside Shopping Centre in view of the residential and commercial development proposed for this location and the earlier commitment to such a light rail system in the document of the Dublin Transportation Office entitled Platform for Change; and if he will make a statement on the matter. [30076/08]

**Minister for Transport (Deputy Noel Dempsey):** Transport 21 contains a commitment to carry out feasibility work on additional Luas projects over the period to 2015. This includes a Luas line from Whitehall to Howth junction via Coolock, as identified at a strategic level in the DTO's A Platform for Change.

The DTO is currently preparing a new transportation strategy for the Greater Dublin Area, which is scheduled for completion in early 2010. It would be prudent to await the outcome of that work before commissioning a feasibility study. This will enable the DTO take account of any changes in transport and land usage patterns since it's last strategy.

### **Motor Fuels.**

687. **Deputy Thomas P. Broughan** asked the Minister for Transport the contacts he has had with the Commission for Energy Regulation, the Competition Authority and the Minister for Communications, Energy and Natural Resources on the regulation of the transport liquid fuels market; his plans to liaise with CER and the Competition Authority to investigate the potential presence of uncompetitive behaviour in the transport liquid fuels market; and if he will make a statement on the matter. [30077/08]

**Minister for Transport (Deputy Noel Dempsey):** Allegations of uncompetitive behaviour among hauliers are a matter for the Competition Authority. I am not aware of any complaints to my Department of any uncompetitive behaviour in the liquid transport market. In the normal course, complaints would be referred to the Competition Authority.

#### **Harbours Bill 2008.**

688. **Deputy Thomas P. Broughan** asked the Minister for Transport the position regarding the Harbours Bill 2008 particularly its provisions to reduce the representation of worker-directors and elected county councillors; and if he will make a statement on the matter. [30078/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** The Harbours (Amendment) Bill 2008 has been introduced in the Seanad and will shortly commence its passage through the Houses. The primary purpose of the Bill is to give effect to certain aspects of the Ports Policy Statement, which was launched in January 2005.

One of the key recommendations of the Ports Policy Statement was the need to enhance port company performance through reform of the board structure. This is one of the matters to be addressed in the recently published Harbours Bill. There will be ample opportunity to debate this and related matters during the passage of the Bill through the Oireachtas.

#### **Light Rail Project.**

689. **Deputy Thomas P. Broughan** asked the Minister for Transport the status of the Metro North tendering process; if the advancement of the Metro North tendering process has been stalled; the latest tendering timeframe in 2009; and if he will make a statement on the matter. [30079/08]

714. **Deputy Mary Upton** asked the Minister for Transport the status of the Metro North project; if funding for this project is to be maintained; and if he will make a statement on the matter. [30795/08]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 689 and 714 together.

The RPA continues to make good progress in the PPP tender process for Metro North and it has not been stalled. The initial phase of the PPP public procurement process was conducted in 2007 resulting in the formation of four pre-qualified consortia for the purpose of tendering for the project. Tender documentation was formally issued to the four pre-qualified consortia on 12th May 2008. Since then the Railway Procurement Agency (RPA) has held a number of meetings with the consortia. Following on from a request from some of the consortia, the RPA recently agreed to extend the closing date for submission of tenders by two months. Receipt of tenders is now required by 6 February 2009.

In addition, good progress is being made in the planning process. The RPA placed copies of the Railway Order application on display on 17 September in accordance with the 6 week statutory public notice requirement pursuant to section 37 of the Transport (Railway Infrastructure) Act 2001.

In January 2008, the Government approved the funding structure for the Metro North PPP, including an Exchequer provision for advance works ahead of the main PPP contract and a capital contribution during construction. In accordance with the requirements of the Government decision on the Transport 21 Investment Framework, Metro North will be submitted to Government for a final decision on the project on the completion of the tender process. There has been no change in the Government position in this regard.

**Transport 21.**

690. **Deputy Thomas P. Broughan** asked the Minister for Transport the completion date for each of the projects under the Transport 21 Programme; and if he will make a statement on the matter. [30080/08]

**Minister for Transport (Deputy Noel Dempsey):** Transport 21 projects currently underway will be completed as set out in Table 1. Projects which have already been completed since the beginning of Transport 21 in 2006 are listed in Table 2.

The start and completion dates of projects which have not yet commenced will be determined by the funding allocation available during the current difficult economic climate. The commencement dates for these projects will also be influenced by the time taken for public consultation, the relevant statutory process and the procurement and contract award processes.

Table 1

Project	Indicative Completion Date
<ul style="list-style-type: none"> <li>• M50 Upgrade (Phase 1)</li> <li>• Completion of delivery of 200 new buses for Dublin Bus</li> </ul>	2008
<ul style="list-style-type: none"> <li>• Cork commuter rail service to Midleton</li> <li>• Luas extension from Connolly to Docklands</li> <li>• Western Rail Corridor (Phase 1) Ennis — Athenry</li> <li>• Completion of roll-out of 183 intercity railcars</li> <li>• N4 Leixlip/M50 junction (Lucan bypass upgrade)</li> <li>• N6 Athlone to Ballinasloe</li> <li>• N7 Nenagh to Limerick</li> <li>• N8 Cullahill-Cashel</li> <li>• N9 Waterford-Knocktopher</li> </ul>	2009
<ul style="list-style-type: none"> <li>• Kildare rail upgrade</li> <li>• Luas extension from Sandyford to Cherrywood</li> <li>• M3 Clonee to North of Kells</li> <li>• N6 Galway to Ballinasloe</li> <li>• N7 Limerick Tunnel</li> <li>• M7/M8 Portlaoise to Cullahill/Castletown</li> <li>• N7 Castletown to Nenagh</li> <li>• N8 Fermoy-Mitchelstown</li> <li>• N9 Kilcullen-Carlow</li> <li>• N9 Carlow-Knocktopher</li> <li>• N25 Waterford City Bypass</li> <li>• M50 Upgrade (Phase 2)</li> <li>• N52 Tullamore Bypass</li> <li>• Completion of delivery of 239 new buses for Bus Éireann</li> </ul>	2010

[Deputy Noel Dempsey.]

Table 2

Project	Completion Date
<ul style="list-style-type: none"> <li>• N2 Monaghan Town Bypass</li> <li>• N2 Ashbourne Bypass</li> <li>• N4 Edgeworthstown Relief Road</li> <li>• N7 Naas Road widening</li> <li>• N8 Rathcormac — Fermoy (PPP)</li> <li>• N8/N73 Mitchelstown Relief Road</li> <li>• N15 Ballyshannon-Bundoran Bypass</li> <li>• N21 Castleisland-Abbeyfeale</li> <li>• N25 Kinsalebeg</li> <li>• N25/27 Kinsale Road Interchange</li> <li>• N30 Enniscorthy-Clonroche Realignment</li> <li>• Dublin Port Tunnel</li> <li>• N52 Mullingar Eastern Bypass</li> <li>• N55 Cavan Bypass</li> <li>• N56 Mountaintop to Illistrin Phase 1</li> </ul>	2006
<ul style="list-style-type: none"> <li>• Docklands Railway Station</li> <li>• Introduction of first intercity railcars on Dublin — Sligo route</li> <li>• 67 new intercity rail carriages deployed on Dublin-Cork line and introduction of hourly rail services Dublin-Cork</li> <li>• N1 Dundalk to Border</li> <li>• N2 Castleblaney Bypass</li> <li>• N4 Dromod — Rooskey</li> <li>• N5 Charlestown Bypass</li> <li>• N6 Tyrellspass to Kilbeggan</li> <li>• N11 Arklow to Gorey Bypass</li> <li>• N11 Enniskerry junction improvements</li> <li>• N18 Ennis Bypass/N85 Western Relief Road</li> <li>• N52 Mullingar to Belvedere</li> <li>• N56 Mountaintop to Illistrin Phase 2</li> <li>• N77 Kilkenny Ring Road Extension</li> </ul>	2007
<ul style="list-style-type: none"> <li>• New Portlaoise train depot</li> <li>• M50 Upgrade (Phase 3) and introduction of barrier free tolling</li> <li>• Capacity enhancement luas Red Line — all trams extended from 30m to 40m providing a 40% increase in capacity</li> <li>• N6 Kilbeggan to Athlone</li> <li>• N8 Cashel to Mitchelstown</li> <li>• N9 Carlow Bypass</li> <li>• N11 Kilpedder-Delgany Junction</li> <li>• New intercity railcars introduced on Dublin-Limerick, Dublin-Westport, Dublin-Galway, and Dublin-Waterford lines</li> </ul>	2008

### Dublin Port.

691. **Deputy Finian McGrath** asked the Minister for Transport if he will confirm that his Department can overrule or reject the recommendations of the Dublin Bay Task Force.

[30087/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** The National Development Plan 2007-2013 provides for a comprehensive study of the role of Dublin Port taking into account locational considerations in the context of overall ports policy on the island

of Ireland, wider transport policy, urban development policy, the National Spatial Strategy and national economic policy. My Department is responsible for this study, which is currently underway and is expected to be completed in early 2009.

The Dublin Bay Task Force was established recently by the Minister for the Environment, Heritage and Local Government under the chairmanship of the Dublin Regional Authority. It will look at the Bay area as a whole and examine a wide range of issues that may impact on the future potential of the Dublin Bay area. Its main task is to prepare a draft Master Plan for Dublin Bay for the Minister for the Environment, Heritage and Local Government, who may be expected subsequently to bring a report to Government on the matter.

My Department's study of Dublin Port will be completed in advance of any final recommendations from the Task Force. It has been agreed that the Task Force will take full account of the Dublin Port Study findings in reaching its own recommendations.

### **Rail Network.**

692. **Deputy John O'Mahony** asked the Minister for Transport the progress made on the western rail corridor; if it will be completed within the timeframe set out in Transport 21; and if he will make a statement on the matter. [30118/08]

**Minister for Transport (Deputy Noel Dempsey):** Transport 21 provides for the re-opening of the Western Rail Corridor on a phased basis in the period to 2015. Work on the line between Ennis and Athenry is due for completion in early 2009 and services between Galway and Limerick are due to commence in early summer 2009.

My Department has allocated €60 million to Iarnród Éireann for expenditure this year on the Western Rail Corridor.

### **Data Protection.**

693. **Deputy John O'Mahony** asked the Minister for Transport the procedures in place to ensure that personal data stored by his Department is secure. [30137/08]

**Minister for Transport (Deputy Noel Dempsey):** All personal data in electronic format is protected using industry best practices. Access to such data is restricted to those officers who have a business requirement to use it. All staff, contractors and consultants to my Department are subject to the Official Secrets Acts and are required to sign appropriate confidentiality agreements and usage policies.

All data replicated from the Department's network to laptops is automatically encrypted. Mechanisms are in place to remotely delete data from any laptop stolen from the Department which connects to the Internet. Procedures are also in place to ensure that all personal data being accessed by teleworkers is not downloaded but is retained securely on Department servers.

Where personal data needs to be, for business reasons, transferred to third parties (for example, transferring salary details to staff bank accounts), this is carried out in a fully secured electronic manner. In the case of the National Vehicle and Driver File (NVDF) large data volumes to third parties are transferred through secure encrypted channels.

My Department regularly reviews its data security in the light of changing circumstances and needs. A review of electronic data security policy is being carried out at present and its recommendations will be implemented after this review is complete.

Personal data on physical files is secured by restricted access to buildings and is locked away in filing cabinets to which only appropriate staff members have access.



694. **Deputy John O'Mahony** asked the Minister for Transport the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from his Department in 2007 and to date in 2008; and if he will make a statement on the matter. [30152/08]

**Minister for Transport (Deputy Noel Dempsey):** There has been ten instances of laptop computers, data storage devices and memory sticks that have been reported lost, missing or stolen from my Department in 2007 to date in 2008. These instances included six laptops and four Blackberries. Of these, four laptops and two Blackberries were subsequently recovered. Two laptops and two Blackberries are still missing.

I have been assured by my officials that, to the best of their knowledge, there was no private or sensitive data compromised as a result of these events.

My Department ensures that data security measures are regularly reviewed in the light of changing circumstances and that any appropriate measures identified are implemented in order to prevent risk to data. All Departmental laptops are issued to staff with password protection enabled. Since October 2007, all data replicated from my Department's network to laptops is automatically encrypted. Mechanisms are in place to remotely immobilise and wipe any information on any portable data devices lost, missing or stolen from my Department.

#### **Public Transport.**

695. **Deputy Arthur Morgan** asked the Minister for Transport the plans he has to impose a price freeze on public transport in 2009. [30160/08]

**Minister for Transport (Deputy Noel Dempsey):** The CIE companies have submitted an application for a 20% increase in fares to take account, inter alia, of increased fuel costs. This application is currently being examined by my Department in relation to the overall financial situation of the CIE group, the current budgetary position and the likely impact on consumers.

#### **Parking Regulations.**

696. **Deputy Thomas P. Broughan** asked the Minister for Transport if he will report on the recent imposition of pay parking charges at a series of commuter rail stations in the greater Dublin area; the contacts he has had with Irish Rail on this matter; his views on the impact that these charges will have on the take up rates of public transport; and if he will make a statement on the matter. [30216/08]

704. **Deputy Jack Wall** asked the Minister for Transport his views regarding the imposition of car parking charges at rail stations (details supplied) in County Kildare; and if he will make a statement on the matter. [30267/08]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 696 and 704 together.

The provision and management of car parks at railway stations, including charging therefore, is a matter for Irish Rail.

#### **Harbours and Piers.**

697. **Deputy Andrew Doyle** asked the Minister for Transport the criteria that were used to determine whether Arklow, County Wicklow was a port or a harbour under local authority management. [30226/08]

699. **Deputy Andrew Doyle** asked the Minister for Transport the criteria used to determine management status of ports and harbours. [30228/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** I propose to take Questions Nos. 697 and 699 together.

There are ten remaining regional harbours under my Department's aegis, operating under the provisions of the Harbours Act 1946, while ten commercial port companies operate under the provisions of the Harbours Acts 1996 to 2005.

Government policy, as outlined in the Ports Policy Statement published in 2005, is that the remaining harbours operating under the Harbours Act 1946, be transferred, by ministerial order under section 88(2) of the Harbours Act 1996, to local control in cases where there is little or no commercial traffic. This is the case in relation to Arklow Harbour, which now has little or no commercial traffic.

The Policy Statement highlighted that the continued operation of the regional harbours under the outdated provisions of the Harbours Act 1946 is unsustainable on the grounds of good governance and reiterated the view that most of these harbours would best achieve their potential through their transfer to local authority ownership.

#### **Harbours and Piers.**

698. **Deputy Andrew Doyle** asked the Minister for Transport the role and responsibilities of local authorities in managing harbours and marine traffic; and the guiding policies or regulations that govern these responsibilities. [30227/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** The role and responsibilities of local authorities are matters for the Minister for the Environment, Heritage and Local Government. The Department of Transport has overall responsibility for maritime safety.

*Question No. 699 answered with Question No. 697.*

#### **Tax Code.**

700. **Deputy Andrew Doyle** asked the Minister for Transport, further to Parliamentary Question No. 210 of 24 June 2008, the position regarding approved alternative support mechanisms to allow for a reduced rate of fuel excise duty in respect of school buses and other public transport coaches. [30229/08]

**Minister for Transport (Deputy Noel Dempsey):** The Finance Act 2008 provides the basis for the removal of excise duty reliefs in the bus sector with effect from 1 November 2008.

The position in regard to school transport is a matter for the Minister for Education and Science, while the position in regard to coach tourism is a matter for the Minister for Arts, Sport and Tourism.

#### **Light Rail Project.**

701. **Deputy Ruairí Quinn** asked the Minister for Transport the finance allocated to the Rail Procurement Agency to carry out a feasibility study on the LUAS line E proposal; and if he will make a statement on the matter. [30232/08]

705. **Deputy Catherine Byrne** asked the Minister for Transport the position of the proposed Luas E line; the outcome of the public consultation process; and if he will make a statement on the matter. [30352/08]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 701 and 705 together.

In May 2008, the Railway Procurement Agency (RPA) published its feasibility study on a possible Luas line connecting Dundrum to the city centre via Rathfarnham, Terenure and Harold's Cross (known as Line E).

I understand from the RPA that the cost of the work to date in preparing the feasibility study is approximately €180,000. The report is only a first step in a process of assessing whether or not the development of a Luas line serving the specified areas ought to be pursued.

The feasibility study is available on the RPA's website and was placed by the RPA in local libraries. The Agency also distributed a letter to local residents and businesses informing them of the publication of the study and invited their views, and the views of any other interested party, on the study. The RPA is currently assessing the responses to this consultation process.

### **Harbours and Piers.**

702. **Deputy Andrew Doyle** asked the Minister for Transport the guiding regulations for the sale of harbour board assets; the body or agency that receives the benefits of a sale of assets; and the reviews that he undertakes on the sale of State assets during the transactions. [30233/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** Under Section 159 of the Harbours Act 1946, a harbour authority may, with the consent of the Minister, sell any of its lands or premises that are not required for the purposes of the harbour. In any such transactions, harbour authorities are required to comply with the Code of Practice for the Governance of State Bodies.

703. **Deputy Andrew Doyle** asked the Minister for Transport his policy regarding the development of local harbours and their compliance with marine safety requirements. [30234/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** Policy in relation to the Regional Harbours, as published in the Ports Policy Statement in 2005, is that the continued operation of the regional harbours under the outdated provisions of the Harbours Act 1946 is unsustainable on the grounds of good governance.

The Policy Statement reiterated the view that most of these harbours would best achieve their potential through their transfer to local authority ownership. Where it is not possible to reach agreement on transfer to local authorities, the option of sale of the harbours will be considered. In harbours where significant commercial traffic exists, consideration will be given to bringing such harbours under the control of a port company.

The Department is working with the Department of the Environment, Heritage and Local Government to advance the implementation of the Ports Policy Statement with regard to the transfer of the designated regional harbours to their respective local ownership.

The safety onshore at harbours including stevedores, dock labour etc. is a matter for the Health & Safety Authority. From the seaward side in relation to navigational safety, new developments must be licensed by the Department of Agriculture Fisheries and Food Marine

Licensing Vetting Committee, MLVC. The Department of Transport sits on that committee to give input on navigational safety.

*Question No. 704 answered with Question No. 696.*

*Question No. 705 answered with Question No. 701.*

### **Departmental Advertising.**

706. **Deputy John Deasy** asked the Minister for Transport the amount spent on advertising in the Irish language by his Department and by agencies under the aegis of his Department since the enactment of the Official Languages Act 2003; and if he will make a statement on the matter. [30400/08]

**Minister for Transport (Deputy Noel Dempsey):** The costs incurred for advertising in the Irish language by the Department of Transport since the enactment of the Official Languages Act 2003 are: €103,350.66.

In relation to Agencies this is a matter for the Agencies themselves.

### **Railway Stations.**

707. **Deputy Jack Wall** asked the Minister for Transport the number of pay car parks planned or already in use at Iarnród Éireann train stations; the stations involved; the cost of daily or weekly parking to the customer; the projected turnover of such facilities; and if he will make a statement on the matter. [30499/08]

**Minister for Transport (Deputy Noel Dempsey):** The provision and management of car parks at Iarnród Éireann train stations is a matter for Iarnród Éireann.

### **State Airports.**

708. **Deputy Pat Breen** asked the Minister for Transport, further to Parliamentary Question No. 104 of the 22 May 2008, if negotiations on the extension to the US Customs and Border Protection facility at Shannon Airport have been progressed; if legislation to give effect to this extension will be put before the Houses of the Oireachtas during this term; and if he will make a statement on the matter. [30597/08]

**Minister for Transport (Deputy Noel Dempsey):** Significant progress continues to be made between Irish and U.S. officials towards the conclusion of an Inter-Governmental Agreement between our two countries on the introduction of pre-clearance facilities at Dublin and Shannon Airports. I am hopeful that this agreement can be concluded in the near future. Work will then commence on drafting the necessary legislation, which will be introduced as soon as possible. As I have stated previously it is my hope that the timing of construction of the new CBP facility at Shannon can be aligned with the passage of the legislation to the extent that it is practical and feasible to do so.

### **Rail Services.**

709. **Deputy Thomas P. Broughan** asked the Minister for Transport the number of new trains put into operation by Irish Rail since 2002; the amount spent on such trains; and if he will make a statement on the matter. [30599/08]

**Minister for Transport (Deputy Noel Dempsey):** Since 2002 Iarnród Éireann has purchased 67 new InterCity carriages, 183 InterCity railcars, 40 DART cars and 116 new Commuter

[Deputy Noel Dempsey.]

railcars involving a total investment of €780 million. All of the InterCity carriages, the DART cars and the Commuter railcars are in service. Of the 183 InterCity railcars, 84 are now in service and the remaining 99 will be delivered and commissioned by mid-2009.

**Departmental Agencies.**

710. **Deputy Joan Burton** asked the Minister for Transport the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of his Department; and if he will make a statement on the matter. [30619/08]

717. **Deputy Leo Varadkar** asked the Minister for Transport the bonuses, merit awards and other payments above the basic salary they have approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which they made the decision to approve such awards; and if he will make a statement on the matter. [31200/08]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 710 and 717 together.

It is the responsibility of the Boards of the relevant bodies under the aegis of my Department to agree terms and conditions (including pay and emoluments) of their respective Chief Executives or equivalents within the remuneration levels approved by my Department with the consent of the Department of Finance. It is also the responsibility of Boards each year in consultation with my Department to develop bonus criteria to assess the performance of their Chief Executives. Remuneration Committees of the Boards, generally augmented for this purpose by a civil servant from my Department, decide annually on the level of bonus to be awarded within parameters set down by the Department of Finance, and with regard to the bonus criteria adopted. Details of pay and emoluments are generally published in the Annual Reports.

**Departmental Staff.**

711. **Deputy Joan Burton** asked the Minister for Transport the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of the Minister and each Minister of State within his Department; and if he will make a statement on the matter. [30634/08]

**Minister for Transport (Deputy Noel Dempsey):** The following tables provide the information requested by the Deputy.

Minister’s Office Minister’s Office staff (Minister Noel Dempsey — from June 2007)

Grade	Number	Status (full time or political appointee)
Personal Assistant	1	Political appointee
Personal Secretary	1	Political appointee
Special Advisor	2	Political appointee
Private Secretary	1	Full time civil servant
Executive Officer	2	Full time civil servant
Clerical Officer	7	Full time civil servant

## Minister's Office staff (Minister Martin Cullen — January to June 2007)

Grade	Number	Status (full time or political appointee)
Personal Assistant	1	Political appointee
Personal Secretary	1	Political appointee
Special Advisor	2	Political appointee
Private Secretary	1	Full time civil servant
Executive Officer	2	Full time civil servant
Clerical Officer	7	Full time civil servant

The cost for 2007 for the Minister's office in terms of salary, overtime and expenses was €938,769. The cost in terms of salary, overtime and expenses from 1 January 2008 to date is €665,182. The projected cost for 2008 in terms of salary, overtime and expenses is €886,909.

## Ministers of State

## Minister of State's Office staff (Minister Noel Ahern — from May 2008)

Grade	Number	Status (full time or political appointee)
Personal Assistant	1	Political appointee
Personal Secretary	1	Political appointee
Civilian Driver	2	Political appointee
Private Secretary	1	Full time civil servant
Executive Officer	2	Full time civil servant
Clerical Officer	2	Full time civil servant

## Minister of State's Office staff (Pat The Cope Gallagher — January to June 2007)

Grade	Number	Status (full time or political appointee)
Personal Assistant	1	Political appointee
Personal Secretary	1	Political appointee
Civilian Driver	2	Political appointee
Executive Officer	1	Full time civil servant
Staff Officer	1	Full time civil servant
Clerical Officer	5	Full time civil servant

The cost for 2007 for the Minister of State's office in terms of salary, overtime and expenses was €362,228. The cost in terms of salary, overtime and expenses from 1 January 2008 to date is €170,533. The projected cost for 2008 in terms of salary, overtime and expenses is €341,066.

**Public Transport.**

712. **Deputy Mary Upton** asked the Minister for Transport the status of the real-time passenger information programme for Dublin Bus and Bus Éireann; when this project will be fully functioning; if funding for this project is secure in view of budgetary shortfalls; and if he will make a statement on the matter. [30791/08]



**Minister for Transport (Deputy Noel Dempsey):** I understand that Dublin Bus is currently proceeding with the installation of an automatic vehicle location system (AVLS), which will enable real time passenger information to be provided via mobile phone and the Internet. My Department approved funding of €10.36 million towards the cost of this project which is due to be completed in 2011. I understand that Dublin Bus, building on the AVLS, is considering the installation of real time passenger information displays at bus stops. The position in relation to Bus Éireann is that they have completed the installation of Automatic Vehicle Location (AVL) equipment on its fleet and are providing Real Time Passenger Information on their web site, on a limited trial basis, as well as having it available on mobile phones, and that a real time ‘Arrivals Screen’ has been installed in the main bus depot in Dublin.

### **Light Rail Project.**

713. **Deputy Mary Upton** asked the Minister for Transport the status of the St. Stephen’s Green to Liffey Junction LUAS line; if the concerns of Dublin Bus have been suitably addressed to allow this project to proceed; if the funding for this project is secure in view of budgetary shortfalls; if he will announce a start and completion date for this project; and if he will make a statement on the matter. [30792/08]

**Minister for Transport (Deputy Noel Dempsey):** Earlier this year, I mandated the Railway Procurement Agency (RPA) to proceed with planning the delivery of Line BX/D, based on the Agency’s preferred route for Line BX and the use of the Old Broadstone railway alignment for Line D.

The RPA is now progressing with detailed planning to implement this decision on the basis that it is its intention to make a single railway order application for the combined Line BX/D to An Bórd Pleanála in the latter part of next year. The detailed planning includes the development of a construction strategy, which takes cognisance of the works in the city centre required for Metro North. It is not possible to construct Metro North and Luas Line Bx/D simultaneously, in light of the traffic management consequences in the city centre.

The time scale for the project will be critically dependant on the outcome of the construction strategy being developed between the RPA and Dublin City Council. The RPA and City Council are engaging with key stakeholders, including Dublin Bus, in the development of the construction strategy for Luas Line Bx/D.

*Question No. 714 answered with Question No. 689.*

### **Public Transport.**

715. **Deputy Paul Gogarty** asked the Minister for Transport if Dublin Bus has applied for funding for new routes in the Lucan and Clondalkin areas; if such funding will be provided; if his attention has been drawn to the fact that Dublin Bus says such funding has been applied for, although his Department informed this Deputy that it had not; and if he will make a statement on the matter. [31091/08]

**Minister for Transport (Deputy Noel Dempsey):** A total of €80.628 million in Exchequer funding has been allocated to Dublin Bus in 2008 towards the cost of loss-making economically necessary services which it provides as part of its network of bus services in the Dublin area. The deployment of this funding, and its funding from fare receipts, across its network of routes, including routes in Lucan and Clondalkin, is a matter for Dublin Bus. Dublin Bus has not sought specific or additional funding for services in the Lucan or Clondalkin area additional to the €80.628 million referred to above.

### Departmental Staff.

716. **Deputy Lucinda Creighton** asked the Minister for Transport the number of civil service staff dealing with constituency matters in his office; the number of civil service staff dealing with constituency matters in the offices of Junior Ministers within his Department; and the cost in salaries for these staff per annum. [31136/08]

**Minister for Transport (Deputy Noel Dempsey):** The tables below provide the information requested by the Deputy.

#### Office of the Minister

Grade	Number	Salary Scale per annum
Executive Officer	1	€32,179 – €51,054
Clerical Officer	1	€24,397 – €39,558

#### Office of the Minister of State

Grade	Number	Salary Scale per annum
Executive Officer	1	€32,179 – €51,054
Clerical Officer	2	€24,397 – €39,558

*Question No. 717 answered with Question No. 710.*

### Road Network.

718. **Deputy Seán Sherlock** asked the Minister for Transport if he will provide a progress report on plans for the upgrading of the Main Street in Buttevant, County Cork; and if he will make a statement on the matter. [31227/08]

**Minister for Transport (Deputy Noel Dempsey):** The improvement and maintenance of regional and local roads in its area is a matter for Cork County Council to be funded from its own resources supplemented by State road grants.

There is no proposal before my Department with regard to funding road works at the location in question.

### Rail Network.

719. **Deputy Emmet Stagg** asked the Minister for Transport if he will assure that there will be no delay in the completion of the Kildare route project by 2010 due to the economic crisis and that the funding required in 2009, on top of that already provided in 2007 and 2008 of €145 million, will be available for the project. [31243/08]

**Minister for Transport (Deputy Noel Dempsey):** The implementation of the Kildare Route Upgrade Project is a matter for Irish Rail. I understand that construction work on the project is proceeding well and on target for completion in 2010. My Department has allocated €90m to Irish Rail towards the cost of this project in 2008.

720. **Deputy Emmet Stagg** asked the Minister for Transport if, further to Parliamentary Question No. 254 of 10 July 2008, there has been further progress. [31253/08]

**Minister for Transport (Deputy Noel Dempsey):** The planning and design of railway upgrade works is a matter for Irish Rail. I am informed by Irish Rail that the current position regarding the removal of level crossings on the Maynooth line is that draft proposals for Reilly's Bridge Crossing in Dublin city and for five other crossings on the Maynooth line in the Fingal area have been prepared and are now with the relevant local authority for approval in principle prior to submission for planning permission.

721. **Deputy Emmet Stagg** asked the Minister for Transport when the re-signalling of the city centre area and electrification of the Maynooth suburban line will commence. [31254/08]

**Minister for Transport (Deputy Noel Dempsey):** A total of €7.5m has been allocated this year to Irish Rail towards the cost of design, procurement and enabling works on the city centre re-signalling project. I am informed by Irish Rail that on-site installation works for signalling equipment has already commenced and that the project will be fully commissioned in 2011. I understand from Irish Rail that the current position regarding the re-signalling and electrification of the Maynooth line is that design work has also commenced on this project.

#### **Consultancy Contracts.**

722. **Deputy Arthur Morgan** asked the Minister for Transport the amount that was spent by his Department on consultants in 2007 and to date in 2008. [31653/08]

**Minister for Transport (Deputy Noel Dempsey):** The information requested by the Deputy is being compiled and will be forwarded to the Deputy as soon as possible.

#### **Taxi Regulations.**

723. **Deputy Seán Barrett** asked the Minister for Transport his views on the Taxi Regulator's proposed prohibition on taxi and hackney owners in relation to the conversion of their existing vehicles to wheelchair accessible use and the consequent additional expense that will be incurred by the owners in the purchase of custom-built wheelchair accessible taxis and hackneys; the way he proposes to address the issue of monitoring the prioritisation of bookings for people with disabilities in wheelchair accessible vehicles in view of the favourable taxi licence level of €125 for such vehicles as against €6,300 for standard licences; and if he will make a statement on the matter. [29667/08]

**Minister for Transport (Deputy Noel Dempsey):** I am informed that the Commission for Taxi Regulation published new National Vehicle Standards — Requirements for Small Public Service Vehicles in November 2007, which include new accessible vehicle standards for licensing as wheelchair accessible taxis and wheelchair accessible hackneys. The Commission is proposing that transitional periods will apply to the new standards in the interest of business planning for service providers. The new vehicle standards will be given a statutory basis through revised regulations to be made by the Commission for Taxi Regulation under the Taxi Regulation Act 2003.

It is envisaged that the new requirements for wheelchair accessible taxis and wheelchair accessible hackneys will apply to existing vehicle licences from 2012. It is a requirement on the holders of wheelchair accessible small public service vehicle licences to register their contact details with the Commission and to keep records relating to bookings. New regulations have also been made in relation to the licensing of dispatch operators which will come into operation on 1 September 2009.

Separately, my Department has been in discussion with the Commission in relation to a possible arrangement to assist taxi and hackney operators with the purchase of wheelchair accessible vehicles that will meet the new accessible vehicle specification developed by the Commission. A final decision will be made on this matter as soon as possible having regard to the overall budgetary context.

### **Road Safety.**

724. **Deputy Seán Barrett** asked the Minister for Transport his views on the findings in the report of the European Transport Safety Council that persons over 65 were one-and-a-half times more likely to die in road traffic accidents than those under 65; his further views on Ireland's rate of progress, which is below the EU average, in reducing deaths among older road users, in view of our ranking as 21st out of 30 countries in road deaths; and if he will make a statement on the matter. [29674/08]

**Minister of State at the Department of Transport (Deputy Noel Ahern):** The European Transport Safety Council (ETSC) publication highlights just how at risk older road users are as a result of road collisions across Europe as a whole. However, the report from the ETSC is based on the ten years 1997 — 2006 and does not reflect the significant improvement in Ireland's road safety performance in 2007 and to date in 2008.

Ireland has now entered the top ten EU best performing countries in terms of road deaths. Implementation of the Road Safety Strategy 2007-2012 will ensure that Ireland reduces the death and serious injury rates on its roads even further, across all high risk and vulnerable groups.

### **Consultancy Contracts.**

725. **Deputy Leo Varadkar** asked the Minister for Transport if a company (details supplied) has been awarded contracts by his Department or any of its agencies since 2000; the value of the contracts and the length of contract signed; and if he will make a statement on the matter. [29718/08]

**Minister for Transport (Deputy Noel Dempsey):** No contracts have been awarded by the Department of Transport to the company mentioned above. In relation to Agencies, this is a matter for the Agencies themselves.

### **Light Rail Project.**

726. **Deputy Seán Barrett** asked the Minister for Transport if it is proposed, as part of an orbital public transport system connecting the various urban centres in greater Dublin, to provide a LUAS extension to link Sandyford/Dundrum with Tallaght, in view of the fact that they are connected by a single and infrequent bus service; and if he will make a statement on the matter. [29910/08]

**Minister for Transport (Deputy Noel Dempsey):** While Transport 21 involves a very large commitment of financial resources, those resources are also finite. Transport 21 provides funding for the delivery of an extensive prioritised rail based network in the ten-year period to 2015. Neither the Dublin Transportation Office's transportation strategy, A Platform for Change, nor Transport 21 include a LUAS extension to link Sandyford/Dundrum with Tallaght.

The Dublin Transport Office is currently preparing a new transportation strategy for the Greater Dublin Area, which is scheduled for completion in early 2010. The Deputy may wish

[Deputy Noel Dempsey.]

to avail of the extensive consultation process on that strategy to suggest the project for consideration.

### **State Airports.**

727. **Deputy Pat Breen** asked the Minister for Transport his views on the aviation crisis and the threats to the future of Aer Lingus jobs and transatlantic services at Shannon Airport; the efforts his Department are making to secure all-year round direct daily US services from Shannon; and if he will make a statement on the matter. [30598/08]

**Minister for Transport (Deputy Noel Dempsey):** Recent developments, especially with regard to fuel prices increases and other world economic changes, present the aviation industry, including Aer Lingus, with significant challenges.

It is very much in Ireland's interest that Aer Lingus remains a strong competitive provider of air services to and from Ireland. However, it is an independent company and has to make decisions on a commercial basis taking account of the current operating environment. The company has publicly indicated that it is undertaking a root-and-branch review of its entire cost base in an effort to further reduce costs and remain competitive. I await the outcome of the current discussions between Aer Lingus and the Shannon Airport Authority regarding transatlantic services operating from Shannon.

In January last, in conjunction with the Minister for Arts, Sport and Tourism, I published the Economic and Tourism Development Plan for the Shannon catchment area. The purpose of the Plan is to assist the region in responding to the challenges and opportunities emerging in the context of full liberalisation of the transatlantic aviation market and the phasing out of the Shannon stop under the Open Skies agreement. An important element of the Action Plan is a new tourism-marketing initiative for the area, which is being implemented by Tourism Ireland in close consultation with key tourism industry interests in the area, Shannon Development and the Fáilte Ireland Regions.

In addition, as I have indicated in response to Question No. 708 from the Deputy, I am currently seeking to finalise an Inter-Governmental Agreement with the USA on the introduction of full pre-clearance facilities at Shannon and Dublin Airports.

*Question No. 728 answered with Question No. 684.*

### **Transport Services.**

729. **Deputy James Bannon** asked the Minister for Transport if transport for those with disabilities who are over the age of 18 years to training centres falls within the remit of his Department, in view of the fact that home-to-centre transport is essential for such school leavers, who need secure transport to access training facilities; and if he will make a statement on the matter. [31097/08]

**Minister for Transport (Deputy Noel Dempsey):** My Department's responsibility for, and policy on access to transport for people with disabilities, is set out in Transport Access for All, my Department's Sectoral Plan under the Disability Act 2005. In accordance with Section 34 of the Act, the sectoral plan deals with passenger transport services for the general public.

### **Graffiti Reduction Programme.**

730. **Deputy Mary Upton** asked the Minister for Justice, Equality and Law Reform the number of groups that have availed of the Community Graffiti Reduction Programme; the

amount that has been spent on this programme; and if he will make a statement on the matter. [30781/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The CGRP (Community Graffiti Reduction Programme) is managed for the Department by Pobal. I am arranging to have the information sought by the Deputy compiled and will communicate further with her.

### **Residency Permits.**

731. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Louth; and if he will make a statement on the matter. [31785/08]

828. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [29818/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 731 and 828 together.

The person concerned applied for asylum on 22 May 2002. 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 28 April 2003, 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 before the file is passed to me for decision.

732. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to an application for residency in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [31801/08]

821. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [29811/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 732 and 821 together.

The person concerned applied for asylum on 4 February 2002. Her application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, 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 October 2004, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of 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 she should be allowed to remain temporarily in the State. Representations were received from the person concerned.



[Deputy Dermot Ahern.]

The person concerned also made an application for permission to remain in the State under the revised arrangements for non-EEA parents of children born in the State prior to 1 January 2005, commonly referred to as the IBC/05 Scheme. However, upon examination of this application, it was determined that the person concerned did not satisfy the Scheme's criteria and, as such, her application was refused. The person concerned was notified of this decision by letter dated 4 August 2005.

The person concerned subsequently submitted an application for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006) and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

### **Citizenship Applications.**

733. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform if the fee increase for naturalisation applications will apply to applications filed before the date of the increase; his views on whether it would be unfair to charge this sharp increase to persons who filed their applications years ago and have simply been caught in his Department's backlog. [31159/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Certificates of Naturalisation can only be issued on payment of the prescribed fee at the time of certification. Any applicant who receives their letter of approval for certification on or after 1 August, 2008 will be charged at the new rates. Any applicant who received their letter of approval before that date will be charged the old fees. All letters of approval clearly state the prescribed fee payable.

Certification fees for Citizenship were last changed in 1993. The new fees structure brings existing amounts in line with inflation for this period.

### **Residency Permits.**

734. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to residency in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [31555/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** This applicant applied for asylum on 11th February 2003. Her application was refused, as was a subsequent appeal to the Refugee Appeals Tribunal. A Deportation order was made on 16 December 2004. Judicial Review proceedings were initiated by the applicant challenging the Deportation Order on 1 March 2005. The matter is therefore sub judice and I do not propose to comment further.

The person concerned also submitted an application for Subsidiary Protection pursuant to the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006, 'The Regulation') on 10th October 2006. She was informed on 19 October 2006 that her application was invalid as the Deportation Order had been made in respect of her prior to the

coming into force of the Regulation on 10 October 2006. Judicial Review proceedings challenging this decision were instituted on 9 November 2006.

These Judicial Review proceedings were settled following the judgement of Mr Justice Feeney in the cases of Hila & Djolo, where he determined that under Regulation 4(2) of the European Communities (Eligibility for Protection) Regulations 2006 (S.I No. 518 of 2006) that I have discretion to accept and consider applications for Subsidiary Protection from persons who do not have an automatic right to apply but who have identified new facts or circumstances which demonstrate a change of position from that which pertained at the time the Deportation Order was made.

Subsequently the person concerned submitted an application pursuant to the European Communities (Eligibility for Protection) Regulations, 2006 (S.I No. 518 of 2006) on 26 November 2007, requesting that I exercise discretion to accept and consider an application for Subsidiary Protection. Following a consideration of the material submitted it was concluded that the applicant had established no grounds which would enable me to exercise discretion under Regulation 4(2). The person was notified of my decision on 18 March 2008. Judicial Review proceedings were issued on 11 April 2008 challenging this decision. The matter is therefore *sub judice* and I do not propose to comment further.

735. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [31571/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 14 September 2006. Her infant child was included as a child dependant in this application. Her asylum application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, 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 30 May 2007, that the Minister proposed to make Deportation Orders in respect of her and her child. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of Deportation Orders or of making representations to the Minister setting out the reasons why she and her child should be allowed to remain temporarily in the State. In addition, the person concerned was notified of her entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

#### **Data Protection.**

736. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support the case of a person (details supplied). [29533/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I can inform the Deputy that, insofar as the issues raised by the person concerned relate to Data Protection matters, the position is that the Data Protection Act provides that personal data obtained from an individual “shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they were collected or are further processed”, “shall not be further processed in a manner incompatible with that purpose or those purposes” and “shall not be kept for longer than is necessary for that purposes or those purposes”. It is part of the Data Protection Commissioner’s function under the Act to investigate complaints that these requirements are being breached and, as necessary, to use the powers provided under the Act to bring about compliance.

As the Deputy will appreciate, however, the Data Protection Commissioner is independent in the exercise of his functions in accordance with the provisions of the Data Protection Act, and accordingly, I am unable to intervene in individual matters.

### **International Agreements.**

737. **Deputy Seán Barrett** asked the Minister for Justice, Equality and Law Reform the plans he has to ratify the UN Convention on the Rights of People with Disabilities which was adopted by the UN General Assembly in December 2006, and came into force on 3 May 2008; and if he will make a statement on the matter. [29878/08]

898. **Deputy Seán Barrett** asked the Minister for Justice, Equality and Law Reform his views on the concern expressed recently by the Irish Human Rights Commission regarding the non-ratification of the UN Convention on the Rights of Persons with Disabilities; the reason for its non-ratification; when it will be ratified; and if he will make a statement on the matter. [30286/08]

993. **Deputy David Stanton** asked the Minister for Justice, Equality and Law Reform when Ireland will ratify the UN Convention on the Rights of Persons with Disabilities; and if he will make a statement on the matter. [31285/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 737, 898 and 993 together.

It is the Government’s intention to ratify the UN Convention will be ratified by Ireland as quickly as possible, taking into account the need to ensure that all necessary requirements under the Convention are being met.

Ireland was in the first group of countries to sign, subject to ratification, the Convention when it opened for signature on 30 March 2007.

An Inter-Departmental Committee has been established to advise on and monitor the actions required to enable the State to ratify the Convention. The committee has developed a work programme that is being actively addressed by Government Departments.

In so far as my own Department is concerned, there is a need to reform the law on legal capacity of vulnerable adults. Accordingly, the Government has recently approved the details of my proposal for a Mental Capacity Bill. The ‘heads’ of the Bill have been published on my Department’s website for consultation. That Bill is an important element of the programme of work on the Convention.

### **Road Safety.**

738. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform the

progress made in rolling out mobile speed cameras; and if he will make a statement on the matter. [30047/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** On Monday, 22 September, the Garda Commissioner and I launched eight new Garda mobile speed detection vehicles. These state of the art vehicles represent a substantial upgrading of the resources available to An Garda Síochána to address the problem of speeding on our roads.

#### **Departmental Revenue.**

739. **Deputy Arthur Morgan** asked the Minister for Justice, Equality and Law Reform the amount that accrued to the State as a result of fines for speeding in respect of each of the years 2006 and 2007 and to date in 2008. [30162/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The information requested by the Deputy is currently being researched. I will contact the Deputy when the information is to hand.

#### **Visa Applications.**

740. **Deputy Mary O'Rourke** asked the Minister for Justice, Equality and Law Reform if he will review the case of a person (details supplied) in County Westmeath. [29281/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The visa application referred to was received in the Visa Office, Dublin on 18 March 2008. It was refused on 2 April 2008 for a number of reasons:

1. There was insufficient documentation submitted in support of the application.
2. There was no evidence of finances shown.
3. There was no evidence shown of a relationship being in existence prior to the visa application/marriage. The applicant lodged an appeal but the decision of the Visa Officer was upheld by the Appeals Officer on 13 May 2008.

The only option available to the applicant now is to make a fresh application.

#### **Residency Permits.**

741. **Deputy Mary O'Rourke** asked the Minister for Justice, Equality and Law Reform if he will review the case of a person (details supplied) in County Westmeath. [29282/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Long Term Residency is an administrative scheme introduced in May 2004 and is focused on persons who have been legally resident in the State for over five years on the basis of work permit / work authorisation / work visa conditions. Such persons may apply to my Department for a five year residency extension. In that context they may also apply to be exempt from employment permit requirements.

The dependants of the aforementioned, who have been legally resident in the State for over five years may also apply for long term residency. This particular long term permission does not grant an exemption from employment permit requirements to any such dependants.

Time spent in the State on student conditions cannot be counted towards long term residency.

[Deputy Dermot Ahern.]

While applications for long term residency are under consideration, the person concerned should ensure that their permission to remain in the State is kept up to date.

An application for long term residence from the person referred to by the Deputy was received in May 2007. I understand that applications received in January 2007 are currently being dealt with. As soon as a decision is made on the case, the person concerned will be notified.

### **Asylum Applications.**

742. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if a person (details supplied) in Dublin 8 will be assisted. [29285/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 24 April 2001. 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 22 May 2003, 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 were received on his behalf. Following consideration of his case, 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, a Deportation Order was signed in respect of the person concerned on 12 March 2004. Notice of this Order was served, by registered letter dated 20 April 2004, requiring the person concerned to present himself to the Garda National Immigration Bureau (GNIB) on 29 April 2004 in order to make travel arrangements for his deportation from the State.

The person concerned subsequently lodged a request under Regulation 4(2) of the European Communities (Eligibility for Protection) Regulations 2006 (S.I. No. 518 of 2006) seeking permission to make an application for Subsidiary Protection in the State in accordance with those Regulations. This request was approved following which the person concerned formally applied for Subsidiary Protection in the State. This application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. While the Deportation Order remains in place, the person concerned may be assured that this Order will not be effected pending the determination of the Subsidiary Protection application.

### **Visa Applications.**

743. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support the case of persons (details supplied). [29312/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The visa application referred to was received in the Visa Office, Dublin on 25 July 2008. It was refused by the Visa Officer on 20 August 2008 for the following reasons:

1. The obligations to return to the home country were not deemed sufficient;



2. It was the opinion of the Visa Officer that the applicant may not observe the conditions of the visa, if granted.

The decision of the Visa Officer may be appealed within two months of the date of decision, in this case before 20 October 2008. Guidelines on making an appeal can be found on the website of the Irish Naturalisation and Immigration Service at [www.inis.gov.ie](http://www.inis.gov.ie)

### **Garda Deployment.**

744. **Deputy Charles Flanagan** asked the Minister for Justice, Equality and Law Reform the minimum and maximum number of Gardaí scheduled to be available to police the streets of Dublin on each Saturday night during the months of July, August and September 2008 based on currently arranged holiday leave; and if he will make a statement on the matter. [29399/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda Commissioner that for security and operational reasons, it is Garda policy not to disclose the number or percentage of personnel on duty at any specific area or over any given period of time.

### **Assaults on Gardaí.**

745. **Deputy Charles Flanagan** asked the Minister for Justice, Equality and Law Reform the number of Gardaí on leave as of 10 July 2008, due to assaults carried out on them in the course of their duty; the proportion they form of the Force; and if he will make a statement on the matter. [29400/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda Commissioner that the total number of Gardaí absent as a result of assaults carried out on them in the course of their duty in the twenty seven (27) operational Garda Divisions on the 10th July 2008 was forty nine (49). This represented 0.348% of the total strength of the Force.

### **Garda Deployment.**

746. **Deputy Joe Carey** asked the Minister for Justice, Equality and Law Reform the number of Gardaí as of 10 July 2008, who are engaged in administrative duties rather than on active policing on the streets; the nature of the duties engaged in by Gardaí involved in desk-bound duties; the number of Gardaí engaged in active policing on the streets on said date; and if he will make a statement on the matter. [29401/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda Commissioner that the personnel strength of An Garda Síochána as at 30 June 2008, the closest date to the 10 July for which figures are readily available, was 14,091.

The number of personnel employed in administrative duties was 350 which represents approximately 2.5% of the Force.

An Garda Síochána operate a three relief roster system with three out of four units working in any 24-hour period with the fourth unit resting in the same 24-hour period.

For security and operational reasons it is Garda policy not to disclose the number of personnel on duty at any specific time.

747. **Deputy Joe Carey** asked the Minister for Justice, Equality and Law Reform the number of Gardaí scheduled to be involved in policing a music festival (details supplied) in 2008; the



[Deputy Joe Carey.]

number involved in policing the festival in 2006 and 2007; the cost of the policing in 2008; the cost borne by the promoters; the cost borne by the taxpayer; and if he will make a statement on the matter. [29402/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The following tables show the number of personnel allocated for duty at the concert in question:

2006	Friday	Saturday	Sunday	Monday
Superintendent	2	2	2	1
Inspector	2	3	3	1
Sergeant	14	38	38	7
Garda	74	189	189	50

2008	Thursday	Friday	Saturday	Sunday	Monday
Superintendent	2	2	2	2	1
Inspector	4	6	6	6	2
Sergeant	30	64	63	64	16
Garda	175	285	284	286	86

An Garda Síochána received payment of €625,000 from the promoters for the provision of policing services at the 2008 festival.

An Garda Síochána does not cost each individual non-public duty event. However, based on previous costings and research undertaken, it is estimated that, on average, the contribution of the event organiser covers approximately 40% of the overall costs incurred.

A detailed analysis and review of the procedures and costs associated with policing non-public duty events is currently being undertaken by An Garda Síochána with a view to introducing a new system of charging for the provision of these services.

748. **Deputy Joe Carey** asked the Minister for Justice, Equality and Law Reform the number of Gardaí scheduled to be involved in policing a music festival (details supplied) in 2008; the cost of the policing at the festival; the proportion in pecuniary and percentage terms borne by the promoters and by the taxpayer; and if he will make a statement on the matter. [29403/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The following table shows the number of personnel allocated for duty at the concert in question:

	Friday	Saturday	Sunday	Monday
Inspector	2	2	2	1
Sergeant	21	21	21	1
Garda	121	106	102	17

An Garda Síochána received payment of €116,000 from the promoters for the provision of policing services at the 2008 festival.

An Garda Síochána does not cost each individual non-public duty event. However, based on previous costings and research undertaken, it is estimated that, on average, the contribution of the event organiser covers approximately 40% of the overall costs incurred.

A detailed analysis and review of the procedures and costs associated with policing non-public duty events is currently being undertaken by An Garda Síochána with a view to introducing a new system of charging for the provision of these services.

749. **Deputy Joe Carey** asked the Minister for Justice, Equality and Law Reform the cost involved in the policing of music festivals here in 2007; the proportion of the cost in pecuniary and percentage terms borne by the taxpayer and by the promoters or other interested parties; if he is satisfied that those who receive financial gain from such festivals are contributing a fair amount to their policing; and if he will make a statement on the matter. [29404/08]

750. **Deputy Charles Flanagan** asked the Minister for Justice, Equality and Law Reform the cost of policing All Ireland finals in each of the years 2005, 2006, 2007 and the scheduled cost in 2008; the contribution to the cost in pecuniary and percentage terms made by the Gaelic Athletic Association; if he is satisfied that sufficient contributions are made by the GAA to policing; and if he will make a statement on the matter. [29405/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 749 and 750 together.

I am informed by the Garda Síochána that organisers of music and sporting events regularly request the services of Gardaí on a non-public duty basis for inside the event location and pay for the cost of such duties.

The cost to event organisers for having members of the Garda Síochána on non-public duty at music festivals during 2007 is as follows:

Cois Ferraige, Kilkee:	€31,878
Electric Picnic:	€103,967
Live at the Marquee, Cork:	€35,621
Oxygen:	€350,000.

The costs to the Gaelic Athletic Association for having members of the Garda Síochána on non-public duty at sporting events between 2005 and 2007 are as follows:

2005: €101,970

2006: €120,250

2007: €106,126

Costs associated with policing duties performed by Gardaí outside of these events, such as traffic control, beat patrols and other policing duties are paid from public funds. Details of the overall costs associated with each individual non-public duty event and scheduled costs for individual events in 2008 are not readily available. However I am advised by the Garda authorities that based on previous costings and research undertaken it is estimated that the contribution of the event organiser covers approximately 40% of the overall costs incurred on average.

I can also inform the Deputy that a detailed analysis and review of the procedures and costs associated with policing non-public duty events is currently being undertaken by An Garda Síochána with a view to introducing a new system of charging for the provision of these services.

### Assaults on Gardaí.

751. **Deputy Shane McEntee** asked the Minister for Justice, Equality and Law Reform if the number of assaults reported to Gardaí in Dublin City increased or decreased and the proportional change of same since staggered closing time for night clubs in Dublin became an effective reality; and if he will make a statement on the matter. [29406/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am not clear what legislative changes the Deputy has in mind in referring to staggered closing times for nightclubs.

In any event, the Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office, as the national statistical agency, and the CSO has established a dedicated unit for this purpose.

If the Deputy clarifies what period he has in mind I will request the CSO to provide the statistics sought directly to him.

### Liquor Licensing Laws.

752. **Deputy Shane McEntee** asked the Minister for Justice, Equality and Law Reform if the Gardaí have expressed a view as to the desirability of staggered closing times for nightclubs; if bodies representing taxi drivers have expressed an opinion on the matter of staggered closing time for nightclubs; if so, the nature of the opinions expressed; and if he will make a statement on the matter. [29407/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** In so far as the question refers to the provisions of the Intoxicating Liquor Act 2008, the position is that the Garda Commissioner was consulted fully during the preparation of the legislation and was supportive of its contents. I am not aware of any views of taxi drivers on the subject of nightclub opening hours.

753. **Deputy Joe McHugh** asked the Minister for Justice, Equality and Law Reform the rating here among the 27 Members of the EU in terms of the closing time of nightclubs, in the order of those closing late and those closing early; and if he will make a statement on the matter. [29408/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The trading hours of licensed premises, including nightclubs, are a public policy matter for individual EU Member States to determine and are generally a reflection of unique historical, social and cultural factors. In setting closing times, Member States may, in particular, have regard to factors such as local alcohol consumption patterns and levels of alcohol-related harm as well as public policy objectives such as promoting public health and maintaining public order.

### Public Order Offences.

754. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the number of women and the number of men cautioned or charged and convicted in relation to prostitution in the Arbour Hill area of Dublin for each of the past five years; and if he will make a statement on the matter. [29431/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office, as the national statistical agency, and the CSO has established a dedicated unit for this purpose.

I have requested the CSO to provide the statistics sought by the Deputy directly to him.

### Garda Deployment.

755. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the number of community gardaí allotted to each of the Garda stations in the Dublin Metropolitan Area in each of the past five years. [29432/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda Commissioner that the number of Community Gardaí attached to each Garda Station in the Dublin Metropolitan Region as at 31 December 2003 — 2007 and as of 31 August 2008, the latest date for which figures are readily available, was as set out in the attached table.

It is of course the case that all Gardaí have a role to play in addressing community policing issues as and when the need arises. In that sense, community policing involves far more than a single unit within the Garda Síochána, and I agree with the view of the Garda Inspectorate, expressed in its most recent report, that community policing is a fundamental policing philosophy and that there is a strong foundation for it in Ireland.

Station	31/12/03	31/12/04	31/12/05	31/12/06	31/12/07	31/08/08
DMR South Central						
Kevin Street	7	8	7	7	18	21
Kilmainham	6	6	5	7	9	12
Pearse Street	11	15	11	13	33	39
Harcourt Tce	3	3	4	3	3	4
Donnybrook	4	5	4	4	5	4
Irishtown	2	2	3	2	2	3
DMR North Central						
Store Street	25	24	26	25	24	30
Bridewell	15	14	15	17	19	18
Fitzgibbon Street	17	17	30	17	16	15
Mountjoy	12	14	—	12	11	11
DMR North						
Santry	3	3	5	3	4	5
Dublin Airport	—	—	—	—	—	—
Whitehall	3	3	5	5	4	5
Ballymun	7	7	9	9	11	10
Raheny	5	6	4	6	6	6
Clontarf	6	6	5	6	7	5
Howth	4	4	5	4	6	4
Coolock	5	7	7	9	13	11
Swords	6	8	11	11	11	11
Malahide	4	3	5	4	5	4
Balbriggan*	—	—	—	—	2	4
DMR East						
Dun Laoghaire	5	5	4	2	4	8
Dalkey	3	3	2	2	2	2
Cabinteely	4	5	5	5	5	5

## [Deputy Dermot Ahern.]

Station	31/12/03	31/12/04	31/12/05	31/12/06	31/12/07	31/08/08
Kill O' Grange	3	3	3	3	3	3
Bray	6	7	9	14	12	**
Shankill	3	4	4	10	8	9
Enniskerry	—	—	—	—	—	—
Greystones	2	2	4	5	7	**
Blackrock	5	6	6	7	6	6
Dundrum	6	6	5	6	6	4
Stepaside	1	1	1	2	2	2

## DMR South

Crumlin	5	5	4	4	5	6
Sundrive Road	4	4	4	6	6	6
Tallaght	24	24	20	22	24	24
Rathfarnham	5	5	6	5	4	7
Rathmines	3	3	3	3	3	3
Terenure	5	7	7	6	6	5

## DMR West

Cabra	2	2	6	7	6	9
Finglas	9	13	12	10	14	13
Blanchardstown	19	17	17	19	22	24
Lucan	5	5	8	7	7	9
Leixlip	3	4	3	4	3	4
Ronanstown	13	16	13	12	12	10
Ballyfermot	9	9	14	9	9	10
Clondalkin	10	12	16	11	11	12
Rathcoole	—	1	1	1	2	2
<b>TOTAL</b>	<b>299</b>	<b>324</b>	<b>338</b>	<b>346</b>	<b>398</b>	<b>405</b>

\* Balbriggan District formed part of the DMR in December 2007.

\*\* Bray and Greystones formed part of the Wicklow Division in 2008.

**Garda Stations.**

756. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the plans he has to close Mountjoy Garda Station, Dublin; and if he will make a statement on the matter. [29438/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The formulation of proposals in relation to the opening and closing of Garda stations is a matter, in the first instance, for the Garda Commissioner in the context of the annual policing plan, as provided for in section 22 of the Garda Síochána Act 2005. I am advised by the Garda Authorities that the long-term plans for Mountjoy station are being considered in the context of the future of both it and Fitzgibbon Street Station and taking into account the overall policing requirements of the area.

**Noise Pollution.**

757. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support a matter (details supplied). [29445/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Legislation regarding noise levels and windows of vehicles is a matter for my colleague the Minister for Transport.

### **Residency Permits.**

758. **Deputy Tom Sheahan** asked the Minister for Justice, Equality and Law Reform when a person (details supplied) in County Kerry will receive their stamp four; and if he will make a statement on the matter. [29451/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Long Term Residency is an administrative scheme introduced in May 2004 and is focused on persons who have been legally resident in the State for over five years on the basis of work permit / work authorisation / work visa conditions. Such persons may apply to my Department for a five year residency extension. In that context they may also apply to be exempt from employment permit requirements.

The dependants of the aforementioned, who have been legally resident in the State for over five years may also apply for long term residency. This particular long term permission does not grant an exemption from employment permit requirements to any such dependants.

Time spent in the State on student conditions cannot be counted towards long term residency.

While applications for long term residency are under consideration, the person concerned should ensure that their permission to remain in the State is kept up to date.

An application for long term residency from the person referred to by the Deputy was received in October 2007. I understand that applications received in January 2007 are currently being dealt with. As soon as a decision is made on the case, the person concerned will be notified.

### **Road Traffic Offences.**

759. **Deputy James Bannon** asked the Minister for Justice, Equality and Law Reform the steps he has taken to provide the necessary equipment for gardaí to carry out tests on drivers for the presence of drugs; and if he will make a statement on the matter. [29499/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Currently, the Road Traffic Acts provide that a member of An Garda Síochána may, where he or she is of the opinion that a person in charge of a mechanically propelled vehicle in a public place is under the influence of a drug or drugs to such an extent as to be incapable of having proper control of that vehicle, require that person to go to a Garda station and further require that person submit to a blood test or to provide a urine sample.

The Medical Bureau of Road Safety analyses blood and urine specimens received under the Road Traffic Acts for the presence of a drug or drugs.

Enforcement of the law on drug driving is a matter for An Garda Síochána. When a member of the Gardaí suspects that a motorist is driving under the influence of any intoxicant the Garda may arrest the suspect under Section 49 of the Road Traffic Act 1961.

Furthermore, section 38 of the Road Traffic Act 1968, as amended by Section 6 of the Road Traffic Act 1994, provides a statutory power to the Medical Bureau of Road Safety for the supply and testing of apparatus for indicating the presence of alcohol in the breath.

Section 12 of the Road Traffic Act 1994 (as amended) and section 4 of the Road Traffic Act 2006 (as amended) also provide the powers to members of An Garda Síochána to require



[Deputy Dermot Ahern.]

drivers to provide preliminary breath specimens for the purpose of indicating the presence of alcohol in the breath.

As the Deputy will appreciate, road traffic legislation is a matter for the Department of Transport and I am informed by my colleague, the Minister for Transport, that at present there is no reliable equipment available for the purpose of roadside testing for drugs.

I am further informed that the Department of Transport will keep under review the development of technology internationally for such testing and that when suitable technology becomes available, any further legislative measures if required, to facilitate its use will be introduced.

### **Garda Investigations.**

760. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he is satisfied that victims of crime or their guardians are kept sufficiently up to date by gardaí on the progress of investigations and criminal proceedings; and if he will take steps to ensure that greater and more prompt contact is maintained throughout the process. [29540/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that, as provided for in the Guidelines for Prosecutors published by the Director of Public Prosecutions (DPP) in October, 2007, An Garda Síochána has made a number of commitments to the victims of crime.

These include ensuring that the victim is kept informed about the progress of the investigation, including whether a suspect is charged or cautioned; to tell the victim whether the accused is in custody or on bail and the conditions attached to the bail; to inform the victim of the time, date and location of the court hearing of the charges against the accused; to explain the prosecution process involved and, if the victim is likely to be called as a witness, to provide information as to the help available for victims attending court; to explain the circumstances where a judge may ask for a Victim Impact Statement and arrange for its completion; to inform the victim of the final outcome of the trial and, in cases involving serious trauma to a victim or family, to inform the victim of the imminent release of the offender, when An Garda Síochána has been notified of such a release.

The Garda Charter for Victims of Crime has been updated, to take into account victim support expectations and developments in victim support services and networks.

The revised Charter sets out the services and service delivery standards which An Garda Síochána is committed to delivering to victims of crime and includes the automatic provision of information available regarding the National Crime Victims' helpline and other services available locally for victims of crime.

In cases where serious criminal incidents have occurred, including incidents of homicide, kidnapping / false imprisonment, hostage / siege situations, incidents involving violence or immediate threat of violence to the person, suicide, or fatal road traffic collisions, the District Officer appoints a Family Liaison Officer to liaise with the victim and the family and to keep them informed of progress in the ongoing investigation and to ensure that they are afforded appropriate and practical support.

I am further informed that senior Garda management is satisfied that adequate provisions are in place to ensure that victims of crime are advised of developments in ongoing investigations.

### **Garda Operations.**

761. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the circumstances in which the gardaí can test a suspect for illicit drugs. [29541/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Deputy will appreciate that it is not my function as Minister to interpret legal provisions. However, I can tell the Deputy that I am informed by the Garda Authorities that all its members are tasked with enforcing legislation, including the provisions of the Road Traffic Acts, which provide for the offence of driving a mechanically propelled vehicle while under the influence of an intoxicant contrary to section 49(1), Road Traffic Act, 1961, as amended. An intoxicant includes alcohol or drugs or any combination of drugs or of drugs and alcohol.

Section 14 of the Road Traffic Act 1995 also provides that, where a member of An Garda Síochána is of the opinion that a person in charge of a mechanically propelled vehicle is under the influence of a drug or drugs to such an extent as to be incapable of having proper control of the vehicle, he may require the person to accompany him to the station to provide a blood / urine specimen. Should this person refuse to accompany the member, s/he shall be arrested and subsequently required to provide a blood / urine specimen.

#### **Witness Statements.**

762. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform his views on whether witness statements should be taken by gardaí without delay; and if he will take steps to eliminate all avoidable delays in the taking of witness statements. [29542/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that instructions to all members of An Garda Síochána state that witnesses should be formally interviewed as soon as possible after a crime.

Members of An Garda Síochána are also advised that the time chosen for the interview should be convenient to the witness and should provide adequate opportunity for a thorough interview and that interviews should not be conducted if the witness is not in a fit state to be interviewed.

#### **Garda Investigations.**

763. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the average time between an admission to Gardai as to the commission of the offence of assault and the commencement of the trial. [29543/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that even where an admission of assault has been made to An Garda Síochána, there is an obligation on the Force to ensure that the matter is thoroughly investigated and all relevant facts established. The length of such investigation will vary from case to case, depending on the particular circumstances of the case, including the nature of the injuries and the number of witnesses. Following the taking of a decision to institute criminal proceedings in a particular case, factors such as whether the case is proceeding by way of charge or summons and whether the case is being tried summarily or on indictment will impact on the timeframe for the commencement of the trial.

It is not possible to provide the information sought by the Deputy, on the length of time from an admission by an offender to committing an assault offence to an appearance before a court for that offence, without a disproportionate expenditure of Garda time and resources.

#### **Departmental Transport.**

764. **Deputy Fergus O'Dowd** asked the Minister for Justice, Equality and Law Reform the number, type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by his

[Deputy Fergus O'Dowd.]

Department for each of the past three years; and if he will make a statement on the matter. [29556/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I can inform the Deputy that my Department currently owns two diesel vehicles which were purchased on the 1st May, 2007, a Ford Galaxy People Carrier and Ford Tourneo Connect Van. The total cost of the vehicles were €66,135.00. Factors such as fuel efficiency and safety were taken into account in making purchases. The CO<sub>2</sub> exhaust emissions are 165 g/km and 171 g/km respectively.

#### **Restorative Justice.**

765. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if interim recommendation of the National Commission on Restorative Justice that a restorative dimension be applied to the adult cautioning system has been implemented; if so, the details of same; and if not, the reason it has not been implemented. [29560/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The adult cautioning scheme operates on a non-statutory basis and under the common law powers of An Garda Síochána. Offences deemed appropriate for inclusion in the scheme were arrived at through consultations between the Office of the Director of Public Prosecutions and An Garda Síochána. The circumstances under which a person is dealt with by way of adult caution is a matter for the Director of Public Prosecutions.

Officials in my Department are considering how the recommendations contained in the Interim Report of the National Commission on Restorative Justice should be acted upon.

766. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if the interim recommendation of the National Commission on Restorative Justice that a restorative justice measure be piloted with a number of suitable prisoners at the pre-release stage of their sentences has been implemented; if so, the details of same; and if not, the reason it has not been implemented. [29561/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Interim Report of the National Commission on Restorative Justice was published on the 21 May, 2008. The report includes a recommendation that consideration be given to piloting an appropriate restorative justice measure with a small number of suitable prisoners at a pre-release stage of their sentence and at the request of the victim and/or offender.

I have asked the Director General of the Irish Prison Service to examine this recommendation having regard to the need to identify criteria for selection, and to ascertain which victims (if any) would be willing to request that a restorative justice measure be implemented in their case and to submit his proposals to me in due course.

Interventions currently available to prisoners including victim awareness programmes and alternatives to violence courses already encompass elements of the restorative justice concept.

#### **Garda Vetting Services.**

767. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if Access NI have entered into a memorandum of understanding with the Garda Central Vetting Unit; and if the GCVU have entered into reciprocal vetting arrangements with Access NI. [29562/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that in respect of employment vetting, information between Access NI and the GCVU is exchanged in the first instance through the Garda Síochána and the Police Service of Northern Ireland who have long-standing reciprocal arrangements in place for the exchange of such information.

### **Departmental Agencies.**

768. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will make a statement detailing the justification for his reported proposal to amalgamate the Equality Authority, the Human Rights Commission and the Data Protection Commissioner; and if any research concluded or evidence gathered by his Department suggests their human rights work would be enhanced by virtue of an amalgamation. [29563/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** In the current economic climate, it is incumbent on the State to ensure that the citizen is provided with services that give value for money and that are effective and efficient. This is particularly the case in relation to the large number of non-commercial State agencies now in existence.

In the context of the ongoing expenditure reviews and the 2009 estimates process, all Departments are looking at the possibility to rationalise their non-commercial agencies in order to deliver savings in 2009.

It is equally important to ensure that agency functions do not overlap, that there is effective and ongoing communication between these bodies and that the opportunity for synergies, including the sharing of corporate service functions, are availed of to the fullest degree possible. Moreover the Government is anxious to ensure that in delivering public services, state agencies avoid the risk of confusing customers by overlap of functions or roles.

The bodies mentioned by the Deputy are included in that analysis and will be subject to critical evaluation based on these principles. However, I can assure the Deputy that any solution arrived at will in no way dilute the level of services provided to the public in the areas of human rights, equality and data protection.

769. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the State agencies related to his Department. [29564/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I wish to refer the Deputy to the response to Parliamentary Questions number 471 & 472 of 2 October, 2007 which contains details of the agencies and other bodies under the remit of my Department including information concerning budgets, staff numbers, date of establishment, etc. I can also refer the Deputy to my Department's website [www.justice.ie](http://www.justice.ie) which incorporates an organisation chart at <http://www.justice.ie/en/JELR/Pages/Organisation> chart setting out in summary the main associated bodies under the aegis of my Department.

### **Citizenship Applications.**

770. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform when an application for citizenship will be decided in respect of a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [29585/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** An application for a Certificate of Naturalisation for the person referred to in the Deputy's Question was received in the Citizenship Section of my Department in February 2005.

Officials in that section inform me that processing of the application has commenced and the file will be forwarded to me for a decision in the coming months.

### **Residency Permits.**

771. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform when an application for long term residency will be decided in respect of a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [29589/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I would refer the Deputy to my reply to Parliamentary Question No. 171 of 22 November 2007. The position in relation to granting long term residency is as follows: persons who have been legally resident in the State for over five years on the basis of work permit/work authorisation/work visa conditions may apply to the Immigration Division of my Department for a five year residency extension. In that context they may also apply to be exempt from employment permit requirements.

The dependants of the aforementioned, who have been legally resident in the State for over five years may also apply for long term residency. This particular long term permission does not grant an exemption from employment permit requirements to any such dependants.

Time spent in the State on student conditions cannot be counted towards long term residency.

While applications for long term residency are under consideration, the person concerned should ensure that their permission to remain in the State is kept up to date.

An application for long term residency from the person referred to by the Deputy was received in January 2007. I understand that applications received in that month are currently being dealt with. As soon as a decision is made on the case, the person concerned will be notified.

772. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform when an application for long term residency will be decided in respect of a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [29590/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The position in relation to granting long term residency is as follows: persons who have been legally resident in the State for over five years on the basis of work permit/work authorisation/work visa conditions may apply to the Immigration Division of my Department for a five year residency extension. In that context they may also apply to be exempt from employment permit requirements.

The dependants of the aforementioned, who have been legally resident in the State for over five years may also apply for long term residency. This particular long term permission does not grant an exemption from employment permit requirements to any such dependants.

Time spent in the State on student conditions cannot be counted towards long term residency.

While applications for long term residency are under consideration, the person concerned should ensure that their permission to remain in the State is kept up to date.

An application for long term residency from the person referred to by the Deputy was received in December 2006. A letter was sent to the applicant on 29/07/2008 requesting further documents in order to progress his application. As soon as a decision is made in his case, the person concerned will be notified.

### Asylum Support Services.

773. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the number of accommodation centres for asylum seekers in the Dublin Central Constituency; the number accommodated in each premises; the funding each centre received from the State in the last financial year; the number of years that each centre has been in operation; and if he will make a statement on the matter. [29599/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am advised by the Reception and Integration Agency of my Department that there are three asylum seeker accommodation centres located in the Dublin Central constituency:

Centre	Capacity	Date Opened
14 Gardiner Place, Dublin 1	34	13/03/2000
10 North Frederick St., Dublin 1	33	12/04/2000
Georgian Court Guesthouse, 77-79 Lwr Gardiner St., Dublin 1	110	25/01/2005

The RIA endeavours to achieve the best value for money in relation to its contracts, in respect of which negotiations can take place with a number of commercial entities. It is not in the interests of the taxpayer that details of individual and current contracts are made known both to the public and to other parties who are, or may be in the future, engaged in negotiations with the RIA and I am therefore unable to provide this information. I can however, indicate to you that the current average costs for accommodation of asylum seekers are €213.78 (direct provision) and €153.23 (self catering) per person per week.

### Sentencing Policy.

774. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the number of drug offences which came before the Courts in 2006 and 2007; the number of cases in which the mandatory minimum sentence could have been imposed; the number of cases in which it was imposed; and if he will make a statement on the matter. [29600/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I assume the information sought by the Deputy refers to cases before the Courts under section 15 of the Misuse of Drugs Act 1977.

According to figures made available to me from the Courts Service, returns for the Circuit Court for 2007 and 2006 show the following in relation to Section 15 of the Misuse of Drugs Act.

In 2006 there were 83 convictions and in 9 cases a sentence of 10 years or more was imposed and in 2007 there were 99 convictions and in 22 cases a sentence of 10 years or more was imposed.



[Deputy Dermot Ahern.]

Section 27 of the Misuse of Drugs Act 1977 (as amended by the Criminal Justice Acts 1999 and 2006), provides for mandatory minimum sentence of not less than 10 years imprisonment for individuals convicted of a first offence under section 15A (possession of drugs with a value of at least €13,000 for sale or supply) or 15B (importation of drugs with a value of at least €13,000) of that Act.

The mandatory minimum sentence, or to give it its more correct name, presumptive minimum sentence, is to be imposed in all cases save for those with very specific and exceptional mitigating factors.

Where an individual is convicted of a second or subsequent offence under sections 15A and/or 15B a court has no discretion and must always impose a sentence of not less than the mandatory minimum sentence of 10 years. The maximum sentence available for section 15A and 15B offences is life imprisonment.

Having regard to concern about the degree to which the presumptive minimum sentence was being imposed, notwithstanding the amendments introduced by the Criminal Justice Act 2006, section 33 of the Criminal Justice Act 2007 further amended section 27 of the 1977 Act in order to insert an interpretation clause.

The provision emphasises that a decision to depart from the presumptive minimum sentence must be based on the presence of individual and extraordinary reasons as to why the interest of justice would not be served by imposition of a sentence of not less than 10 years.

Referring to the damaging effects of drug related crime on Irish society the provision states that a court must, as a general principle, always impose the mandatory minimum sentence on persons convicted of an offence under sections 15A and 15B.

It is too early at this stage to come to any conclusions as to the impact of the provisions contained in the Criminal Justice Acts 2006 and 2007 which deal with this matter.

### **Crime Statistics.**

775. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform if he will provide the information promised in the reply to Parliamentary Question No. 426 of 27 June 2006; the reason for the delay in providing this information; and if he will make a statement on the matter. [29602/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I regret that a definitive response did not issue arising from the Deputy's previous Question (which arose against the background of transfer of responsibility for provision of information of the kind requested).

The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office, as the national statistical agency, and the CSO has established a dedicated unit for this purpose.

I have requested the CSO to provide the statistics sought by the Deputy directly to him.

### **Asylum Support Services.**

776. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the number of asylum seekers accommodated in direct provision; the number accommodated in

each year since direct provision was introduced; the length of time each asylum seeker has spent in direct provision; and if he will make a statement on the matter. [29636/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** 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 table below indicates the monthly numbers of asylum seekers accommodated since 1st January, 2001 and the duration of stay by applicants on 31st August, 2008.

End of month occupancy for 2001 to 2008

	2001	2002	2003	2004	2005	2006	2007	2008
January	3,757	4,715	4,236	6,263	6,962	4,894	5,608	6,675
February	3,843	4,598	4,097	6,292	7,254	4,892	5,711	6,695
March	3,876	4,735	4,233	6,369	7,937	4,889	5,822	6,759
April	3,938	4,673	4,304	6,393	8,080	4,868	5,830	6,850
May	4,026	4,451	4,457	6,364	8,008	4,868	5,971	6,919
June	4,105	4,410	4,994	6,324	7,713	4,872	6,119	6,859
July	4,235	4,275	5,186	6,333	7,113	4,866	6,259	6,845
August	4,353	4,227	5,362	6,309	6,460	4,970	6,338	6,887
September	4,415	4,403	5,593	6,486	5,983	5,184	6,331	6,854*
October	4,469	4,273	5,838	6,478	5,641	5,294	6,366	
November	4,588	4,285	5,926	6,489	5,177	5,350	6,491	
December	4,733	4,316	6,081	6,785	5,042	5,489	6,625	
Total	50,338	53,361	60,307	76,885	81,370	60,436	73,471	54,489
Average	4,194	4,446	5,026	6,307	6,781	5,036	6,123	6,792

\*On 14th September.

Between 10th April 2000 and 31 December 2000 the number of asylum seekers accommodated by RIA (then known as the Directorate for Asylum Support Services — DASS) was 7,481. This figure does not represent the total number accommodated at any one time. Rather, it is the total number of individuals who arrived and stayed in DASS accommodation for whatever length of time during the period in question. The present monthly recording system was not in place at that time.

Duration of stay by Applicants in Direct Provision at 31st August 2008

0-3 mths	3-6 mths	6-9 mths	9-12 mths	12-18 mths	18-24 mths	24-36 mths	Over 36 mths
693	582	459	494	807	808	1,307	1,806

### Asylum Applications.

777. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the status of the application for leave to remain here in respect of a person (details supplied) in County Dublin; when a decision will be made; and if he will make a statement on the matter. [29637/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 412 of Tuesday 26 February 2008 and the written Reply to that Question.

The person concerned applied for asylum on 26 August 2005. His asylum application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 29 December 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.

#### **Criminal Assets Bureau.**

778. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the amount of money that has been seized by the Criminal Assets Bureau in each year since its establishment in 1996 to date in 2008; the amount of money seized and still frozen; the amount of money seized and released; the use to which the money has been put; and if he will make a statement on the matter. [29638/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Criminal Assets Bureau has been at the forefront of the fight against organised crime, including drug trafficking, in this jurisdiction since its inception in 1996. The significant successes that the Bureau continues to achieve by its operations demonstrates the effectiveness of its approach in pursuing illegally gotten gains.

The manner in which the Bureau operates has, in the eleven-year period of its existence, come to be viewed, both domestically and internationally, as a very successful model for targeting persons seeking to derive profits from criminal activities.

Details of the activities of the Criminal Assets Bureau since its establishment in 1996 are contained in the Annual Reports of the Bureau which are submitted to the Minister for Justice, Equality and Law Reform. The most recently published report is for the year 2006.

These reports are quite comprehensive and include details of the number of cases commenced, assets frozen and monies returned to the Exchequer under the Proceeds of Crime Acts, 1996 and 2005, and monies collected under the Revenue and Social Welfare Acts. Copies of the reports are available in the Oireachtas library.

All funds collected by the Criminal Assets Bureau are forwarded, either directly or through the Revenue Commissioners/Department of Social and Family Affairs, to the Central Exchequer Fund under the remit of the Department of Finance and are allocated accordingly as approved by Dáil Éireann through the normal Estimates process.

I am informed by the Garda authorities that the following table identifies the value of assets secured/restrained/frozen under Section 2 Interim Orders, Section 3 Interlocutory Orders and Section 16(b) Corrupt Enrichment Orders of the Proceeds of Crime Act, 1996 and 2005 (as

amended) until 31 December, 2007. Figures in relation to 2008 will be included in the CAB Annual Report for that year.

Monies Secured by CAB from 1996 to 2007

	Section 2 Interim Orders	Section 3 Interlocutory Orders	Section 4 and 4A
1996	£2,101,000	£2,048,000	
1997	£2,334,680	£1,496,180	
1998	£1,682,544.65	£1,091,412.62	
1999	£1,500,000	£813,659	
2000	£838,536 Stg£52,230.00	£1,641,215	
2001	£1,872,654.72 (€2,377,781.00) Stg£491,114.09	£1,342,951.10 (€1,705,196.15) Stg£279,635.70	
Total 1996-2001	IR£10,329,415.37	IR£8,433,417.72	
<i>Euro Equivilant</i>	€13,115,652.02	€10,708,231.61	
2002	€3,709,086 Stg£17,802,004.00 US\$5,558,377.00	€2,504,669 Stg£ 1,993,094.00 US\$ 5,247,821.00	
2003	€3,045,842 Stg£12,150.00	€71,699 Stg£557,070.00	
2004	€1,027,152.18 Stg£6,115	€1,688,651.63 Stg£375.00	€275,875.43
2005	€5,860,335 US\$314,619.54	€1,200,525.57 Stg£26,760 US\$130,000	€2,002,738.41
2006	€2,836,479.97 Stg£ 294, 289.39	€726,350.94	€2,459,864.79
*2007	€9,804,193.14 Stg30,690.00	€9,848,432.84	€1,435,340.59
Total 1996-2007	€39,398,740.31 Stg£18,688,592.48 US\$5,872,996.54	€26,748,560.59 Stg£2,856,934.70 US\$5,377,821.00	€6,173,819.22

\*2007 is the last year for which figures are available and these are provisional pending publication of the 2007 CAB Annual Report.

### Bench Warrants.

779. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the number of bench warrants and committal warrants which were executed during each month in 2006 and each month in 2007; and if he will make a statement on the matter. [29639/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that the following table shows the number of bench and committal warrants recorded on PULSE as executed for each month in 2006 and 2007.

[Deputy Dermot Ahern.]

## Bench and Committal Warrants Executed

	2006		2007	
	Bench	Committal	Bench	Committal
January	1,814	154	2,037	139
February	1,665	104	1,682	140
March	1,902	198	1,850	155
April	1,603	155	1,562	150
May	2,027	148	1,794	146
June	1,892	137	1,653	135
July	1,837	96	1,706	135
August	1,102	134	1,085	88
September	1,732	120	1,524	128
October	2,078	140	1,999	167
November	2,135	125	1,805	169
December	1,502	84	1,473	93

I am further informed that, as a result of a number of targeted initiatives by Divisional Officers during 2008 in conjunction with the Courts Service and the Irish Prison Service, an increased number of warrants (16,867) have been executed during the period January to August 2008.

**Crime Statistics.**

780. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform if statistics exist on the number of offences committed by persons on bail; if so, the number and category of such offences; and if he will make a statement on the matter. [29640/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office, as the national statistical agency, and the CSO has established a dedicated unit for this purpose.

I have requested the CSO to provide the statistics sought by the Deputy directly to him.

**Community Policing.**

781. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will assist on a matter (details supplied). [29688/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that the area referred to is in Raheny Garda Sub-district. Members of the local Community Policing Unit allocated to this area liaise with the local community providing crime prevention and security advice.

One of the actions identified in the Garda Policing Plan 2008 is to address and target the types of offences referred to by the Deputy. These types of crime are thoroughly investigated by the Garda authorities, and every effort is made to identify the perpetrators and initiate criminal proceedings for any offences committed. A member of the local Community Policing Unit calls to the injured party in such incidents and offers crime prevention and personal security advice. The Neighbourhood Watch Handbook, which is disseminated through Community Policing Units and Neighbourhood Watch, offers advice to residents who may be vul-

nerable to these types of crime and encourages vigilance on their part when dealing with persons calling to their homes.

### **Consultancy Contracts.**

782. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform if a company (details supplied) has been awarded contracts by his Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if he will make a statement on the matter. [29715/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I wish to inform the Deputy that my Department has no record of having awarded contracts to Poster Plan Limited.

### **Garda Recruitment.**

783. **Deputy Michael D'Arcy** asked the Minister for Justice, Equality and Law Reform the amount that has been spent on advertising in respect of Garda recruitment in the past year; and if he will make a statement on the matter. [29742/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda Authorities that a total of €479,149 was incurred by An Garda Síochána during the past 12 months (1/9/07 to 31/08/08) on advertising. This figure covers all advertising costs incurred, including recruitment costs relating to full-time posts within An Garda Síochána as well as Garda Reserve appointments which together make up the majority of Garda expenditure on advertising.

Separate figures for advertising on recruitment only are not readily available and could only be obtained with the expenditure of an inordinate amount of Garda time and resources.

### **Liquor Licensing Laws.**

784. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform when each section of the Intoxicating Liquor Act 2008 was enacted; and if he will make a statement on the matter. [29758/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The provisions of the Intoxicating Liquor Act 2008 entered into force on 30 July 2008 with the exception of section 9 (structural separation in mixed trading premises) and part of section 14 (test purchasing of intoxicating liquor).

As regards structural separation, I indicated when introducing the Bill that I would be prepared to postpone implementation of section 9 if agreement could be reached with the mixed trading sector on a voluntary Code of Practice which would achieve the objectives of structural separation and on condition that compliance would be subject to independent audit and verification. Consultations between my Department and the sector are at an advanced stage and I am hopeful that agreement can be reached on the content of the Code in the near future.

As regards test purchasing, the position is that section 14 provides for guidelines in respect of necessary procedures to be drawn up following consultation with the Garda Commissioner and the Minister for Health and Children. A Working Group involving my Department and representatives of the Department of Health and Children and the Garda Síochána are developing these guidelines.

Regulations are required in order to give practical effect to section 16 of the Act. Work has commenced on the drafting of regulations which will be submitted to the European Commission for approval under the terms of the EU Standards Directive.



### **Prisoner Transfers.**

785. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if a request by a person (details supplied) in County Kildare will be facilitated; and if he will make a statement on the matter. [29774/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I wish to advise the Deputy that my Department has not as yet received a formal application for a transfer to this country in respect of this person from the United Kingdom authorities. My officials have contacted the UK authorities regarding this matter and they have stated that they have not received an application from the person concerned either. I would advise that the person concerned should apply for a transfer via her Prison Governor in the United Kingdom.

The Council of Europe Convention on the Transfer of Sentenced Persons requires extensive documentation to be exchanged between both jurisdictions in order to allow an application to be fully considered. A three way consent is also required to enable any transfer to take place, i.e., from the authorities of both jurisdictions and from the person concerned. On receipt of those consents (assuming they will be forthcoming), an application must then be made to the High Court for a warrant authorising the transfer of the person concerned and their continued detention here.

These procedures are required under the Convention and the Transfer of Sentenced Persons Act, 1995, and must be adhered to in processing each application.

### **Residency Permits.**

786. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of persons (details supplied) in County Meath; and if he will make a statement on the matter. [29775/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** With regard to the first named person, it is not the practice to comment in detail on individual asylum applications.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

With regard to the second named person and her child (the third named person), in accordance with Section 3 of the Immigration Act 1999 (as amended), the person was informed, by letter dated 22 April 2008, that the Minister proposed to make deportation orders in respect of her and her child. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of deportation orders or of making representations to the Minister setting out the reasons why she and her child should be allowed to remain temporarily in the State. In addition, she was notified of her entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The second named person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the second named person will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the second named person, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person is passed to me for decision.

With regard to the fourth named person, in accordance with Section 3 of the Immigration Act 1999 (as amended), she was informed, by letter dated 27 June 2007, through her guardian, that the Minister proposed to make a deportation order in respect of her. She was given the options, to be exercised within 15 working days, of 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 she should be allowed to remain temporarily in the State. No representations have been submitted on her behalf to date.

The case file of the fourth named person will be 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.

### **Asylum Applications.**

787. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the status of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [29776/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question Nos. 836 of Thursday 10 July 2008 and 204 of Thursday 28 February 2008 and the written Replies to those Questions.

The person concerned applied for asylum on 13 January 2004. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 27 October 2005, re-issued on 17 November 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 before the file is passed to me for decision. In the event that the Subsidiary Protection application is refused, the case file of the second named person, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person is passed to me for decision.

With regard to the fourth named person, in accordance with Section 3 of the Immigration Act 1999 (as amended), she was informed, by letter dated 27 June 2007, through her guardian, that the Minister proposed to make a deportation order in respect of her. She was given the options, to be exercised within 15 working days, of 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 she should be allowed to remain temporarily in the State. No representations have been submitted on her behalf to date.

[Deputy Dermot Ahern.]

The case file of the fourth named person will be 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.

### **Residency Permits.**

788. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [29777/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 226 of Thursday 24 April 2008 and the written Reply to that Question.

The person concerned applied for asylum on 13 January 2003. 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 24 November 2004, 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 before the file is passed to me for decision. In the event that the Subsidiary Protection application is refused, the case file of the second named person, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person is passed to me for decision.

With regard to the fourth named person, in accordance with Section 3 of the Immigration Act 1999 (as amended), she was informed, by letter dated 27 June 2007, through her guardian, that the Minister proposed to make a deportation order in respect of her. She was given the options, to be exercised within 15 working days, of 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 she should be allowed to remain temporarily in the State. No representations have been submitted on her behalf to date.

The case file of the fourth named person will be 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.

### **Asylum Applications.**

789. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected position in relation to an application for asylum in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [29778/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** he person concerned applied for asylum on 7 August 2002. 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 28 May 2004, 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 were received from the person concerned.

The person concerned has also submitted an application for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006) and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the file is passed to me for decision.

### **Citizenship Applications.**

790. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for naturalisation in the case of a person (details supplied) in Dublin 7; if extended residency status will be offered to the person; and if he will make a statement on the matter. [29779/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** An application for a Certificate of Naturalisation from the person concerned, was received in the Citizenship Section of my Department on 8 June 2004, that was refused by my predecessor. The reason for the refusal was disclosed to the applicant in a letter dated 23 July 2008 that was sent to his previous address and a further letter was issued to the address supplied by the Deputy on the 8 September 2008. There is no appeals process under the Irish Nationality and Citizenship Act 1956, as amended.

It is open to the person in question to lodge a new application if and when he is in a position to satisfy the statutory requirements applicable at that time. However, in doing so he should bear in mind the reasons for refusal of his previous application.

The person in question has permission to remain in the State until February 2009. This permission will be reviewed at that time.

### **Deportation Orders.**

791. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if he will review the issues in respect of deportation in the case of a person (details supplied) in County Meath; if he will grant extended residency in this regard; and if he will make a statement on the matter. [29780/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned arrived in the State on 18 June 2003 on foot of a Work Permit, valid from 12 May 2003 to 11 May 2004. This Work Permit was not subsequently renewed. The person concerned then applied for asylum, on 6 April 2005. Her application was refused following consideration of

[Deputy Dermot Ahern.]

her 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 12 February 2008, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of 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 she should be allowed to remain temporarily in the State. In addition, she was notified of her entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned did not submit an application for Subsidiary Protection in the State. Neither did she submit representations in support of an application to be allowed to remain temporarily in the State at that time. Following consideration of her case, 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, a Deportation Order was signed in respect of the person concerned on 9 July 2008. Notice of this Order was served by registered letter dated 24 July 2008 requiring the person concerned to present herself to the Garda National Immigration Bureau (GNIB) on 12 August 2008 in order to make travel arrangements for her deportation from the State.

On 1 August 2008 the legal representative of the person concerned advised my Department that they had, on their client's behalf, lodged an application for Subsidiary Protection in the State and had also lodged representations in support of an application for leave to remain in the State. They contended that these applications did not appear to have been considered by the Minister when making his decision to sign the Deportation Order. Arising from this claim, they were seeking an undertaking that the Deportation Order not be enforced pending the consideration of such documentation. In response, my Department advised the legal representative of the person concerned that there was no record of an application for Subsidiary Protection in the State having been received or of representations having been submitted in support of an application for leave to remain in the State. However, as an exceptional measure, my Department agreed to allow a further period of ten working days within which such documentation could be lodged. This position was made known by my Department's letter dated 5 August 2008.

An application for Subsidiary Protection in the State and representations in support of an application for leave to remain in the State have since been submitted on behalf of the person concerned. Given that the person concerned is the subject of a Deportation Order, the application for Subsidiary Protection in the State is deemed to be an application under Regulation 4(2) of the European Communities (Eligibility for Protection) Regulations, 2006 i.e. a formal request that the Minister exercise his discretion to facilitate the consideration of an application for Subsidiary Protection in the State. This request is under consideration at present. When a decision on this request has been made, this will be notified in writing to the person concerned and her legal representative. In the event that the Regulation 4 (2) request is approved, my Department will then proceed to consider the substantive application for Subsidiary Protection in the State.

Additionally, in light of the status of the person concerned as a person subject to a Deportation Order, the representations lodged in support of an application for leave to remain in the State will be treated as an application to have the Deportation Order revoked, pursuant to the provisions of Section 3(11) of the Immigration Act, 1999 (as amended). This application will be considered after the Subsidiary Protection issues referred to earlier have been dealt with.



Pending the consideration of the Subsidiary Protection issues and the Section 3 (11) application, the existing Deportation Order will not be enforced.

### **Asylum Applications.**

792. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [29781/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 3 August 2006. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 30 March 2007, 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. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the file is passed to me for decision.

793. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of persons (details supplied) in County Dublin. [29782/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The first named person concerned applied for asylum on 23 November 2005. 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 first named person concerned was informed, by letter dated 22 November 2007, 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 received from the first named person concerned.

The first named person concerned has also submitted an application for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006) and this application is under consideration at present. When consideration of this application has been completed, the first named person concerned will be notified in writing of the outcome.



[Deputy Dermot Ahern.]

In the event that the Subsidiary Protection application is refused, the case file of the first named person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed the case file of the first named person concerned is passed to me for decision.

The Deputy might wish to note that, separately, the first named person concerned applied for permission to remain in the State on the basis of his being the parent of an Irish citizen child, born in the State before 1 January 2005, in accordance with the provisions of the IBC/05 Scheme. However, as this application was received on 22 December 2005, long after the Scheme's 31 March 2005 closing date, the application was refused. The first named person concerned was notified of this refusal decision by letter dated 9 January 2006.

The second named person concerned has been granted Leave to Remain in the State for a three year period to 12 August 2011. This decision was conveyed in writing to the second named person concerned by letter dated 12 August 2008.

794. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of persons (details supplied) in County Meath; and if he will make a statement on the matter. [29783/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The first named person concerned applied for asylum on 8 September 2003. 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 first named person concerned was informed, by letter dated 17 August 2004, 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 were submitted on behalf of the first named person concerned at that time.

The second named person concerned applied for asylum on 23 June 2003, on behalf of herself and her infant son. Her application was refused following consideration of her 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 second named person concerned was informed, by letter dated 29 June 2004, that the Minister proposed to make Deportation Orders in respect of her and her son. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of Deportation Orders or of making representations to the Minister setting out the reasons why she and her son should be allowed to remain temporarily in the State. Representations were submitted on behalf of the second named person concerned at that time.

Following the individual consideration of their cases under Section 3 of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement, as an exceptional measure and subject to certain stated conditions, both of the persons concerned, and their child, were granted temporary leave to remain in the State for a one year period until 31 July 2009. The persons concerned were notified of these decisions by separate letters dated 31 July 2008.

### Refugee Status.

795. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for family reunification for persons (details supplied) in County Kildare; and if he will make a statement on the matter. [29784/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration division of my Department that the person in question made a Family Reunification Application in March 2007.

The application was forwarded to the Office of the Refugee Applications Commissioner for investigation as required under Section 18 of the Refugee Act 1996. This investigation is completed and the Commissioner forwarded a report to my Department in January 2006.

A decision was made on the applicant's Family Reunification application and issued to the applicant's legal representative on 2 September 2008.

### Asylum Applications.

796. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [29785/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 22 January 2007. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 14 September 2007, 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. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and, following consideration of this application, it was determined that the person concerned was not eligible for Subsidiary Protection in the State. The person concerned was notified of this decision by letter dated 26 June 2008.

Representations in support of an application for leave to remain in the State have been submitted on behalf of the person concerned and these will be fully considered before the file is passed to me for decision.

797. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of persons (details supplied) in County Cork; and if he will make a statement on the matter. [29786/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The first named person applied for asylum on 11 April 2006. 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.

[Deputy Dermot Ahern.]

Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 30 November 2007, 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. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and, following consideration of this application, it was determined that the person concerned was not eligible for Subsidiary Protection in the State. The person concerned was notified of this decision by letter dated 3 June 2008.

Representations in support of an application for leave to remain in the State have been submitted on behalf of the first named person and these will be fully considered before the file is passed to me for decision.

The second named person concerned has been granted permission to remain in the State under the IBC/05 Scheme. This permission was for an initial two year period and was later extended for a further three years, to 6 July 2010. She is the mother of the third named person concerned who is an Irish citizen.

798. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [29787/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned was granted permission to remain in the State under the IBC/05 Scheme. This permission was subsequently revoked due to matters coming to the attention of my Department which concluded that the person concerned did not meet the criteria of that scheme.

On 7 August 2008 the person concerned was invited, by registered post, to make representations under Section 3 of the Immigration Act, 1999 as to why he should not be deported from the State. This letter was sent to the address provided in the details supplied with this Question but has been returned undelivered to the Department. If the Deputy is in a position to provide my Department with a current address for the person concerned, I will arrange for the re-issue of this letter.

799. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the residency status in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29788/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person in question was refused permission to remain in the State under the revised arrangements for the non-EEA parents of children born in Ireland prior to 1st January, 2005, known as the IBC/05 Scheme, as he did not meet the criteria of the scheme.

The person concerned has been invited to make further representations under Section 3 of the Immigration Act, 1999, as to why he should be permitted to remain in the State and my Department has requested a report from an Garda Síochána in this regard. When the Garda Report has been received the person's application will be examined and he will be informed of the outcome in due course.

800. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position on an application for family reunification in respect of a person (details supplied) in Dublin 2; and if he will make a statement on the matter. [29789/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that the person in question made a Family Reunification application in February 2003 and a decision was issued to the applicant in May 2005 informing them that this application had been refused.

Further correspondence was received from the person in question in August 2007 and the application is currently being examined by the Family Reunification section of my Department.

#### **Residency Permits.**

801. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if extended residency will be offered to a person (details supplied) in County Louth; and if he will make a statement on the matter. [29790/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned has been granted Leave to Remain in the State for a three month period until 16 October 2008. This decision was conveyed in writing to the person concerned by letter dated 16 July 2008. This communication advised the person concerned of the conditions attaching to this permission, the registration process involved and the means by which renewal of such permission can be sought.

#### **Asylum Applications.**

802. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position on an application for family reunification in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [29791/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to my previous answer to Parliamentary Question numbers 178 of 1 May 2008, 164 of 19 June 2008 and 169 of 26 June 2008.

I am informed by the Immigration Division of my Department that the person in question was granted permission to remain in the State under the Family Reunification Scheme. The person in question did not seek to renew her permission to remain status prior to its expiration.

The onus is on the person in question to ensure that her registration details are kept up to date at all times and maintained satisfactorily and in accordance with the instructions provided by my Department at the time of her initial registration.

However, in order to assist the person in question, the Immigration Division of my Department contacted the person concerned on 26 June 2008 and provided her with details of how she could renew her permission to remain.

803. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position on an application for naturalisation or residency in the case of a person (details supplied) in County Cork. [29792/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 3 September 2003. 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.

[Deputy Dermot Ahern.]

Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 30 January 2006, 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 before the file is passed to me for decision.

804. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [29793/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal, which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

While it is not the practice to comment in detail on individual asylum applications, I would point out to the Deputy that delays in finalising cases can occur for a variety of reasons, including giving applicants and appellants the fullest opportunity possible to present their cases and the determination of Judicial Review proceedings, where appellants pursue such a course of action.

Where the latter is relevant, the time taken to discharge any proceedings is a matter for the Courts and is not something that I, as Minister, can comment on. It is, of course, open to the applicant or the appellant to withdraw any Judicial Review proceedings which they may have instigated and this would allow for their appeal to be processed in the normal manner.

805. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [29794/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 21 June 2006. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 20 April 2007, 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. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.



In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the file is passed to me for decision.

806. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Mayo; and if he will make a statement on the matter. [29795/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

807. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [29796/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal, which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

While it is not the practice to comment in detail on individual asylum applications, I would point out to the Deputy that delays in finalising cases can occur for a variety of reasons, including giving applicants and appellants the fullest opportunity possible to present their cases and the determination of Judicial Review proceedings, where appellants pursue such a course of action.

Where the latter is relevant, the time taken to discharge any proceedings is a matter for the Courts and is not something that I, as Minister, can comment on. It is, of course, open to the applicant or the appellant to withdraw any Judicial Review proceedings which they may have instigated and this would allow for their appeal to be processed in the normal manner.

808. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if permission to remain in the State on humanitarian grounds will be offered to persons (details supplied) in County Clare; and if he will make a statement on the matter. [29797/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The persons concerned are a husband and wife and their three children.

The first named person concerned entered the State with one of his daughters and claimed asylum in the State on 29 December 2004. They were refused asylum, following the consideration of their claims by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal.



[Deputy Dermot Ahern.]

Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), they were informed, by letter dated 12 September 2005, that the Minister proposed to make Deportation Orders in respect of them. They were given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of Deportation Orders or of making representations to the Minister setting out the reasons why they should be allowed to remain temporarily in the State. Representations were received on their behalf.

Following consideration of their case under Section 3 of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act, 1996 (as amended) on the prohibition of refoulement, the Minister signed Deportation Orders in respect of the first named person concerned and his daughter on 22 March 2006. These Deportation Orders were formally served by letter dated 24 March 2006.

On the 10 May 2006, an application was made on behalf of the daughter of the first named person concerned requesting that she be re-admitted to the asylum process in accordance with the provisions of Section 17(7) of the Refugee Act, 1996 (as amended). Following consideration of this application, the application was refused and this decision was conveyed by letter dated 4 September 2006. The first named person concerned and his aforementioned daughter remain the subjects of Deportation Orders.

The second named person concerned claimed asylum in the State on 23 December 2004. Her application was refused following the consideration of her claim 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 second named person concerned was informed, by letter dated 20 May 2008, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of 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 she should be allowed to remain temporarily in the State. In addition, she was notified of her entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006).

The second named person concerned has submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the second named person concerned will be notified in writing of the outcome. In the event that the Subsidiary Protection application is refused, her case file, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

The couple's other two children have lodged separate asylum applications. It is not the practice to comment in detail on individual asylum applications where a final decision has not been made.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

809. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding the residency status in the case of a person (details supplied) in County Tipperary; if extension of residency will be offered to the person; and if he will make a statement on the matter. [29798/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 19 September 2005. Her application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, 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 26 February 2007, that the Minister proposed to make a deportation order in respect of her. She was given the options, to be exercised within 15 working days, of 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 she should be allowed to remain temporarily in the State. In addition, she was notified of her entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned passed to me for decision.

#### **Residency Permits.**

810. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position of residency status in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29799/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am pleased to inform the Deputy that the person concerned has been granted renewal of his permission to remain in the State under the IBC/05 scheme. The permission granted is currently valid until 4 October, 2010.

#### **Asylum Applications.**

811. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if he will grant indefinite residency status in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29800/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and

[Deputy Dermot Ahern.]

the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

### **Citizenship Applications.**

812. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the steps required to meet the residency requirements in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29801/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** 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 and my predecessor decided to refuse the application. A letter informing the applicant of the reasons for refusal was issued on 2 April, 2008. It is open to the individual concerned to lodge a new application at any time however, in doing so, she should bear in mind the reasons for refusal of her previous application.

### **Residency Permits.**

813. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform when a stamp four card will re-issue to a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [29802/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned has been granted Leave to Remain in the State for a three year period, to 1 July 2011. This decision was conveyed in writing to the person concerned by letter dated 1 July 2008. This communication advised the person concerned of the conditions attaching to this permission and of the registration process involved which is to present himself at the Offices of the Garda National Immigration Bureau (GNIB), 13-14 Burgh Quay, Dublin 2 where, upon presentation of appropriate identification documentation and payment of the relevant registration fee, this registration process is completed.

### **Asylum Applications.**

814. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Galway; and if he will make a statement on the matter. [29804/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 8 July 2005. 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 18 August 2008, 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. In addition, he was notified of his entitlement to

apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). To date no response has been received in my Department to this letter.

### **Citizenship Applications.**

815. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status of an application for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29805/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** 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 June 2007.

Officials in that Section are currently processing applications received in April 2006. All applications are dealt with in chronological order as this is deemed to be the fairest to all applicants. The current processing time for applications is approximately 28 months.

816. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in regard to an application for naturalisation in the case of a person (details supplied) in Dublin 24 who has resided here since 1998; and if he will make a statement on the matter. [29806/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** An application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Section of my Department on 5 March 2003.

On examination of the application it was determined that the person concerned did not satisfy the residency requirements as set out in the Irish Nationality and Citizenship Act 1956, as amended. A letter informing the applicant of this was issued on 10 February 2005.

It is open to the individual in question to lodge a new application if and when he is in a position to meet the statutory residency requirement applicable at that time.

### **Asylum Applications.**

817. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [29807/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 27 November 2002. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 20 September 2004, 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 before the file is passed to me for decision.

818. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [29808/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 29 January 2002. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 13 June 2003, 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 before the file is passed to me for decision.

819. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 7 who arrived here as a minor; and if he will make a statement on the matter. [29809/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 163 of Thursday 29 May 2008 and the written Reply to that Question.

The person concerned applied for asylum on 30 October 2002. 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 27 August 2004, 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 before the file is passed to me for decision.

### **Residency Permits.**

820. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [29810/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned was refused permission to remain in the State under the revised arrangements for the non-EEA parents of children born in Ireland prior to 1st January, 2005, known as the IBC/05 Scheme, as he did not meet the criteria of the scheme.

The person concerned has been advised that the Deportation Order made in respect of him on 21/1/2005 has been revoked and he has been invited to make further representations under section 3 of the Immigration Act 1999 as to why he should be allowed to remain in the State. Any representations received in this regard will be considered and the person will be notified of the outcome in due course.



*Question No. 821 answered with Question No. 732.*

### **Asylum Applications.**

822. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [29812/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 829 of Thursday 10 July 2008 and the written Reply to that Question.

The person concerned arrived in the State on 23 December 2006 and applied for asylum on 6 June 2007. Her application was refused following consideration of her 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 12 March 2008, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of 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 she should be allowed to remain temporarily in the State. In addition, she was notified of her entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and, following consideration of this application, it was determined that the person concerned was not eligible for Subsidiary Protection in the State. The person concerned was notified of this decision by letter dated 1 July 2008.

Her case was examined 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. Consideration was given to representations submitted on her behalf for permission to remain in the State. On 14 August 2008 I refused permission to remain temporarily in the State and accordingly signed a Deportation Order in respect of her. Notice of this order was served by registered post requiring the person concerned to present herself at the Garda National Immigration Bureau (GNIB), 13-14 Burgh Quay, Dublin 2 on 12 November 2008 in order to make travel arrangements for her deportation from the State. However, in consultation with my officials, I have decided to allow the person concerned to remain in the State until her Leaving Certificate examinations have concluded in 2009. My officials have informed the GNIB of my decision in this matter and the Bureau has agreed to postpone the enforcement of the Deportation Order will be postponed for the period specified.

### **Citizenship Applications.**

823. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position on an application for naturalisation in the case of a person (details supplied) in Dublin 6; and if he will make a statement on the matter. [29813/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** An application for a Certificate of Naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Section of my Department in March 2008.

Officials in that Section inform me that having checked the application submitted by the person in question the Statutory Declaration was not completed correctly and it was returned



[Deputy Dermot Ahern.]

to the applicant on 20 March, 2008. A reminder letter was issued on 7 May, 2008 and a 21 day letter issued on 16 June, 2008 informing the applicant that if no response was received within 21 days his file would be put away. To date no response has been received.

I am informed that there is a note a discrepancy between the address provided by the Deputy and the address my Department holds on file, please note that it is the responsibility of the applicant to keep my Department informed of any change in address.

824. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for naturalisation in the case of persons (details supplied) in County Kildare; and if he will make a statement on the matter. [29814/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Applications for certificates of naturalisation from the persons referred to in the Deputy's question were received in the Citizenship Section of my Department on 9 November 2005.

On examination of the applications it was determined that the persons concerned did not meet the statutory residency requirements as set out in the Irish Nationality and Citizenship Act 1956, as amended. Letters informing the applicants of this were issued on 16 January 2006, 10 October 2006 and 22 July 2008.

It is open to the individuals concerned to lodge new applications if and when they are in a position to meet the statutory residency requirements.

#### **Residency Permits.**

825. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [29815/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned has been granted temporary Leave to Remain in the State for a three year period, to 3 July 2011. This decision was conveyed in writing to the person concerned by letter dated 3 July 2008. This communication advised the person concerned of the conditions attaching to this permission and of the registration process involved.

#### **Citizenship Applications.**

826. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if an application for residency status will be reviewed in the case of a person (details supplied) in Dublin 6; and if he will make a statement on the matter. [29816/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 217 of Thursday, 3 July 2008 and the written Reply to that Question.

The person concerned arrived in the State on 14 June 2007 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner. The determination of the Refugee Applications Commissioner was conveyed in writing to the person concerned by letter dated 23 January 2008. This communication advised the person concerned of his entitlement, within a stated timeframe, to appeal this determination to the Refugee Appeals Tribunal but the person concerned chose not to do so.

On 12 March 2008, the person concerned formally withdrew from the asylum process and indicated a wish to return voluntarily to his country of origin, following which contact was

established with the Office of the International Organisation for Migration (IOM) with a view to the necessary voluntary return arrangements being made. However, despite my Department and the IOM approving the voluntary return request of the person concerned, the IOM advised my Department, by a communication dated 23 June 2008, that it had lost contact with the person concerned and, as such, it could not proceed with his voluntary return arrangement. The person concerned should note that this option remains open to him should he decide to pursue same.

Based on the recommendation of the Refugee Applications Commissioner and the voluntary withdrawal of the person concerned from the asylum process, and in accordance with the appropriate provisions of the Refugee Act, 1996 (as amended) and the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 28 March 2008, that the Minister was refusing him a declaration of refugee status and also proposed to make a deportation order in respect of him. In line with legal and procedural requirements, the person concerned 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. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). On 7 April 2007, an application for Subsidiary Protection in the State was received from the person concerned as was an application for leave to remain temporarily in the State.

The Subsidiary Protection application will be considered first. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, is passed to me for decision.

### **Asylum Applications.**

827. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in respect of an application for family reunification in the case of persons (details supplied) in Dublin 15; and if he will make a statement on the matter. [29817/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that the person in question made an application for Family Reunification in September 2004.

The application was forwarded to the Office of the Refugee Applications Commissioner for investigation as required under Section 18 of the Refugee Act 1996. The Commissioner forwarded a report to my Department in January 2006.

A separate report has also been requested from the Department of Social and Family Affairs. Upon receipt of this report the application will be considered and a decision will issue in due course.

*Question No. 828 answered with Question No. 731.*

829. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [29819/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to reply to Parliamentary Question No.199 of 21 February 2008.

I am informed by the Immigration Division of my Department that the person in question made a family reunification application in November 2007.

The application was forwarded to the Refugee Applications Commissioner for investigation as required under Section 18 of the Refugee Act 1996. This investigation has been completed and the Commissioner has forwarded a report to my Department.

This application will be considered by my Department and a decision will issue in due course.

#### **Residency Permits.**

830. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29820/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** An application for renewal of permission to remain in the State based on marriage to an Irish national was received from the person concerned in May 2008. It should be noted that marriage to an Irish national does not confer an automatic right of residence in the State. This application is currently being processed by the Immigration Operations unit of my Department.

#### **Deportation Orders.**

831. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [29821/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned arrived in the State on 19 July 2003 and applied for asylum on 21 July 2003. 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 11 November 2004, 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.

His case was examined 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. Consideration was given to representations submitted on his behalf for permission to remain in the State. On 11 March 2005, one of my predecessors refused permission to remain temporarily in the State and instead signed a Deportation Order in respect of him. Notice of this order was served by registered post requiring the person concerned to present himself at the Garda National Immigration Bureau (GNIB), 13-14 Burgh Quay, Dublin 2 on 14 April 2005 in order to make travel arrangements for his deportation from the State. The person concerned failed to present himself as required and was classified as evading his deportation.

On 19 April 2005, the person concerned applied for asylum in the U.K. Following a finger prints check it was established that Ireland was the appropriate State to process the application as the person concerned had previously lodged an asylum claim here on 21 July 2003. Following receipt of a request from the U.K. Authorities, Ireland agreed to the return of the person

concerned. Arrangements were then made by the U.K. Authorities to return the person concerned to the State on 27 June 2005. On arrival in the State he was detained by the GNIB and lodged in Cloverhill Prison.

By letter dated 19 February 2007, the legal representative of the person concerned lodged:

- (i) a request for revocation of the Deportation Order pursuant to Section 3(11) of the Immigration Act, 1999, as amended, and
- (ii) an application for Subsidiary Protection pursuant to the European Communities (Eligibility for Protection) Regulations, 2006 — Statutory Instrument No. 518 of 2006.

Following consideration of the revocation request, a decision was taken by the then Minister to affirm the Deportation Order. In respect of the application for Subsidiary Protection, the legal representative of the person concerned was invited to make an application under Regulation 4(2) of the aforesaid Regulations setting out any new facts or circumstances relevant to the person concerned or his country of origin which had arisen since the original decision to deport was made and which related to a possible entitlement to Subsidiary Protection. By letter dated 7 December 2007, the legal representative of the person concerned lodged an application under Regulation 4(2) as described above. Said application was considered and refused. The person concerned and his legal representative were, advised of this decision by letter dated 13 March 2008. He was also required to present himself to the GNIB on 27 March 2008 in order to make arrangements for his removal from the State. He presented as required as was given further presentation dates which he kept. He is due to present again shortly.

The effect of the Deportation Order is that person concerned must leave the State and remain thereafter out of the State.

The enforcement of the Deportation Order is an operational matter for the Garda National Immigration Bureau.

### **Asylum Applications.**

832. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [29823/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 5 March 2003. 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 25 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 before the file is passed to me for decision.

### **Citizenship Applications.**

833. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding the application for residency or naturalisation in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29824/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to my reply to Parliamentary Question 227 on 3 April, 2008. The position remains as stated.

#### **Residency Permits.**

834. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29826/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I have been informed by the Immigration Division of my Department that the person referred to by the Deputy was granted permission to remain under family reunification on the 15th April 2004. On the 26th August 2008 the person presented at her local Immigration Office informing them that her passport had been lost. The person was registered for a six month period until 26 February 2009 to allow her time to be issued with a new passport. The person should return to her local Immigration Office once she receives her new passport in order to have it endorsed with the appropriate permission to remain.

835. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) Dublin 15; and if he will make a statement on the matter. [29827/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned has been granted Leave to Remain in the State for a three year period, to 19 August 2011. This decision was conveyed in writing to the person concerned by letter dated 19 August 2008.

#### **Asylum Applications.**

836. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an asylum seekers application in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29828/08]

948. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position on an asylum application appeal in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [30754/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 836 and 948 together as they relate to the position in the State of the same person.

I refer the Deputy to Parliamentary Question No. 883 of Wednesday, 2 April 2008 and the written Reply to that Question.

The person concerned arrived in the State on 6 October 2003 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), he was informed, by letter dated 12 January 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 submitting written representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State. Representations have been received 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.

837. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency position in the matter of residency in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29829/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 208 of Thursday 6 March 2008 and the written Reply to that Question.

The person concerned applied for asylum on 29 July 2003. 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 24 April 2006, 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 before the file is passed to me for decision.

838. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if residency status on humanitarian grounds will be considered in the case of a person (details supplied) in Dublin 6; and if he will make a statement on the matter. [29830/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Questions Nos. 822 of Thursday, 10 July 2008, 176 of Thursday, 19 June 2008, 232 of Thursday, 15 May 2008, 185 of Thursday, 1 May 2008 and 247 of Thursday, 3 April 2008 and the written Replies to those Questions.

The person concerned arrived in the State on 7 June 2002 and made an application 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 10 September 2003, 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 before the file is passed to me for decision.

839. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [29831/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 15 April 2004. 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.



[Deputy Dermot Ahern.]

Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 28 October 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 before the file is passed to me for decision.

#### **Residency Permits.**

840. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [29833/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that the application by the person concerned for residence in the State based on EU Treaty Rights is currently being reviewed under the provisions of Directive 2004/38/EC and in light of the European Court of Justice ruling in “Metock” of 25 July 2008.

A request for additional documentation issued to the person in question on 8 September, 2008. The application will be considered further upon receipt of the requested documentation.

#### **Asylum Applications.**

841. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in the matter of residency in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29834/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** This applicant applied for asylum on 16 September 2002. His application was refused and a Deportation Order was made on 11 March 2005.

The applicant instituted Judicial Review proceedings on 18 April 2005 challenging the Deportation Order made in respect of him and accordingly, as the matter is sub judice, I do not propose to comment further.

#### **Residency Permits.**

842. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency and citizenship status in the case of persons (details supplied) in Dublin 24; and if he will make a statement on the matter. [29835/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I wish to inform the Deputy that the persons concerned were both granted permission to remain in the State in May, 2002 on the basis of their being the parents of an Irish born citizen child. Both applicants currently have permission to remain in the State, under Stamp 4 conditions, until 17th January, 2009.

#### **Asylum Applications.**

843. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform

the current or expected residency status in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [29836/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 22 January 2007. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 6 November 2007, 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. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

844. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Carlow; and if he will make a statement on the matter. [29837/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 242 of Thursday, 3 April 2008 and the written Reply to that Question.

The person concerned arrived in the State on 25 April 2003 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 16 May 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 received on behalf of the person concerned and will be fully considered before the file is passed to me for decision.

845. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency in the case of a person (details supplied) in Dublin 12; and if he will make a statement on the matter. [29838/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 21 June 2002. His application was refused following consideration

[Deputy Dermot Ahern.]

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 14 April 2003, 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 were submitted on behalf of the person concerned.

His case was examined 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 and all representations received were considered in arriving at a decision in his case. On 28 June 2004 a Deportation Order was signed in respect of the person concerned. Notice of this Order was served by registered post dated 11 January 2005. This communication advised the person concerned of the legal requirement that he present himself at the Offices of the Garda National Immigration Bureau (GNIB) on 20 January 2005 in order to make travel arrangements for his deportation from the State. The person concerned failed to 'present' on this occasion and, as such, was classified as evading his deportation.

On 19 August 2008, an application for revocation of the Deportation Order, under Section 3(11) of the Immigration Act 1999 (as amended), was submitted on behalf of the person concerned and this application is currently under consideration in my Department. The person concerned will be notified in writing when a decision has been made on this application. The Deputy might wish to note that the documentation he refers to in his Question was submitted as part of the Section 3(11) application I referred to.

### **Residency Permits.**

846. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform when stamp four or a GNIB card will be renewed in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29839/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned has been granted Leave to Remain in the State for the period to 4 June 2010. This decision was conveyed in writing to the person concerned by letter dated 5 August 2008. This communication advised the person concerned of the conditions attaching to this permission and outlined the registration process involved which is to present himself at the Offices of the Garda National Immigration Bureau (GNIB), 13-14 Burgh Quay, Dublin 2 where, upon presentation of appropriate identification documentation and payment of the relevant registration fee, this registration process is completed.

847. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Longford; and if he will make a statement on the matter. [29840/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned has been granted Leave to Remain in the State for a three year period to 20 June 2011. This decision was conveyed in writing to the person concerned by letter dated 20 June 2008. This communication advised the person concerned of the conditions attaching to this permission and of the registration process involved.

### Asylum Support Services.

848. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform when transfer to alternative accommodation will be offered to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [29841/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** 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 person referred to in the details supplied was transferred by the RIA, along with his family, to alternative accommodation at Athlone accommodation centre on 13 August, 2008.

### Asylum Applications.

849. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position on an application for refugee status in the case of persons (details supplied) in County Dublin; and if he will make a statement on the matter. [29842/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

850. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for refugee status in the case of persons (details supplied) in County Dublin; and if he will make a statement on the matter. [29843/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

### Residency Permits.

851. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [29845/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am pleased to inform the Deputy that the person's permission to remain in the State under the revised arrangements for non-EEA parents of children born in Ireland prior to 1st January, 2005, known as the IBC/05 Scheme, has been renewed until 2 November, 2010.

852. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 6; and if he will make a statement on the matter. [29846/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that the person in question was granted refugee status on 17 November 2003. A Family Reunification application by the person in question was refused in July 2006 and a letter outlining the reasons for refusal issued on the same date.

At present there are no Family Reunification applications pending in respect of any family members of the person referred to by the Deputy.

#### **Visa Applications.**

853. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if a visa will be offered to a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29847/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that they will be in contact shortly with the person referred to by the Deputy in relation to her immigration status.

#### **Visa Applications.**

854. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform when an application for visas will be progressed in the case of persons (details supplied) in County Dublin; and if he will make a statement on the matter. [29848/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to the reply to Parliamentary Question number 167 of 26th June 2008. I have been informed by the Immigration Division of my Department that a decision was made in relation to the family reunification application and the person in question was informed of that decision in writing on 9 June 2008.

#### **Asylum Applications.**

855. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 11; and if he will make a statement on the matter. [29849/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 14 October 2003. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner. The person concerned lodged an appeal against this determination with the Refugee Appeals Tribunal but later withdrew that appeal. Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 11 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 before the file is passed to me for decision.



856. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of persons (details supplied) in Dublin 15; and if he will make a statement on the matter. [29850/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The first named person concerned applied for asylum on 18 August 2003. 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 first named person concerned was informed, by letter dated 23 November 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 first named person concerned and will be fully considered before the file is passed to me for decision. The second named person concerned has been granted temporary leave to remain in the State until 5 April 2010 under the provisions of the IBC/05 Scheme.

857. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [29851/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned has been granted Leave to Remain in the State for a three year period, to 11 August 2011. This decision was conveyed in writing to the person concerned by letter dated 11 August 2008.

858. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [29852/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned has been granted Leave to Remain in the State for a three year period, to 3 September 2011. This decision was conveyed in writing to the person concerned by letter dated 3 September 2008.

859. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if extension of residency will be offered to a person (details supplied) in County Laois; and if he will make a statement on the matter. [29853/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications. As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

#### **Citizenship Applications.**

860. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform



[Deputy Bernard J. Durkan.]

the current or expected position in relation to an application for naturalisation in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [29854/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Officials in the Citizenship Section of my Department inform me that having checked their records, no trace of an application for a certificate of naturalisation for the person referred to in the Deputy's Question can be found.

### Asylum Applications.

861. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regarding an application for refugee status in the case of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [29855/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications. As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

862. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform the status of an application under humanitarian grounds for a person (details supplied); the issues that are outstanding in processing the application; and if he will make a statement on the matter. [29871/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 5 November 2002. 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 27 February 2004, 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 before the file is passed to me for decision.

863. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform the status of an application under humanitarian grounds for a person (details supplied); the issues that are outstanding in processing the application; and if he will make a statement on the matter. [29872/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 15 December 2003. 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 18 July

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 before the file is passed to me for decision.

The Deputy should note that my Department currently has a large volume of such cases on hands. As the Deputy will appreciate, each case must be considered on its individual merits having regard to the provisions of 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. The Deputy can be assured that there will be no unnecessary delay in having the case of the person concerned processed to finality.

### **Citizenship Applications.**

864. **Deputy Tom Hayes** asked the Minister for Justice, Equality and Law Reform when a decision will be made in the case of a person (details supplied) in County Tipperary. [29879/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am pleased to inform the Deputy that I have approved the application for a Certificate of Naturalisation from the person in question. A Certificate of Naturalisation will issue to the applicant on receipt of requested documentation which is required to finalise his application.

### **Asylum Applications.**

865. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in respect of an application for residency in the case of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [29898/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Questions Nos. 848 of Thursday 10 July 2008, 377 of Tuesday 24 June 2008, 214 of Thursday 15 May 2008, 196 of Thursday 28 February 2008 and 243 of Thursday 31 January 2008 and the written Replies to those Questions. The person concerned applied for asylum on 7 July 2003. 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 7 July 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 were submitted by the person concerned at that time. The person concerned has also submitted an application for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006) and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be considered under Section 3(6) of the Immigration Act, 1999 (as amended) and Section 5 of the Refugee Act, 1996 (as

[Deputy Dermot Ahern.]

amended) on the prohibition of refoulement. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

866. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the progress in determining the residency status in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [29899/08]

1006. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position on an application for residency in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [31543/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 866 and 1006 together.

I refer the Deputy to Parliamentary Questions Nos. 376 of Tuesday 24 June 2008 and 406 of Tuesday 8 April 2008 and the written Replies to those Questions. The person concerned applied for asylum on 23 October 2003. 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 16 February 2006, 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.**

867. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected position on an application for family reunification or naturalisation in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [29900/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that a decision has been reached in relation to the application of the person in question and they will be informed of the decision shortly.

868. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for naturalisation in the case of a person (details supplied) in Dublin 22; and if he will make a statement on the matter. [29901/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am pleased to inform the Deputy that I have approved the application of the person in question and a certificate of naturalisation will issue once documents requested by the Citizenship Section of my Department have been received.

869. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the fact that the fee for a certificate of naturalisation varies depending on the official website accessed; the reason for the variations in the cost; and if he will make a statement on the matter. [29920/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The current fees that shall be paid by applicants on the issue of a certificate of naturalisation are as follows:

- (a) where the application is made on behalf of a minor, a fee of €200.00;
- (b) where the application is made by a widow or widower whose spouse was, immediately before death, an Irish Citizen, and who has not, subsequent to the spouse's death, become a naturalised citizen of a state other than the State, a fee of €200.00;
- (c) in the case of all other applications, a fee of €950.00;
- (d) the fee payable under (a), (b) or (c) shall be nil, if the application for the certificate concerned is made by or on behalf of a refugee or stateless person or by or on behalf of a programme refugee.

The official Department of Justice, Equality and Law Reform website is [www.justice.ie](http://www.justice.ie).

#### **Prison Staff.**

870. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of prison officers within the prison service; the number of vacant posts; the impact this is having on security and smuggling within our prisons; the plans he has to commence another recruitment competition; and if he will make a statement on the matter. [29950/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I can advise the Deputy that, of a total of 3417 prison staff, there were 1898 Prison Officer grade staff and a further 514 Recruit Prison Officers serving in the Irish Prison Service at the end of August 2008 which represents a full complement of staff at that grade. The serving number is inclusive of the additional 123 Prison Officer grade staff, provided following on a Government Decision of 2007 to facilitate the introduction of a range of new security measures.

#### **Coroners Service.**

871. **Deputy John Cregan** asked the Minister for Justice, Equality and Law Reform the way in which information regarding inquests can be obtained in County Limerick in view of the non-response of the county coroner on a number of occasions; and if he will make a statement on the matter. [29967/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I can inform the Deputy that under the Coroners Act 1962, a Coroner is a statutory officer exercising quasi-judicial functions in relation to which he/she is independent and neither I nor my Department has any role in individual cases. However, to be of assistance to the Deputy, if he wishes to forward details of a specific case which is of concern to him, my Department will make enquires on my behalf with the relevant Coroner.

#### **Departmental Staff.**

872. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform the number of staff sent from his Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if he will make a statement on the matter. [29997/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I can inform the Deputy that a Principal Officer from the Courts Service attended as a speaker at the conference

[Deputy Dermot Ahern.]

in question and therefore there was no conference fee incurred. I am advised that no other staff attended the conference from my Department or its associated agencies.

### **Citizenship Applications.**

873. **Deputy Seán Barrett** asked the Minister for Justice, Equality and Law Reform the reason a person, with an Irish great grandparent who has lived in Ireland since the age of five, who was educated here at primary, secondary and third level, and who took Irish in junior and leaving certificate examinations is required to pay approximately €500 in applying to his Department for citizenship; and if he will make a statement on the matter. [30015/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Since the Deputy has not provided details of the particular case, I can only set out the position generally. The Irish Nationality and Citizenship Regulations, 1993, as amended, provides that the prescribed fee that shall be paid by the applicant on the issue of a certificate of naturalisation are as follows:

- (a) where the application is made on behalf of a minor, a fee of €200;
- (b) where the application is made by a widow or widower whose spouse was, immediately before death, an Irish citizen, and who has not, subsequent to the spouse's death, become a naturalised citizen of a state other than the State, a fee of €200;
- (c) in the case of all other applications, a fee of €950;
- (d) the fee payable under (a), (b) or (c) shall be nil, if the application for the certificate concerned is made by or on behalf of a refugee or stateless person or on behalf of a programme refugee.

The making of an application for a Certificate of Naturalisation is an individual's choice. Citizenship is a privilege not a right.

### **Departmental Expenditure.**

874. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform if funding has been sought from the European return fund; if a multiannual programme has been drawn; if a decision has been made on which Article 7 target groups will be prioritised; and if he will make a statement on the matter. [30038/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Funding has not as yet been sought from the European Return Fund. Officials from my Department are examining the various elements of the fund with a view to establishing the most appropriate way to proceed with the application.

875. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform the expenditure on voluntary repatriation schemes in each of the past five years; the number who have availed of these schemes; and if he will make a statement on the matter. [30040/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** One of the options open to persons faced with the prospect of having a Deportation Order issued in respect of them is that they can seek to return voluntarily to their country of origin. Asylum seekers and irregular migrants from non-EU countries who agree to return voluntarily to their countries of origin but do not have the financial means or in some instances the necessary documentation



to do so, can obtain assistance through the Voluntary Assisted Return and Reintegration Programme (VARRP). This Programme is funded by my Department and managed by the International Organisation for Migration (IOM).

I have no plans to extend this programme to those who do not face the prospect of having a deportation order issued against them. The table overleaf sets out the funding provided by my Department to IOM Dublin and the number of persons who returned to their home countries under the IOM VARRP during these past five years:

	2004	2005	2006	2007	2008
Funding to IOM	€513,433	€579,678	€609,974	€800,175	€1,704,600 (budget for 2008)
Voluntary Returns through IOM	393	210	175	255	299 (1 Jan-16 Sept 2008)

### Proposed Legislation.

876. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform when the mental capacity Bill will be published. [30050/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** On 3 September 2008, the Government approved my proposals for the drafting of a Mental Capacity Bill. Publication of the Bill is expected in early 2009. The Scheme of the Bill has been published and is available on my Department's website.

### Asylum Application.

877. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform when a decision will be made in respect of a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [30054/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications. As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

### Citizenship Applications.

878. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding an application for family reunification in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [30060/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that the person in question made an application for Family Reunification in April 2005 and a decision issued to the person in question in February 2007 informing them that their application had been turned down. The person in question made a second application under the Family Reunification scheme in February 2008 that was forwarded to the Office of the Refugee Applications Commissioner for investigation as required under Section 18 of the Refugee Act 1996. This investigation is completed and the Commissioner has forwarded a report to my Department. Applications are generally taken in



[Deputy Dermot Ahern.]

chronological order and this report will be considered by my Department and a decision will issue in due course.

879. **Deputy Tom Hayes** asked the Minister for Justice, Equality and Law Reform the position regarding an application for citizenship on behalf of persons (details supplied) in County Tipperary. [30082/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications. As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate, and final processing of the applications.

880. **Deputy Tom Hayes** asked the Minister for Justice, Equality and Law Reform the position regarding the case of a person (details supplied) in County Tipperary. [30101/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that an application by the person concerned for residence in the State based on EU Treaty Rights was received on 15 January 2008. The person concerned was requested to provide evidence of employment details in the State for his EU spouse and also to provide the original passport of his EU spouse. The application will be considered further upon receipt of the requested documentation.

#### **Data Protection.**

881. **Deputy John O'Mahony** asked the Minister for Justice, Equality and Law Reform the procedures in place to ensure that personal data stored by his Department is secure. [30134/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** My Department is aware of its responsibilities under the Data Protection Acts 1988 and 2003 to safeguard the privacy rights of individuals in relation to the processing of personal data. There is a privacy policy on my Department's website together with information on how to access personal data and a list of appointed Data Controllers within my Department.

882. **Deputy John O'Mahony** asked the Minister for Justice, Equality and Law Reform the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from his Department in 2007 and to date in 2008; and if he will make a statement on the matter. [30149/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** No laptop computers, data storage devices and USB memory sticks have been reported stolen or lost from the Department. A small number of Blackberry devices have been lost and not recovered to date. They were quickly missed, the accounts frozen and the data removed by the server. There was no loss of data.

#### **Garda Stations.**

883. **Deputy Jan O'Sullivan** asked the Minister for Justice, Equality and Law Reform the plans he has to establish a Garda station in the Castletroy area of Limerick in view of the

increased population in the area and the large number of people who work and study there; and if he will make a statement on the matter. [30167/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The formulation of proposals in relation to the opening and closing of Garda stations is a matter, in the first instance, for the Garda Commissioner in the context of the annual policing plan, as provided for in Section 22 of the Garda Síochána Act 2005. The Garda accommodation programme is based on agreed priorities and it is brought forward in close cooperation with the Office of Public Works (OPW), which has responsibility for the provision and maintenance of Garda accommodation. I am informed by the Garda authorities that there are currently no plans to establish a Garda Station in the Castletroy area. I am further informed that the Commissioner has established a Garda Accommodation Programme Board, under the chairmanship of the Chief Administrative Officer, to prepare a long-term accommodation strategy for the Force. As part of this strategy, discussions are taking place with the Limerick Regeneration Board regarding the location of Garda Stations in Limerick City. The policing accommodation needs of Castletroy will be considered in the context of this strategy.

#### **Departmental Bodies.**

884. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform if the ministerial council for integration has been established; the membership of the committee and the groups in society which they represent; and if he will make a statement on the matter. [30170/08]

**Minister of State at the Department of Justice, Equality and Law Reform (Deputy Conor Lenihan):** I hope to establish the Ministerial Council on Integration within the next month or so. I shall place the names of those appointed in the Oireachtas Library when the Council has been established.

#### **Departmental Expenditure.**

885. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the organisations that received funding to address racism in 2008; the groups that were successful under the asylum seeker supports small grants scheme and the immigration integration small grants scheme in 2008; and if he will make a statement on the matter. [30183/08]

**Minister of State at the Department of Justice, Equality and Law Reform (Deputy Conor Lenihan):** Under the auspices of the National Action Plan Against Racism, the following are bodies which have received funding to address racism in 2008 or to which funding has been committed: National Consultative Committee on Racism and Interculturalism (which also gets its core funding from my Office), Model Education, Arambe Productions, The Africa Centre, Health Service Executive, Metro Eireann, Equality Authority, the Holocaust Education Trust, the Department of Education and Science and the Public Appointments Service. Addressing racism is also an element in some projects approved for funding under the European Refugee Fund and the European Fund for the Integration of Third-Country Nationals.

The groups that are receiving support in 2008 under the immigrant integration small grants scheme are: An Cósan — The Shanty Educational Project, Aonad Family Resource Centre, Arklow Multi Cultural Association, Ballyhaunis Chamber Sub Committee, Brong Ahafo Brotherhood Association, Chairde Social Action, Clann Resource Centre, Clondalkin Partnership, Co. Mayo VEC-Youth Office, Cois Tine, D15 Schools Cultural Mediation Project, Diaspora of Togolese in Ireland, Doras Luimni, Easkey Family Resource Centre, Eastern European Association of Ireland, Edenderry Community Development Project, Edmund Rice Inter-

[Deputy Conor Lenihan.]

national Heritage Centre, Education Inclusion Initiative, FACT Ballincollig Family Resource Centre, Foundation Ministries, Galway City Partnership, Ghana Ireland Friendship Association, Horn of Africa People's Aid, Info Centre for Immigrants, Integrated Resource Development Duhallow, Ireland India Council, Irish Council for Chinese Social Services, Irish Red Cross Lauragh Branch, Irish- Russian Enterprise Centre, Killarney Asylum Seekers Initiative, Kerry Diocesan Youth Service, Kildare Sports Partnership, Kiltimagh / Knock United Soccer Club, Letterkenny Community Development Project, Limerick Latvian Association, Longford Acorn Community Development Project, Movement Against Racism, Discrimination, Intolerance, Mayo Intercultural Action, Meath Local Sports Partnership, Meeting Point: Balkans — Ireland, Mohill Family Support Centre, Mountmellick Development Association, National Women's Council of Ireland, Nigerian Association Network (Cork), Nigerian Association Network Ireland (Dublin), Nigerian Association Network Ireland (Limerick), One Family, Out-house, Riverstown Enterprise Development, Roscommon Sports Partnership, Roscommon Women's Network Community Development Project, Sport Against Racism Ireland, Sligo Leader Partnership, Solas Family Resource Centre, South City Local Committee, South Inner City Community Development Association, South Tipperary Sports Partnership, South West Mayo Development Company, St. Joseph's Secondary School, Team Educational Theatre Company, Thai Ireland Association, The Agricultural Workers Association, The Melting Pot Festival, Third Age Foundation, Three Drives Family Resource Centre, Tigh Fili/Cork Women's Poetry Circle Ltd., Trim Branch of Meath Red Cross, Tubbercurry Family Resource Centre, Twin Towns Foreign Nationals Support Group, Upstate Theatre Project, West Cork Community Partnership, Westmeath Sports Partnership, Women of Multi-Cultural Balbriggan and Women's Community Projects (Mullingar) Association Ltd.

The groups that are receiving support in 2008 under the asylum seeker support small grants scheme are: Afghan Community of Ireland, Alá, Ballaghaderreen Asylum Seekers Support, Chairde Social Action Exchange, Clare Immigrant Support Centre, Clare Intercultural Network, Clonakilty Friends of Asylum Seekers, Cois Tine, Diversity Sligo, Doras Luimni, Edmund Rice International Heritage Centre, Great Western House Residents Committee, Harmony Community Development, Integrate Carrick, Killarney Asylum Seekers Initiative, Kerry Diocesan Youth Service, Kiltimagh Community Development Project Family Support, Kiltimagh Community Development, Kiltimagh Support Group, Kinsale Road Accommodation Centre, Lisbrook House Residents Committee, Longford Acorn Community Development Project, Louth African Women Support Group, Mayo Intercultural Action, Mail Coach Road Community Centre, Meath Local Sports Partnership, Mosney Lone Parent Support Group, Mosney Support Group, NASC, New Horizon Asylum Seeker and Refugee Support, One Family, Sport Against Racism Ireland, Separated Children's Education Service, Sligo Leader Partnership Company, The Eglinton Residents Committee, Tottonward Ltd (St Patrick's Accommodation Centre), Waterford Healing Arts Trust, Waterford Immigration Network and Waterford One World Centre.

### **Proposed Legislation.**

886. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 1136 of 30 January 2008, the position regarding the drafting of the Bill; and if he will make a statement on the matter. [30198/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Work on the general schemes of a Legal Costs Bill and a Family Law Bill is ongoing in my Department.

### **Garda Strength.**

887. **Deputy Seán Ó Fearghaíl** asked the Minister for Justice, Equality and Law Reform the number of members of the Garda Reserve who have to date applied to become members of An Garda Síochána; the number who have been successful; and if he will make a statement on the matter. [30212/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** A total of twenty Reserve Gardaí have been successful in the full-time Garda competition and have commenced training. Data in relation to the number of Reserve Gardaí who have applied to become full-time members of An Garda Síochána is not available. The Garda Síochána Admissions and Appointments Regulations which govern full-time entry to An Garda Síochána, provide that recognition is given for satisfactory service in the Reserve.

### **Joint Policing Committees.**

888. **Deputy Seán Ó Fearghaíl** asked the Minister for Justice, Equality and Law Reform if he evaluates the performance of the pilot programme of joint policing committees; the status of the pilot programme; when he intends to roll out the programme of joint policing committees on a nationwide basis; and if he will make a statement on the matter. [30213/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Joint Policing Committees are provided for in the Garda Síochána Act 2005. As a Committee will be established in each local authority area in the State — of which there are 114 — it was considered desirable to run a time-limited pilot to gain experience in their operation before countrywide roll-out. Twenty nine Committees are currently operating in the pilot phase. As part of the evaluation of the pilot phase, my predecessor as Minister and the Minister for the Environment, Heritage and Local Government hosted a consultation seminar last November, at which participants in the pilot Committees considered the lessons from the operation of the Committees to date. A very useful seminar, organised by Co-operation Ireland, was also held in Monaghan in May, at which participants in the Committees and in the nearest equivalent bodies in Northern Ireland, the District Policing Partnerships, discussed their experiences.

Amended Guidelines to allow full roll-out of the Committees have been drafted in consultation with the Ministers for the Environment, Heritage and Local Government and Community, Rural and Gaeltacht Affairs, as provided for in the Garda Síochána Act 2005, and with the assistance of interested parties, including an Garda Síochána and representatives of local authority members and management. I have today launched these new Guidelines. As a result, a Committee will be established in each local authority area in the country where a Committee is not already established. I believe that, over time, the Committees will make an enormous contribution to keeping our communities safe. Fundamentally, they represent a partnership between the people, through their representatives, and An Garda Síochána.

### **Departmental Correspondence.**

889. **Deputy John Perry** asked the Minister for Justice, Equality and Law Reform the position regarding an application by a person (details supplied) in County Sligo to the general immigration division; when it will be finalised; and if he will make a statement on the matter. [30217/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that a change of name licence was issued in writing to the legal representatives of the person in question on 30 August.

**Garda Deployment.**

890. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform the number of gardaí allocated to the special drugs units in the Carlow Kildare, Louth Meath and Wicklow garda units; the plans he has to increase these numbers; and if he will make a statement on the matter. [30251/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda Commissioner that as of 31 August 2008, the latest date for which figures are readily available, the personnel strength of the Drugs Units attached to Carlow/Kildare, Louth, Meath and Wicklow Garda Divisions was as set out in the following table. The Deputy will appreciate that, as with any large organisation, on any given day, personnel strengths of individual stations may fluctuate due, for example, to promotions, retirements and transfers. It is the responsibility of the Garda Commissioner to allocate personnel throughout the Force taking everything into account. The situation will be kept under review and when additional personnel next become available the allocation of Gardaí to Divisional Drugs Units will be fully considered by the Commissioner within the overall context of the needs of Garda Divisions throughout the country.

Carlow/Kildare	Louth	Meath	Wicklow
8	8	2	10

891. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform the number of gardaí allocated to each station in County Kildare; the plans he has to increase this number; and if he will make a statement on the matter. [30252/08]

892. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform the number of community gardaí here; the number stationed in County Kildare; the Garda stations at which they are stationed; the plans he has to increase the number of gardaí; and if he will make a statement on the matter. [30253/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 891 and 892 together.

I am informed by the Garda Commissioner that as of 31 August 2008, the latest date for which figures are readily available, the personnel strength of the Carlow/Kildare Division was 364 broken down as follows:

Station	Station Strength
Naas	100
Celbridge	22
Clane	7
Kill	3
Maynooth	18
Ballymore Eustace	1
Kildare	32
Kilcock	5
Robertstown	4
Kilcullen	4
Monasterevin	6



Station	Station Strength
Newbridge	35
Rathangan	4
Carbury	4
Ballytore	2
Carlow	70
Leighlinbridge	1
Ballon	1
Myshall	1
Muinebheag	10
Athy	19
Castledermot	2
Hacketstown	1
Rathvilly	1
Tullow	11

I am also informed that as of 31 August 2008 there were 697 members of the Force attached to Community Policing and of these, 4 members are attached to the Carlow/Kildare Division based in Naas Garda Station. It is of course the case that all Gardaí have a role to play in addressing community policing issues as and when the need arises. In that sense, community policing involves far more than a single unit within the Garda Síochána, and I agree with the view of the Garda Inspectorate, expressed in its most recent report, that community policing is a fundamental policing philosophy and that there is a strong foundation for it in Ireland.

The Deputy will be aware that the 2008 Garda Annual Policing Plan sets out the Commissioner's proposals to realign the boundaries of Garda Divisions around the country to make them coterminous with local authority boundaries. Included in this is a plan to establish a new Garda Division in Kildare. The planned changes will bring about greater efficiencies and effectiveness in facilitating the establishment and functioning of Joint Policing Committees. A detailed programme of work is currently being developed by An Garda Síochána to implement these planned changes for various Garda Divisions. This programme of work will also examine the geographical areas of district and sub-district stations arising from the regional and divisional boundary realignments set out in the plan and will set out a timetable for the establishment of the new divisions.

### **Crime Levels.**

893. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform the number of arrests for drug offences in County Kildare in each of the past three years; the number of successful convictions arising from these arrests; and if he will make a statement on the matter. [30254/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Following the submission in 2004 of a report and recommendations by an expert group on crime statistics, it was determined by the Government that the compilation and publication of crime statistics should be taken over from An Garda Síochána by the Central Statistics Office (CSO), as the national statistical agency. The Garda Síochána Act 2005 consequently made provision for this and the CSO has established a dedicated unit for this purpose. Following the setting up of the necessary technical systems and auditing of the data from which the statistics are compiled, the CSO is now compiling and publishing criminal statistics and has published provisional headline crime



[Deputy Dermot Ahern.]

statistics since the third quarter of 2006. Accordingly, I have requested the CSO to provide the statistics sought by the Deputy directly to him.

894. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform the number of arrests in respect of card skimming in County Kildare in each of the past two years; the number of successful prosecutions arising from these arrests; the plans he has to introduce laws to combat this crime; and if he will make a statement on the matter. [30255/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The practice of ‘card-skimming’ involves the unauthorised copying of information from a customer’s ATM card which facilitates the criminal stealing of cash by using the illegally obtained data. I am informed that it is not possible, without a disproportionate expenditure of Garda time and resources, to indicate the number of arrests made or convictions recorded in respect of such offences as requested by the Deputy. I am assured by the Garda authorities that An Garda Síochána is in constant liaison with financial institutions with a view to tackling ATM fraud which is being targeted through various fora including bi-monthly meetings of the ATM Fraud Forum, which is comprised of representatives of the various financial institutions and An Garda Síochána and is chaired by the Irish Payment Card Services Organisation (IPSO).

This type of criminal activity is also addressed through the Hi-Tech Crime Forum which comprises representatives of the banking institutions, the Garda Bureau of Fraud Investigation, the Internet Service providers, IPSO and other stakeholders as deemed appropriate. This forum meets every two months. Any perceived weaknesses or new attack methods identified are discussed at these meetings in order to identify counter-measures to prevent further occurrences. The provisions of the Criminal Justice (Theft and Fraud Offences) Act, 2001 cover a wide-range of offences including theft, deception, forgery, using a false instrument, and are deemed to adequately provide for the offences disclosed by this form of criminal activity.

#### **Garda Strength.**

895. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform the number of Garda reservists in County Kildare; the stations at which they are located; the number of reservists in training; the plans he has to extend the reserve; and if he will make a statement on the matter. [30256/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** At 31 August 2008, there were 254 attested Reserve Gardaí and 121 Reserve trainees nationally. There are three attested Reserve Gardaí in Kildare allocated to Newbridge (1) and Naas (2) respectively. Eight trainees who are completing Phase IV training will be assigned to Naas. The Agreed Programme for Government has set a target strength for the Reserve at 10% of the full-time strength of the force. In the Annual Policing Plan for 2008 the Garda Commissioner has set a target of recruiting 270 Reserve members this year. As the Garda Reserve depends on volunteers who undertake their training and other duties during their free time, it is difficult to predict how many people will commence training in any particular period. However, I can assure the Deputy that the Garda Commissioner is making every effort to reach the recruitment target.

The ongoing marketing campaign to recruit members to the Garda Reserve involves local media interviews, radio advertisements, cinema advertisements, public transport advertisements and exhibition stands at events such as the Ploughing Championships, the Young Scientist of the Year Awards and FÁS Opportunities. The Garda Reserve featured on the RTE Crime Call programme and a promotional DVD was commissioned and forwarded to all second

level schools in the country. Promotional material on the Garda Reserve has been forwarded to each District Officer in the country to be disseminated to post offices, libraries, leisure centres, shopping centres, banks and credit unions in their District, as well as to local residents associations, neighbourhood watch groups and community alert groups.

### **Citizenship Applications.**

896. **Deputy Bernard Allen** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for naturalisation made by a person (details supplied) in Cork who submitted an application in 2006 and has been told that their application has not been examined in detail. [30282/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** 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 July 2006. The file was submitted to me for a decision recently and I have decided to defer making a final decision on this case. The person concerned was notified of this position and the reasons for it through their Solicitor in a letter issued on 2 September, 2008.

### **Crime Levels.**

897. **Deputy Bernard Allen** asked the Minister for Justice, Equality and Law Reform the number of fines imposed for breaches of the speed limits at the 50 km per hour limit; at the 60 km per hour limit; at the 80 km per hour limit; at the 100 km per hour limit and at the 120 km per hour limit for each of the years 2005, 2006 and 2007. [30284/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that the following table sets out the number of fixed charge notices issued by members of An Garda Síochána for speeding offences in the 50, 60, 80, 100 and 120 kilometres per hour speed zones for each of the years 2005, 2006 and 2007.

Speed Zone	2005	2006	2007
50 km/h	25,729	53,468	57,305
60 km/h	23,331	53,988	49,442
80 km/h	23,555	33,807	44,828
100 km/h	37,022	34,154	39,362
120km/h	393	3,878	4,127

*Question No. 898 answered with Question No. 737.*

### **Citizenship Application.**

899. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the status an application for citizenship in respect of a person (details supplied) in Dublin 6; and if he will make a statement on the matter. [30293/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Officials in the Citizenship Section of my Department inform me that having checked their records no trace of an application for a certificate of naturalisation can be found for the person in question.

### **Asylum Applications.**

900. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform

[Deputy Bernard J. Durkan.]

the status of an application for asylum in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [30294/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 10 January 2005. Her application was refused following consideration of her 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 26 October 2005, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of 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 she 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 on the prohibition of refoulement, before the file is passed to me for decision.

901. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or anticipated residency status of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [30295/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 525 of Thursday 17 April 2008 and the written Reply to that Question. The person concerned applied for asylum on 17 April 2003. 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 21 October 2004, 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 received 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 on the prohibition of refoulement, before the file is passed to me for decision.

902. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or anticipated asylum or residency status in the case of persons (details supplied) in County Meath; and if he will make a statement on the matter. [30296/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The first named person concerned applied for asylum on 3 March 2006. 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 first named person concerned was informed, by letter dated 19 June 2008, 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. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the

State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). No response has been received in my Department to this letter.

I can confirm that the second and third named persons have applied for asylum in the State. However, it is not the practice to comment in detail on individual asylum applications where no final decision has been made. As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

903. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected status of an application for asylum in the case of a person (details supplied) in County Mayo; and if he will make a statement on the matter. [30297/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications. As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

904. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [30298/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 28 April 2004. 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 28 March 2006, 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 on the prohibition of refoulement, before the file is passed to me for decision.

905. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [30300/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 225 of Thursday 15 May 2008 and the written Reply to that question. The current situation is that the case of the person concerned was examined 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. Consideration was given to representations

[Deputy Dermot Ahern.]

submitted on his behalf for permission to remain in the State. On 18 September 2008, I refused permission to remain temporarily in the State and instead signed a Deportation Order in respect of him. Notice of this order was served by registered post requiring the person concerned to present himself at the Garda National Immigration Bureau (GNIB), 13-14 Burgh Quay, Dublin 2 on a specified date in order to make travel arrangements for his deportation from the State. The effect of the Deportation Order is that person concerned must leave the State and remain thereafter out of the State. The enforcement of the Deportation Order is an operational matter for the GNIB.

### **Citizenship Application.**

906. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the status of an application for naturalisation in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [30301/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** 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 2005. Officials in that Section inform me that processing of the application is complete and the file will be forwarded to me for a decision in the near future.

### **Asylum Applications.**

907. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [30302/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned arrived in the State on 28 August 2000 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. The person concerned was informed by letter dated 22 January 2003 that the Minister proposed to make a Deportation Order in respect of him and afforded him three options in accordance with Section 3(3)(b)(ii) of the Immigration Act, 1999 (as amended) namely to leave the State voluntarily, to consent to the making of a Deportation Order or to submit, within 15 working days, written representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State.

His case was examined 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. Consideration was given to representations submitted on his behalf for permission to remain in the State. On 12 July 2004 one of my predecessors refused permission to remain temporarily in the State and instead signed a Deportation Order in respect of him. Notice of this order was served by registered post requiring the person concerned to present himself at the Garda National Immigration Bureau, 13-14 Burgh Quay on Tuesday 10 August 2004 in order to make travel arrangements for his removal from the State. He failed to comply with his reporting requirements and was classified as evading his deportation.

By letter dated 26 August 2008, the legal representative of the person concerned lodged an application for Subsidiary Protection pursuant to the European Communities (Eligibility for Protection) Regulations, 2006 — Statutory Instrument No. 518 of 2006. By letter dated 10 September 2008 the legal representative of the person concerned was invited to make an appli-



cation under Regulation 4(2) of the aforesaid Regulations setting out any new facts or circumstances relevant to the person concerned or his country of origin which had arisen since the original decision to deport was made and which related to a possible entitlement to Subsidiary Protection. My officials are currently awaiting a response in this regard. The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter out of the State. The enforcement of the Deportation Order is an operational matter for the GNIB.

908. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Laois; and if he will make a statement on the matter. [30303/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that the person in question made a Family Reunification application in February, 2008. The application was forwarded to the Refugee Applications Commissioner for investigation as required under Section 18 of the Refugee Act 1996. This application is currently under investigation and a reply from the applicant's solicitor in relation to queries raised is awaited. When the investigation is completed a report will be forwarded to my Department for a decision.

909. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [30304/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum in the State on 16 November 2006. Following investigation by the Office of the Refugee Applications Commissioner, it was established that the person concerned had previously made an asylum application in the United Kingdom and, as such, a determination was made that the person concerned should be transferred to the United Kingdom for the purposes of having her asylum application examined there. This determination was upheld following an appeal to the Refugee Appeals Tribunal. Consequently, a Transfer Order was signed in respect of the person concerned on 10 January 2007. This Order was subsequently served on the person concerned which placed a legal obligation on her to present herself at the Offices of the Garda National Immigration Bureau (GNIB), on Thursday 18 January 2007, to make arrangements for her formal transfer to the United Kingdom. The person concerned failed to 'present' on this occasion and was therefore classified as having 'evaded' her transfer. The person concerned became illegally resident in the State at that time.

The person concerned continued to evade her transfer with the consequence that the Transfer Order expired leaving Ireland responsible for processing the asylum application of the person concerned. At this point the case of the person concerned was referred back to the Office of the Refugee Applications Commissioner for the purposes of having her asylum claims investigated. As part of this process, the person concerned was invited to attend for interview at that Office at a designated date and time but she failed to attend. Neither did she offer any explanation for her non-attendance. As a result, the Office of the Refugee Applications Commissioner made a recommendation that the person concerned be refused a declaration of refugee status. This recommendation was conveyed in writing to the person concerned by letter dated 30 June 2008. This communication also notified the person concerned that, in accordance with the provisions of Section 13(2)(c) of the Refugee Act 1996 (as amended), there was no appeal against this recommendation.

Arising from the recommendation of the Refugee Applications Commissioner, and in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was



[Deputy Dermot Ahern.]

informed, by letter dated 14 July 2008, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of 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 she should be allowed to remain temporarily in the State. In addition, she was notified of her entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned has not responded to my Department's letter dated 14 July 2008. The case of the person concerned now falls to be dealt with in accordance with the provisions of Section 3 of the Immigration Act, 1999 (as amended). This process will involve an examination of the case of the person concerned having regard to 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. When this consideration has been completed, the case file of the person concerned is passed to me for decision.

910. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency or naturalisation status in the case of a person (details supplied) in Dublin 18; and if he will make a statement on the matter. [30305/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 31 December 2001. 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 19 February 2003, 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 on the prohibition of refoulement, before the file is passed to me for decision.

911. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding an application for residency status in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [30306/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications. As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

#### **Citizenship Application.**

912. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding an application for family reunification in the case of a person (details supplied) in County Galway; and if he will make a statement on the matter. [30307/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person in question made a Family Reunification application on behalf of his wife, daughters and son in January 2008. The application was forwarded to the Refugee Applications Commissioner for investigation as required under Section 18 of the Refugee Act 1996. This investigation is completed and the Commissioner has forwarded a report to my Department. This application will be considered by my Department and a decision will issue in due course.

#### **Asylum Application.**

913. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [30308/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to my Reply to Parliamentary Question No. 1199 of 30 January 2008. The position in relation to granting long term residency is as follows: persons who have been legally resident in the State for over five years on the basis of work permit/work authorisation/work visa conditions may apply to the Immigration Division of my Department for a five year residency extension. In that context they may also apply to be exempt from employment permit requirements. The dependants of the aforementioned, who have been legally resident in the State for over five years may also apply for long term residency. This particular long term permission does not grant an exemption from employment permit requirements to any such dependants. Time spent in the State on student conditions cannot be counted towards long term residency. While applications for long term residency are under consideration, the person concerned should ensure that their permission to remain in the State is kept up to date. An application for long term residency from the person referred to by the Deputy was received in June 2007. I understand that applications received in January 2007 are currently being dealt with. As soon as a decision is made on the case, the person concerned will be notified.

#### **Citizenship Application.**

914. **Deputy Joanna Tuffy** asked the Minister for Justice, Equality and Law Reform the position of a naturalisation application for a person (details supplied) in County Dublin; and if he will make a statement on the matter. [30359/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** An application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Section of this Department in February 2005. Officials in that Section will be forwarding the application to me for a decision in the near future.

#### **Garda Strength.**

915. **Deputy Olwyn Enright** asked the Minister for Justice, Equality and Law Reform the number of gardaí assigned to the Tullamore District, County Offaly, broken down by rank as at 1 April 2008; the number of vacant positions due to be filled at this station; and if he will make a statement on the matter. [30370/08]

916. **Deputy Olwyn Enright** asked the Minister for Justice, Equality and Law Reform the number of gardaí assigned to the Tullamore District, County Offaly broken down by rank; the number of vacant positions due to be filled at this station; and if he will make a statement on the matter. [30371/08]

917. **Deputy Olwyn Enright** asked the Minister for Justice, Equality and Law Reform the number of gardaí assigned to a Garda station (details supplied) in Dublin 1 broken down by rank; the number of vacant positions due to be filled at this station; and if he will make a statement on the matter. [30372/08]

918. **Deputy Olwyn Enright** asked the Minister for Justice, Equality and Law Reform the number of gardaí assigned to a Garda station (details supplied) in Dublin 9 broken down by rank; the number of vacant positions due to be filled at this station; and if he will make a statement on the matter. [30373/08]

919. **Deputy Olwyn Enright** asked the Minister for Justice, Equality and Law Reform the number of gardaí assigned to a Garda station (details supplied) in Dublin 9 broken down by rank as at 1 April 2008; the number of vacant positions due to be filled at this station; and if he will make a statement on the matter. [30374/08]

920. **Deputy Olwyn Enright** asked the Minister for Justice, Equality and Law Reform the number of gardaí assigned to a Garda station (details supplied) in Dublin 1 broken down by rank as at 1 April 2008; the number of vacant positions due to be filled at this station; and if he will make a statement on the matter. [30375/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 915 to 920, inclusive, together.

I have been informed by the Garda Commissioner that the personnel strength of Fitzgibbon Street and Whitehall Garda Stations and Tullamore Garda District, broken down by rank on 31 March and 31 August 2008, the latest date for which figures are readily available, was as set out in the following table:

Fitzgibbon Street	Superintendent	Inspector	Sergeant	Garda
31/03/2008	1	4	15	99
31/08/2008	1	4	17	95

Whitehall	Superintendent	Inspector	Sergeant	Garda
31/03/2008	—	1	6	44
31/08/2008	—	2	7	43

Tullamore District	Superintendent		Inspector		Sergeant		Garda	
	31/03/08	31/08/08	31/03/08	31/08/08	31/03/08	31/08/08	31/03/08	31/08/08
Tullamore Station	1	1	2	2	11	12	54	63
Clara Station	—	—	—	—	1	1	5	5
Clonbologue Station	—	—	—	—	—	—	1	1
Daingean Station	—	—	—	—	1	1	2	2
Edenderry Station	—	—	—	—	3	3	9	10
Rhode Station	—	—	—	—	—	—	1	2
Geashill Station	—	—	—	—	—	—	1	1

The Deputy will appreciate that, as with any large organisation, on any given day, the personnel strength of Garda divisions and stations may fluctuate due, for example, to promotions, retirements and transfers. It is the responsibility of the Garda Commissioner to allocate personnel throughout the Force taking everything into account. In that regard, the needs of the Garda Stations referred to by the Deputy will be fully considered by the Commissioner within the overall context of the needs of Garda Stations and Divisions throughout the country.

### **Departmental Advertising.**

921. **Deputy John Deasy** asked the Minister for Justice, Equality and Law Reform the amount spent on advertising in the Irish language by his Department and by agencies under the aegis of his Department since the enactment of the Official Languages Act 2003; and if he will make a statement on the matter. [30397/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** My Department's expenditure on advertising through Irish cannot be readily distinguished from expenditure on advertising generally. As a consequence, the information sought by the Deputy could not be compiled without the application of a disproportionate amount of staff time and resources.

### **Visa Applications.**

922. **Deputy Fergus O'Dowd** asked the Minister for Justice, Equality and Law Reform the position regarding visa applications by persons (details supplied); and if he will make a statement on the matter. [30406/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The two visa applications referred to by the Deputy were received in the Visa Office, New Delhi on 24 June 2008. Both were refused by the Visa Officer on 25 June 2008. The first mentioned application was refused for the following reasons:

1. There were no obligations to return to the home country shown;
2. It was the opinion of the Visa Officer that the applicant may not observe the conditions of the visa if granted.

The second mentioned application was refused for the following reasons:

1. There was insufficient documentation submitted in support of the application;
2. The obligations to return to the home country were not deemed sufficient;
3. It was the opinion of the Visa Officer that the applicant may not observe the conditions of the visa if granted.

The applicants lodged appeals. Both decisions of the Visa Officer were upheld by the Appeals Officer on 17 July 2008. The only option available to the applicants now is to make a fresh application. Comprehensive information when making a visa application is available on the website of the Irish Naturalisation and Immigration Service — [www.inis.gov.ie](http://www.inis.gov.ie)

### **Citizenship Applications.**

923. **Deputy Michael Ring** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for naturalisation by a person (details supplied) in County Mayo. [30458/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** 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 August 2007.

Officials in that Section are currently processing applications received in April 2006. All applications are dealt with in chronological order as this is deemed to be the fairest to all applicants. The current processing time for applications for certificates of naturalisation is approximately 28 months.

#### **Residency Permits.**

924. **Deputy Michael Ring** asked the Minister for Justice, Equality and Law Reform when an application for long term residency by a person (details supplied) in County Mayo will be decided on. [30468/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I would refer the Deputy to my Reply to Parliamentary Question No. 1242 on 30 January 2008. Persons who have been legally resident in the State for over five years on the basis of work permit/work authorisation/work visa conditions may apply to the Immigration Division of my Department for a five year residency extension. In that context they may also apply to be exempt from employment permit requirements.

The dependants of the aforementioned, who have been legally resident in the State for over five years may also apply for long term residency. This particular long term permission does not grant an exemption from employment permit requirements to any such dependants.

Time spent in the State on student conditions cannot be counted towards long term residency. While applications for long term residency are under consideration, the person concerned should ensure that their permission to remain in the State is kept up to date.

An application for long term residence from the person referred to by the Deputy was received in October 2006. A letter was sent to the applicant on 09/07/2008 requesting further documents in order to progress his application. As soon as a decision is made in his case, the person concerned will be notified.

925. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [30483/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 224 of Thursday 24 April 2008 and the written Reply to that Question.

The person concerned applied for asylum on 10 January 2003. 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 28 February 2007, 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. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration

at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

### **Citizenship Applications.**

926. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform when a person (details supplied) in Dublin 1 will qualify for citizenship; and if he will make a statement on the matter. [30484/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Officials in the Citizenship Section of my Department inform me that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's Question.

The Irish Nationality and Citizenship Act, 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. These conditions are that the applicant must:

- be of full age
- be of good character
- have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years
- intend in good faith to continue to reside in the State after naturalisation
- have made either before a Judge of the District Court in open court or in such a manner as the Minister for special reasons allows, a declaration in the prescribed manner, of fidelity to the nation and loyalty to the State.

In the context of naturalisation, certain periods of residence in the State are excluded. These include:

- periods of residence in respect of which an applicant does not have permission to remain in the State
- periods granted for the purposes of study
- periods granted for the purposes of seeking recognition as a refugee within the meaning of the Refugee Act, 1996.

It is open to the person in question to lodge an application for a certificate of naturalisation if and when they are in a position to meet the statutory criteria outlined.

### **Residency Permits.**

927. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding the residency status and family reunification of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [30485/08]



**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I understand from the Immigration Division of my Department that a decision has been reached in relation to the application of the person concerned and they will be informed of the decision shortly.

928. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [30486/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 829 of Tuesday 17 June 2008 and the written Reply to that Question.

The person concerned applied for asylum on 1 July 2003. 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 12 February 2008, 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. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

929. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to residency in the case of a person (details supplied) in County Louth; when will they qualify for citizenship; and if he will make a statement on the matter. [30487/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned arrived in the State on the 17 of May 2002 and applied for asylum on 20 May 2002. 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 16 April 2003, 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.

His case was examined 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. Consideration was given to representations submitted on his behalf for permission to remain in the

State. On 26 August 2004, one of my predecessors refused permission to remain temporarily in the State and instead signed a Deportation Order in respect of him. Notice of this order was served by registered post requiring the person concerned to present himself at the Garda National Immigration Bureau (GNIB) 13-14 Burgh Quay, Dublin 2 on 6 January 2005 in order to make travel arrangements for his removal from the State. The person concerned presented as required. He was given further presentation dates which he kept. He is due to present again shortly.

The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter out of the State. The enforcement of the Deportation Order is an operational matter for the GNIB.

930. **Deputy Tom Hayes** asked the Minister for Justice, Equality and Law Reform the position of an application for residency or subsidiary protection by a person (details supplied) in County Tipperary. [30537/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 813 of Tuesday 17 June 2008 and the written Reply to that Question.

The person concerned applied for asylum on 9 December 2005. 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 28 April 2006, 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.

On 14 December 2005, an application was received on behalf of the person concerned for permission to remain in the State under the revised arrangements for non-EEA parents of children born in the State prior to 1 January 2005, commonly referred to as the IBC/05 Scheme. The Closing Date for the submission of applications under this Scheme was 31 March 2005. As the application was received long after this Closing Date, it was much too late for consideration under the Scheme and the person concerned was made aware of the non-acceptance of his IBC/05 application by letter dated 15 December 2005.

The person concerned has also submitted an application for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006) and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed the case file of the person concerned is passed to me for decision.

931. **Deputy Tom Hayes** asked the Minister for Justice, Equality and Law Reform the position of an application for residency by a person (details supplied) in County Tipperary. [30538/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 379 of Tuesday 24 June 2008, and the written Reply to that Question.

The person concerned applied for asylum on 22 December 2005. 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 22 November 2007, 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. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

The Deputy might wish to note that the person concerned also made an application for permission to remain in the State in accordance with the revised arrangements applicable to the non-EEA national parents of Irish born children, born in the State before 1 January 2005. The revised arrangements in question, commonly referred to as the IBC/05 Scheme, were announced by the Minister for Justice, Equality and Law Reform on 15 January 2005 and the Closing Date for receipt of applications was 31 March 2005. The application of the person concerned was received on 18 January 2006 and, as such, was received much too late for consideration. The person concerned was made aware of the non-acceptance of his IBC/05 application by letter dated 25 January 2006.

### **Gaming Regulation.**

932. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform the plans he has to regulate all modern forms of gambling and gaming such as on-line telephone betting; and if he will make a statement on the matter. [30547/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I published the Report *Regulating Gaming* in Ireland on 10 July last. The Report makes some 32 recommendations that have significant public policy implications regarding the future architecture of many aspects of gaming and betting in Ireland, including the subject matter of the Deputy's Question.

As I said on the publication of the Report, we need to get things right in relation to our gaming and betting codes. In particular I want to ensure that betting and gaming activities are carried out within a responsible framework that recognises the reality of these activities, but which ensures they are properly managed, particularly as regards problem gamblers. In that context, technological advances associated with the online and remote betting and gaming

environments, as well as other significant developments such as the changing nature of gaming through the convergence of technologies, and the proliferation of private members' clubs offering a casino-style experience require further detailed analysis before Government is asked to make a formal decision on introducing any significant changes to the regulatory regime in the gaming and betting area. I published the Report in advance of setting up the informal Cross-Party Committee which is to be asked to examine all aspects of gaming in Ireland and I allowed the Summer Recess for all parties to familiarise themselves with the contents of the Report.

Among the areas to be addressed by the Committee will be to:

- reflect on and review the Report “Regulating Gaming in Ireland”;
- undertake public consultation in relation to the issues raised in the Report;
- consider in particular, the recommendations made on the nature of the regulatory and licensing system proposed;
- take into account the wider implications of the public policy concerns, both in terms of the negative aspect of gaming/gambling and the issue of choice by adults to engage in such activity;
- examine existing law regulating gaming and lotteries in the jurisdiction;
- take account of international developments and examine, in particular, the experience of the United Kingdom which has recently enacted the Gambling Act 2005 and established a national regulator — the Gambling Commission;
- take account of developments in relation to internet and remote gambling (e.g. via mobile phones);
- conduct sectoral consultation in arriving at any conclusions;
- evaluate the public policy concerns around gaming and gambling giving the diversity of opinion and the desirability of introducing policy proposals which would attract broad agreement,
- provide an interim report on measures that could assist in supporting the horse racing and greyhound industries and any other matter that the Committee considers to be of pressing public importance; and,
- provide a final report to the Minister with recommendations on the future architecture for gaming in Ireland as soon as possible thereafter.

As the Deputy can see, the informal Cross-party Committee is being asked specifically to take account of the specific developments addressed by the Deputy in his question. The Committee will have wide latitude to address the many complex and even emotive issues surrounding gaming and gambling, and I would think that participation in the work of the Committee affords an opportunity to Members of the House to contribute, at the important policy formulation stage, to the future architecture of gaming in Ireland. It is an approach that offers the best guarantee that the interests of all elements in our society are taken into account from the beginning in an area of important public policy. I look forward to completing the establishment of the Committee now that the House has resumed and look forward to receiving the advice of the Committee in due course.

### **Citizenship Applications.**

933. **Deputy Ciarán Lynch** asked the Minister for Justice, Equality and Law Reform if a child born here to a person with UK residence is an Irish citizen by right and does not need to be naturalised; and if he will make a statement on the matter. [30574/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Since the Deputy has not provided details of the particular case, I can only set out the position generally. In accordance with the Irish Nationality and Citizenship Act, 2004, the citizenship entitlement of every person born on the island of Ireland on or after 1 January, 2005 is governed by the citizenship of the person's parents at the time of the person's birth or the residency history of one of the parents prior to the birth. Babies born on the island of Ireland on or before 31 December, 2004, are entitled to Irish Citizenship.

- Babies born on the island of Ireland on or after 1 January, 2005, are entitled to Irish Citizenship if one of their parents is an Irish citizen, or if one of their parents is a non-national legally resident in Ireland for three out of the four years immediately prior to their birth.
- Babies born after 1 January, 2005 whose parents do not have the required residency at the time of their birth can apply for Citizenship for their child when the child has five years reckonable residence.

### **Garda Operations.**

934. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support a matter (details supplied). [30580/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that the location referred to is in Clontarf Garda Sub-District and is patrolled by foot and mobile patrols from that Garda station, including the Community Policing Unit.

I am further informed that local Garda management is aware of anti-social behaviour in the area concerned. The local Community Garda recently attended a meeting where a number of issues, including traffic, speeding and anti-social behaviour, were discussed. These matters are receiving attention and local Garda management is liaising with relevant authorities, including the appropriate board of management and the local authority, concerning measures necessary to address these issues.

The area is regularly patrolled by uniform and plain-clothes units, including the Community Policing Unit. Patrols are supplemented by the District Garda Mountain Bike Unit, Detective and Drugs Units, the Divisional Crime Task Force and the Traffic Corps.

Current policing policy in the area is predicated on the prevention of crime, including crimes of violence against persons and property, the prevention of public order offences and the maintenance of an environment conducive to the improvement of the quality of life of the residents. This strategy is, and will continue to be, central to the delivery of the policing service in this area.

### **Garda Equipment.**

935. **Deputy Thomas P. Broughan** asked the Minister for Justice, Equality and Law Reform if there are plans to increase the number of mountain bikes allocated to Coolock Garda Station; and if he will make a statement on the matter. [30600/08]



**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that there are currently eleven Garda mountain bikes allocated to Coolock Garda District, which comprises Coolock, Swords and Malahide sub-districts. Four additional mountain bikes were allocated in July 2008 which represents a significant increase in the District.

Garda authorities have advised that crime trends and resource requirements are kept under constant review and while there are no plans at present to allocate further mountain bikes to Coolock Garda Station, additional personnel within the sub-district can be trained and equipped for mountain bike duties if required and can be transferred within the District to meet operational demands.

### Departmental Agencies.

936. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of his Department; and if he will make a statement on the matter. [30616/08]

988. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform the bonuses, merit awards and other payments above the basic salary they have approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which they made the decision to approve such awards; and if he will make a statement on the matter. [31197/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 936 and 988 together.

The following table sets out the salary of the current post holders in the role of Chief Executive Officer in each of the agencies under the aegis of my Department.

Name of Body	CEO/Equivalent	Salary
Equality Authority*	CEO	Assistant Secretary scale €131,748 – €150,712
Human Rights Commission	President	High Court Judge level €243,080
	CEO	Assistant Secretary scale €131,748 – €150,712
Courts Service	CEO	Secretary General level €221,929
Garda Síochána Complaints Board*	CEO	Assistant Secretary scale €131,748 – €150,712
Garda Síochána Ombudsman Commission	Chairperson	High Court Judge level €243,080
	Two Commissioners	Specific one-point scale €167,412
Legal Aid Board*	CEO	Assistant Secretary scale €131,748 – €150,712
National Disability Authority	CEO	Principal Officer Higher scale €92,730 – €114,366
Office of the Data Protection Commissioner*	Data Protection Commissioner	Assistant Secretary scale €131,748 – €150,712
Private Security Authority	CEO	Principal Officer scale €86,168 – €106,582 plus Director's allowance (€13,853)
Property Registration Authority*	CEO	Deputy Secretary General level €177,547



[Deputy Dermot Ahern.]

In addition to these posts, there are also a number of other full-time Heads of Office in the Justice and Equality Sector (that are generally graded at Deputy Secretary, Assistant Secretary or Principal Officer level) responsible for the Irish Prison Service, the Irish Naturalisation and Immigration Service (INIS), the Equality Tribunal, the Refugee Appeals Tribunal, the Office of the Refugee Applications Commissioner, the Garda Síochána Inspectorate, the Irish Film Classification Office, the State Pathology Service, etc.

The Chairperson of the Garda Síochána Ombudsman Commission is a member of the judiciary pension scheme while all other post holders, with the exception of the President of the Human Rights Commission, are members of the relevant civil service pension scheme for established or non-established staff. The President of the Human Rights Commission has no pension entitlements in relation to this position.

Those post holders marked with an asterisk in the table above and a number of Heads of Office in the Justice and Equality Sector are covered by the Civil Service-wide scheme of performance-related awards. The operation of the scheme is overseen by the Committee for Performance Awards which is chaired by the Department of Finance. Payments of up to 20% of salary can be made to individuals under the Scheme. Details of the procedures, the numbers covered by the scheme, the range of awards and the total amounts paid in Departments are outlined in the annual reports of the Committee (available on the website [www.finance.gov.ie](http://www.finance.gov.ie)).

Details of individual awards made under the performance-related scheme are not disclosed on the basis that they are confidential to the officers concerned. A breakdown of the range of awards made to the relevant CEOs/Heads of Office in respect of each of the years 2005 to 2007 is set out in the table below. No awards under the Scheme have yet been made in respect of 2008.

Year	Range of Awards
2005	€4,100 – €36,405
2006	€10,800 – €26,438
2007	€5,500 – €29,111

### Departmental Staff.

937. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of him and each Minister of State within his Department; and if he will make a statement on the matter. [30631/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The information sought by the Deputy is as follows.

My Office is staffed by 12.5 civil servants (1 Administrative Officer, 3 Executive Officers and 8.5 Clerical Officers) and 3 political appointees (1 Special Advisor, 1 Press Advisor and 1 Personal Assistant).

Minister of State, Conor Lenihan's Office is staffed by 8 civil servants (1 Administrative Officer, 2 Executive Officers and 5 Clerical Officers) and 2 political appointees (1 Personal Secretary and 1 Personal Assistant).

The information requested by the Deputy in relation to the costs associated with the staffing of the Minister's Office in respect of 2007 and 2008 is set out in the table below. It should be noted that, in view of the periods concerned, the figures cover costs associated with my staff and that of my predecessors.

Minister's Office

	Salary Civil Servants	Salary Non-Civil Servants	Overtime
	€	€	€
2007	449,666	307,320	53,809
2008 (up to 31 August)	349,820	194,511	54,841

In terms of projected costs, it is expected that the salary costs for my Office for the remainder of 2008 will be in the region of €230,029.

The information requested by the Deputy in relation to the costs associated with the staffing of the Minister of State's Office/s in respect of 2007 and 2008 is set out in the table below. Once again it should be noted that, in view of the periods concerned, the figures cover costs associated with staff of the current Minister of State and that of his predecessors.

Minister of State's Office

	Salary Civil Servants	Salary Non-Civil Servants	Overtime
	€	€	€
2007	318,122	118,172	9,516
2008 (up to 31 August)	290,565	92,208	8,700

In terms of projected costs, it is expected that the salary costs for the Minister of State's Office for the remainder of 2008 will be in the region of €124,271.

Staff in both Offices would be entitled to travel and subsistence expenses in accordance with relevant Department of Finance circulars.

### Asylum Applications.

938. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if he is satisfied that the case of a person (details supplied) in Dublin 8 has been fully examined; and if he will make a statement on the matter. [30642/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned arrived in the State on 27 December 2004 and applied for asylum on 21 April 2005. 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 29 December 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

[Deputy Dermot Ahern.]

Deportation Order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State.

His case was examined 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. Consideration was given to representations submitted on his behalf for Permission to remain in the State. On 23 July 2007 the legal representatives of the person concerned were invited to submit an application for Subsidiary Protection pursuant to the European Communities (Eligibility for Protection) Regulations, 2006 — Statutory Instrument No. 518 of 2006.

Following consideration of the application the legal representatives of the person concerned were informed by letter dated 14 May 2008 that the application had been considered and refused. On 14 August 2008, I refused permission to remain temporarily in the State and instead signed a Deportation Order in respect of the person concerned. Notice of this order was served by registered post dated 26 August 2008 requiring the person concerned to present himself at the Garda National Immigration Bureau (GNIB) 13-14 Burgh Quay, Dublin 2 on 16 September 2008 in order to make travel arrangements for his removal from the State. The person concerned presented as required. He is due to present again shortly.

The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter out of the State. The enforcement of the Deportation Order is an operational matter for the GNIB.

### **Residency Permits.**

939. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if residency status, temporary or permanent on humanitarian or other grounds will be offered in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [30643/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Questions No. 222 of Thursday 15 May 2008 and No.193 of Thursday 10 April 2008 and the written Replies to those Questions.

The person concerned applied for asylum on 14 December 2001. As part of the process of having his asylum claims investigated, the person concerned was requested to attend for interview at the Offices of the Refugee Applications Commissioner on two separate occasions but he failed to do so. Neither did he provide any reason for his non-attendance. As a result, the Refugee Applications Commissioner made a recommendation to the Minister that the person concerned should not be declared to be a refugee.

Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 5 June 2002, that the Minister proposed to make a Deportation Order in respect of him and he was made aware of the options open to him at that point in time namely; to leave the State voluntarily, to consent to deportation or to submit, within 15 working days, written representations setting out the reasons as to why he should be allowed to remain temporarily in the State. No such representations were submitted by, or on behalf of, the person concerned at that time. Following consideration of the case file of the person concerned under Section 3(6) of the Immigration Act, 1999 (as amended) and Section 5 of the Refugee Act, 1996 (as amended) on the prohibition on refoulement, a Deportation Order was signed in respect of the person concerned on 4 July 2003.

The person concerned subsequently submitted a request to be re-admitted to the asylum process, in accordance with the provisions of Section 17(7) of the Refugee Act, 1996 (as

amended) and this request was granted. As a result, the Deportation Order in respect of the person concerned was revoked and the consideration of his asylum application commenced anew.

The asylum application of the person concerned was refused following consideration of his case by the Refugee Applications Commissioner and, on appeal, 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 7 July 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 deportation or of submitting, within 15 working days, written representations setting out the reasons as to 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, before the file is passed to me for decision.

940. **Deputy Mary O'Rourke** asked the Minister for Justice, Equality and Law Reform the legal position of a person (details supplied) in County Westmeath who has been living and working here for seven years. [30673/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The position in relation to granting long term residency is as follows: persons who have been legally resident in the State for over five years on the basis of work permit/work authorisation/work visa conditions may apply to my Department for a five year residency extension. In that context they may also apply to be exempt from employment permit requirements.

The dependants of the aforementioned, who have been legally resident in the State for over five years may also apply for long term residency. This particular long term permission does not grant an exemption from employment permit requirements to any such dependants.

Time spent in the State on student conditions cannot be counted towards long term residency.

While applications for long term residency are under consideration, the person concerned should ensure that their permission to remain in the State is kept up to date.

An application for long term residency from the person referred to by the Deputy was received in March 2007. I understand that applications received in January 2007 are currently being dealt with. As soon as a decision is made in his case, the person concerned will be notified.

941. **Deputy Mary O'Rourke** asked the Minister for Justice, Equality and Law Reform the legal position of a person (details supplied) in County Westmeath who has been living and working here for five years. [30674/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The position in relation to granting long term residency is as follows: persons who have been legally resident in the State for over five years on the basis of work permit/work authorisation/work visa conditions may apply to my Department for a five year residency extension. In that context they may also apply to be exempt from employment permit requirements.

The dependants of the aforementioned, who have been legally resident in the State for over five years may also apply for long term residency. This particular long term permission does not grant an exemption from employment permit requirements to any such dependants.

Time spent in the State on student conditions cannot be counted towards long term residency.

[Deputy Dermot Ahern.]

While applications for long term residency are under consideration, the person concerned should ensure that their permission to remain in the State is kept up to date.

The person referred to by the Deputy is currently in the State under stamp 3 (dependent spouse) conditions. As stated above, she may apply for long term residency under these conditions once her spouse has been granted stamp 4.

942. **Deputy Mary O'Rourke** asked the Minister for Justice, Equality and Law Reform if he will review the case of a person (details supplied) in County Westmeath who seeks residency. [30675/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned arrived in the State on 14 September, 2000 and applied for asylum. Her application was refused following consideration of her case by the Office of the Refugee Applications Commissioner.

Subsequently, in accordance with Section 3 of Immigration Act 1999, as amended, the person concerned was informed, by letter dated 29 January, 2002 that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of 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 she should be allowed to remain temporarily in the State.

Her case was examined 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. On 19 April 2002, one of my predecessors refused permission to remain temporarily in the State and instead signed a Deportation Order in respect of her. Notice of this order was served by registered post requiring the person concerned to present herself at the Garda National Immigration Bureau (GNIB) 13-14 Burgh Quay, Dublin 2 on 24 May 2002 in order to make travel arrangements for her removal from the State. She failed to present as required and was classified as evading her deportation.

Late representations have been received from legal representatives of the person concerned. These representations are currently being considered by officials in my Department.

The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter out of the State. The enforcement of the Deportation Order is an operational matter for the GNIB.

943. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the procedure to be followed to apply for family reunification by a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [30748/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration division of my Department that no Family Reunification application has been received from the person in question.

The Immigration Division of my Department issued an Information Leaflet to the person concerned on 19 September 2008 detailing the Family Reunification application procedure.

944. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if all documentation appertaining to an application for residency status is in order in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [30749/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned, and her two children, have been granted temporary Leave to Remain in the State for a three year period to 14 August 2010. This decision was conveyed in writing to the person concerned by letter dated 14 August 2007.

945. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [30750/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 231 of Thursday, 15 May 2008, and the written Reply to that Question.

The person concerned applied for asylum on 6 December 2002. 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 30 November 2004, 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.**

946. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding an application for citizenship in respect of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [30752/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** An application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Section of my Department in November 2006.

Officials in that Section are currently processing applications received in April 2006. All applications are dealt with in chronological order as this is deemed to be the fairest to all applicants. The current processing time for applications is approximately 28 months.

#### **Asylum Applications.**

947. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding an application for residency application in respect of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [30753/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.



[Deputy Dermot Ahern.]

A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

*Question No. 948 answered with Question No. 836.*

949. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an asylum application in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [30755/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 12 December 2002. 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 20 April 2004, 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.

#### **Residency Permits.**

950. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency status in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [30756/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 194 of Thursday 10 April 2008 and the written Reply to that Question.

The person concerned applied for asylum on 20 May 2002. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 23 April 2003, 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 received on behalf of the person concerned and will be fully considered before the file is passed to me for decision.

#### **Citizenship Applications.**

951. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for naturalisation in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [30757/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** 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 2006.

Officials in that Section inform me that processing of the application has commenced and the file will be forwarded to me for a decision in the near future.

### **Residency Permits.**

952. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for leave to remain here in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [30758/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 856 of Thursday, 10 July 2008, and the written Reply to that Question.

The person concerned, and her minor child, applied for asylum on 24 May 2005. The person concerned subsequently gave birth to a second child in the State and this child was also included in his mother's asylum application. The asylum application of the person concerned was refused following consideration of the 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 16 January 2006, that the Minister proposed to make Deportation Orders in respect of her and her two children. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of Deportation Orders or of making representations to the Minister setting out the reasons why she and her children should be allowed to remain temporarily in the State. Representations were submitted on behalf of the person concerned. Following consideration of the case of the person concerned, and her two children, 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, Deportation Orders were signed in respect of the person concerned and her two children on 3 March 2006. Following the consideration of further representations submitted on behalf of the person concerned, the Deportation Orders were affirmed on 26 July 2006.

Judicial Review Proceedings were subsequently initiated on behalf of the person concerned challenging the Deportation Orders. These proceedings were settled on 27 November 2006. As part of the Terms of Settlement, it was agreed that the Deportation Orders would be quashed and the person concerned would be allowed to submit new representations within 21 working days.

The person concerned submitted fresh representations. In addition she submitted an application for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations 2006 (S.I. No. 518 of 2006). The Subsidiary Protection application is under consideration at present. When consideration of this application has been completed the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

### **Asylum Applications.**

953. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for asylum in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [30759/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 855 of Thursday, 10 July 2008, and the written Reply to that Question.

The person concerned applied for asylum on 30 January 2006. 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 9 November 2006, 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. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

### **Citizenship Applications.**

954. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [30760/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Officials in the Citizenship Section of my Department inform me that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's Question.

### **Residency Permits.**

955. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if stamp four will issue to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [30761/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The second named person was granted permission to remain in the State in 2002, under the arrangements then in place for the non-EEA parents of Irish citizen children. I am informed that the permission granted is currently valid until 12 March, 2009.

The first named person should apply in writing to my Department for permission to remain in the State, under Stamp 4 conditions, as the dependant of a family unit in which the parents have been granted permission to remain on the basis of their parentage of an Irish citizen child. This application should be addressed to my Department at INIS, PO Box 10003, Dublin 2. Any such application will be given due consideration and the person concerned will be notified of any decisions made.

### **Asylum Applications.**

956. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to a refugee application in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [30762/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

### **Residency Permits.**

957. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency in the case of a person (details supplied) in County Longford; and if he will make a statement on the matter. [30763/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 5 July 2004. 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 25 April 2006, 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.

958. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the application for family reunification in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [30765/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that at present there is no Family Reunification application pending in respect of the above named person.

### Asylum Applications.

959. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Louth; and if he will make a statement on the matter. [30766/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned arrived in the State on 9 December 2003 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 24 November 2004, 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.

His case was examined 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. Consideration was given to representations submitted on his behalf for permission to remain in the State. On 11 May 2005, one of my predecessors refused permission to remain temporarily in the State and instead signed a Deportation Order in respect of him. Notice of this order was served by registered post requiring the person concerned to present himself at the Garda National Immigration Bureau (GNIB) 13-14 Burgh Quay, Dublin 2 on 16 June 2005 in order to make travel arrangements for his removal from the State. The person initially presented as required and was given further presentation dates which he kept. He subsequently failed to present as required on 12 December 2006 and was classified as evading his deportation. He should, therefore, present himself to the GNIB without any further delay. The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter out of the State. The enforcement of the Deportation Order is an operational matter for the GNIB.

### Residency Permits.

960. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Dublin who has been employed here for eight years; and if he will make a statement on the matter. [30767/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned was refused permission to remain in the State under the revised arrangements for the non-EEA parents of children born in Ireland prior to 1st January, 2005, known as the IBC/05 Scheme, as he did not meet the criteria of the Scheme.

The person in question has been invited, by letter dated 12th May, 2008, to make further representations under Section 3 of the Immigration Act, 1999 as to why he should be allowed to remain in the State. Representations in this regard are awaited. An additional period of time has been allowed for the submission of representations to facilitate a change of legal representatives by the person concerned. Any representations received will be considered and the person will be notified of the outcome in due course.

### Deportation Orders.

961. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if



he will review the case of a person (details supplied) in Dublin 6; and if he will make a statement on the matter. [30768/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to the Reply to Parliamentary Question no. 239 of Thursday 3 April 2008. The current situation is that the person concerned presented as required on 29 April 2008 and was given further presentation dates which he kept. He is due to present again shortly. In addition, representations were received in my Department seeking revocation of the Deportation Order made in respect of the person concerned. These representations are currently under consideration by my officials and will be presented to me for decision in due course.

#### **Citizenship Applications.**

962. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for naturalisation in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [30769/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** 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 July 2007. Officials in that Section inform me that processing of the application has commenced and the file will be forwarded to me for a decision in the near future.

#### **Refugee Status.**

963. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [30771/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 857 of Thursday, 10 July 2008, and the written Reply to that Question.

The person concerned applied for asylum on 3 February 2003. As part of the investigation of her asylum claim, the person concerned was invited to attend for interview at the Offices of the Refugee Applications Commissioner but failed to do so. As a result the Refugee Applications Commissioner made a recommendation to the Minister for Justice, Equality and Law Reform that the person concerned be refused a declaration of refugee status.

Based on the recommendation of the Refugee Applications Commissioner, and in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 12 September 2003, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of 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 she should be allowed to remain temporarily in the State.

On 8 October 2003, in accordance with the provisions of the Dublin Convention, a formal transfer request was received from the United Kingdom (UK) for the transfer of the person concerned from the UK to this State. The person concerned had come to the attention of the UK authorities when she lodged an application for asylum in that State on 28 July 2003. Ireland agreed to the transfer request and also agreed, in accordance with Article 4(3) of Council Regulation (EC) 343 of 2003, to accept the son of the person concerned who was born in the



[Deputy Dermot Ahern.]

United Kingdom during her time there. The person concerned and her son transferred from the UK to Ireland on 22 February 2005.

On 21 April 2005 a take back request was received from the United Kingdom in accordance with Article 16(1)(c) of the Dublin II Regulation on the basis that the person concerned was in the United Kingdom without permission and her asylum application was being examined in this State. This request was acceded to and the person concerned and her son were again transferred from the UK to Ireland on 16 May 2005.

The case of the person concerned, and that of her son, now fall to be dealt with in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended). Representations have been submitted on behalf of the person concerned and these representations 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.**

964. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if a person (details supplied) in County Dublin will qualify to apply for naturalisation; and if he will make a statement on the matter. [30772/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Officials in the Citizenship Section of my Department inform me that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's Question.

The Irish Nationality and Citizenship Act, 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. These conditions are that the applicant must:

- be of full age
- be of good character
- have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years
- intend in good faith to continue to reside in the State after naturalisation
- have made either before a Judge of the District Court in open court or in such a manner as the Minister for special reasons allows, a declaration in the prescribed manner, of fidelity to the nation and loyalty to the State.

In the context of naturalisation, certain periods of residence in the State are excluded. These include:

- periods of residence in respect of which an applicant does not have permission to remain in the State
- periods granted for the purposes of study periods granted for the purposes of seeking recognition as a refugee within the meaning of the Refugee Act, 1996.

It is open to the person in question to lodge an application for a certificate of naturalisation if and when they are in a position to meet the statutory criteria outlined.

### Residency Permits.

965. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform when stamp four will be renewed in the case of a person (details supplied) in County Dublin in view of the fact that same is required by their employer; and if he will make a statement on the matter. [30773/08]

966. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to residency in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [30774/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 965 and 966 together.

I refer the Deputy to the replies to a number of Parliamentary Questions he previously asked on behalf of the person concerned.

The person in question was the subject of a Family Reunification application that was approved in March 2002. Correspondence issued to the Deputy in July 2007, and to the person concerned and his legal representative in November 2004, May 2006, June 2007, August 2007 and September 2008 advising him that his permission to remain in the State was being renewed. The person in question was also advised to report to the Garda National Immigration Bureau, 13/14 Burgh Quay, Dublin 2 to have the appropriate permission endorsed on his passport and to have a Certificate of Registration issued in respect of him.

Enquiries made by the Immigration Division of my Department in January 2008 indicated that the person concerned had contacted the Garda National Immigration Bureau and had renewed his permission to remain until the 26th July 2008. The onus is on the person concerned to ensure that his immigration registration is kept up to date.

### Garda Operations.

967. **Deputy Mary Upton** asked the Minister for Justice, Equality and Law Reform if he will instruct the Garda Commissioner to establish a central bike theft unit to help tackle the problem of bicycle theft on a city and national basis and not just on a station basis. [30782/08]

990. **Deputy Mary Upton** asked the Minister for Justice, Equality and Law Reform the plans he has to establish a Garda central bicycle theft unit to help tackle the problem of bicycle theft, particularly in cities and towns; if his attention has been drawn to the fact that the situation in which cases are dealt with on a station basis does not take into account the frequently systematic nature of bicycle theft and the transportation of these stolen goods throughout the country and beyond; and if he will make a statement on the matter. [31237/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 967 and 990 together.

I am advised by the Garda authorities that this type of crime is best addressed and targeted by Divisional and District management teams, as local crime trends can be monitored and appropriate crime prevention and detection initiatives can be put in place.

I am further advised that the Garda authorities have in place a number of measures to target this type of criminality. Patrols by uniform and plain-clothes members of An Garda Síochána, including Community Policing and Garda Mountain Bike Units are briefed on trends and the need to be vigilant of such crimes at the start of each tour of duty while plain clothes Gardaí are also placed on covert surveillance at times when this crime is most prevalent. Mountain

[Deputy Dermot Ahern.]

Bike patrols are utilised in the vicinity of schools and other vulnerable areas. Information bulletins containing profiles of suspects and trends for such crimes are also circulated by Criminal Intelligence Officers.

The Garda authorities offer crime prevention advice to members of the public and focussed presentations are made to students through the Garda Schools Programme and Campus Watch and to security personnel at shopping centres and similar vulnerable sites, such as park and ride facilities. The Garda National Crime Prevention Office has also produced an advice leaflet titled, 'Cycle Theft Prevention' which has been circulated widely at similarly vulnerable locations.

### **Integration Strategy.**

968. **Deputy Mary Upton** asked the Minister for Justice, Equality and Law Reform the progress he is making towards ensuring new Irish people do not form parallel societies and structures but instead integrate into Irish society whilst retaining their own cultural heritage; and if he will make a statement on the matter. [30783/08]

969. **Deputy Mary Upton** asked the Minister for Justice, Equality and Law Reform if best international practice is being followed to ensure Ireland reaps the full benefits of immigration and that new Irish integrate into Ireland; and if he will make a statement on the matter. [30784/08]

**Minister of State at the Department of Justice, Equality and Law Reform (Deputy Conor Lenihan):** I propose to take Questions Nos. 968 and 969 together.

I would refer the Deputy to my statement on integration strategy and diversity management, Migration Nation, which I published on 1 May and which discusses the issues to which these Questions refer.

In that statement, I specifically referred to the need to avoid the creation of parallel societies, communities and urban ghettos. I went on to outline new funding arrangements for the promotion of integration at local level and in sporting and other organisations. This funding is currently being rolled out.

In Migration Nation, I also dealt with international practice in relation to the integration of immigrants and how we can learn from the experiences of other countries while recognising that our situation has distinctive features.

### **Garda Recruitment.**

970. **Deputy Mary Upton** asked the Minister for Justice, Equality and Law Reform the number of members of An Garda Síochána and the Garda Reserve Force who are of a non-Irish background; and if he will make a statement on the matter. [30789/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda Commissioner that the number of persons from a non-Irish background currently serving or in training in An Garda Síochána since diversity monitoring commenced in 2006 is 32.

The number of persons from a non-Irish background currently serving or in training for the Garda Reserve since its introduction in 2006 is 23.

### Illegal Immigrants.

971. **Deputy Mary Upton** asked the Minister for Justice, Equality and Law Reform the ways in which the Government attempts to prevent human trafficking into Ireland; if the Government is following international best practice to thwart human trafficking into Ireland; if anyone has been convicted of human trafficking in Ireland since 2001; and if he will make a statement on the matter. [30790/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Legislative, administrative and operational/enforcement/monitoring measures have been put in place to provide a comprehensive, holistic and effective response to the heinous crime of trafficking in human beings. Legislative Developments The Criminal Law (Human Trafficking) Act 2008 has been fully operational since 7th June, 2008. The Act creates offences of trafficking in children and adults for the purpose of sexual or labour exploitation or the removal of their organs. It also makes it an offence to sell or offer for sale or to purchase or offer to purchase any person for any purpose. Penalties of up to life imprisonment apply in respect of these offences.

Enactment of this legislation brings Ireland into compliance with the criminal law/law enforcement elements of the:

- (i) EU Framework Decision on Combating Trafficking in Human Beings
- (ii) Council of Europe Convention on Action against Trafficking in Human Beings and
- (iii) UN Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children.

The Immigration, Residence and Protection Bill at Section 124 provides for a period of recovery and reflection of 45 days in the State for alleged victims of trafficking. Furthermore where the person trafficked wishes to assist the Gardaí in any investigation or prosecution in relation to the alleged trafficking, the Section provides a further six months period of residence, renewable, to enable him or her to do so. An administrative framework, reflecting the provisions in the Bill, was introduced on 7th June, 2008 to provide for the period of recovery, reflection and residency in the State during the period between the enactment of the Criminal Law (Human Trafficking) Act, 2008 and the full enactment of the provisions in the Immigration, Residence and Protection Bill.

#### *Administrative Developments*

An Interdepartmental High Level Group has been established to recommend to me the most appropriate and effective responses to trafficking in human beings. Furthermore, an Anti-Human Trafficking Unit has been established in my Department under the Stewardship of an Executive Director. The role of the Unit is to ensure that the State's response to trafficking in human beings is coordinated, comprehensive and holistic. A National Action Plan to Prevent and Tackle Trafficking in Human Beings will be approved by the High Level Group for submission to me, with a view to publication by the end of the year. Roundtable discussions chaired by the Executive Director of the Anti-Human Trafficking Unit are being held with Government and non-governmental organisations on a quarterly basis.

In addition, 5 interdisciplinary Working Groups have been established to progress matters and, in turn, report to the High Level Group. The Working Groups will deal with:

- Development of a National Referral Mechanism
- Awareness Raising and Training

[Deputy Dermot Ahern.]

- Child Trafficking
- Labour Exploitation Issues
- Sexual Exploitation Issues

Ireland participates in a European initiative known as the G6 Human trafficking Initiative, which includes the UK, Poland, Italy, France, Spain and the Netherlands along with Interpol, Europol and Eurojust. The most recent meeting of the G6 took place on the 20th June, 2008. Ireland has recommended a particular focus on the trafficking of children in the course of the G6 initiative. As part of this initiative the Garda Síochána has commenced an operation designed to prevent the trafficking of minors in to, out of, and within the State, to ensure the welfare of suspected victims of such criminal activity is adequately provided for, and to commence prosecutions where criminal activity of the nature concerned has been detected. An awareness-raising campaign throughout the participating countries — led by Ireland — is also planned under this initiative. The campaign in Ireland will commence in October and run for a period of three weeks. Its focus will be the General Public and Law Enforcement. Training on the legislation and the indicators of trafficking has been given to Labour Inspectors of the National Employment Rights Authority and staff of the Health Service Executive. Further training is planned for a number of professionals who have been identified as benefiting from such training in the course of their work.

Ireland is participating in an operation, “Pentameter 2”, launched by the UK. One of the main objectives of the operation is to raise awareness of the scale of the problem of trafficking of human beings for the purposes of sexual exploitation, particularly among those who avail of sexual services. The operation assists awareness raising in showing Ireland and the UK as locations which are hostile to human trafficking. As part of Operation Pentameter a poster-campaign was launched in both Ireland and the UK to encourage victims of human trafficking to report their plight to State authorities. The Garda Síochána are taking a pro-active approach in Operation Pentameter to address the need for a coordinated approach to human trafficking with the Common Travel Area which operates between the UK and Ireland. This cooperation is taking place in a number of ways, including intelligence sharing, joint training exercises and operational cooperation where investigations have a cross-border, UK/Ireland, dimension.

Immigration border controls are maintained by the Garda National Immigration Bureau and a number of traffickers and victims of traffickers have been identified through the rigorous enforcement of immigration legislation. Joint operations, in association with the UK Immigration Service, continue to be part of immigration policy to prevent and detect possible abuses of the Common Travel Areas (CTA), by means of illegal immigration and associated criminality.

Liaison at an international level between the Garda Síochána and the international law enforcement community forms part of the approach taken by An Garda Síochána to human trafficking. Members of An Garda Síochána regularly attend international meetings including those organised by Europol, Interpol and Frontex, to facilitate the exchange of information and best practice between EU Member States in particular, and on a global basis with countries of origin of suspected victims of human trafficking.

A training programme, titled ‘Tackling Human Trafficking — Prevention, Protection, Prosecution’ to assist those tasked with investigating incidents of human trafficking, was developed at the Garda Síochána Training College, Templemore in 2006 in consultation with the Garda National Immigration Bureau (GNIB) and the International Organisation for Migration



(IOM). Members from the GNIB, the IOM and other Government and non-Governmental Agencies, including Ruhama and the Migrants Rights Centre of Ireland (MRCI), make presentations to participants on these courses, which are regularly held at the Garda College. Regular presentations are also made by the Head of the UK Human Trafficking Centre and by officials from the Health Services Executive (HSE) who have responsibility for dealing with unaccompanied minors who arrive in the State, some of whom are suspected of having been trafficked into the State. Garda Personnel involved in the delivery of training to Student and Probationer Gardai and in the delivery of in-service training at District and Divisional levels have attended the Training Courses and presentations now form part of the Student/Probationer and Continuous Development Programmes at the Garda College and nationwide. Members of the Police Service of Northern Ireland have also participated, as students, on training courses at the Garda College.

As the Criminal Law (Human Trafficking) Act, 2008 only came into operation on 7th June, 2008 no convictions have been recorded to date for offences contrary to that Act. However, prior to the enactment of the Act of 2008 the Garda Síochána utilised the provisions of the Illegal Immigrants (Trafficking) Act, 2000 in cases where human trafficking was suspected. Since September, 2000 over one hundred persons have been arrested and detained in respect of alleged breaches of the provisions of Section 2 of the Act of 2000. Four persons have been convicted in respect of twenty two alleged breaches of the provisions of Section 2 of the Illegal Immigrants (Trafficking) Act, 2000 and one person is currently awaiting trial while investigation files are being prepared for submission to the Law Officers.

### **Garda Operations.**

972. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support a matter (details supplied). [30801/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that the location referred to is in Clontarf Garda Sub-District and is patrolled by foot and mobile patrols from that Garda station, including the Community Policing Unit.

I am further informed that local Garda management is aware of the incidents referred to and there is an ongoing Garda investigation. Garda patrols, including patrols by the District Detective and Drug Units, the Community Policing Unit and the Mountain Bike Units, supplemented as necessary by the Divisional Crime Task Force and Traffic Corps personnel, will pay particular attention to this area.

Current policing policy in the area is predicated on the prevention of crime, including crimes of violence against persons and property, the prevention of public order offences and the maintenance of an environment conducive to the improvement of the quality of life of the residents. This strategy is, and will continue to be, central to the delivery of the policing service in this area.

973. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support a matter (details supplied). [30804/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that the location referred to is in Clontarf Garda Sub-District and is patrolled by foot and mobile patrols from that Garda station, including the Community Policing Unit. Patrols are supplemented by the District Garda Mountain Bike, Detective and Drug Units, the Divisional Crime Task Force and Traffic Corps personnel.



[Deputy Dermot Ahern.]

I am further informed that under Operation Tombola 2008, which is operational in the Dublin Metropolitan Region Northern Division, local Garda management will liaise with other agencies in the preparation of plans for the Halloween period, including with the Cleansing and Parks Departments of Dublin City Council and other local authorities, to ensure appropriate arrangements are in place to prevent and detect any breaches of the criminal law.

Members of An Garda Síochána from the local Community Policing Unit have been instructed to liaise with the local residents in the area referred to ensure that any information received regarding bonfires and other anti-social behaviour is acted upon in advance of Halloween. During this period additional public order patrols will also be directed to the area referred to and offences reported to An Garda Síochána will be dealt with appropriately.

#### **Residency Permits.**

974. **Deputy Tom Hayes** asked the Minister for Justice, Equality and Law Reform when a decision will issue in the case of a person (details supplied) in County Tipperary who applied for residency here. [30829/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am pleased to inform the Deputy that permission to remain in the State has been granted to the person in question and a letter notifying the applicant of the decision was issued on 30 July 2008.

#### **Asylum Applications.**

975. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of asylum seekers entering the country annually in each of the past five years. [30853/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The number of asylum applications received by the Office of the Refugee Applications Commissioner in each of the past five years and to the end of August in 2008 is set out in the table below.

Year	2003	2004	2005	2006	2007	2008 (31/8)
No. of asylum applications received	7,900	4,766	4,323	4,314	3,985	2,525

#### **Asylum Support Services.**

976. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform if he will provide details in tabular form of the number of asylum seekers residing in each of the 61 accommodation centres on 31 July 2008, and on the same date in each of the past five years. [30855/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Reception and Integration Agency (RIA) of my Department is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision and dispersal. In this regard, the RIA is currently providing accommodation to over 6,800 asylum seekers in 62 centres located across 22 counties.

The following table shows the number of residents residing in each centre at 31 July in each of the five years from 2004 to 2008 inclusive.

## Numbers residing in DP Accommodation on 31/07/2004 to 31/07/2008

			31/07/2004	31/07/2005	31/07/2006	31/07/2007	31/07/2008
1	Carlow	Milverton House	27	27	closed	closed	closed
2	Clare	Corofin Holiday Hostel	13	13	closed	closed	closed
3		Knockalisheen A/S Centre	228	226	246	262	237
4		Clare Lodge	63	62	56	54	55
5		Scariff Court Hotel	67	63	closed	closed	closed
6	Cork	An Poc Fada	41	39	closed	35	38
7		Ashbourne Hse Hotel	102	98	92	104	95
8		Clonakilty Lodge	76	79	closed	closed	99
9		Kinsale Rd., Acc. Centre	281	276	269	299	307
10		Glenvera Hotel	95	98	90	94	121
11		Millstreet Accommodation Centre	101	144	126	158	223
12		North Quay Place	252	235	closed	closed	closed
13		Slip House (Bantry View)	32	37	closed	closed	closed
14	Donegal	Cliffview	57	64	48	55	58
15		Moville Holiday Hostel	18	closed	closed	closed	closed
16	Dublin	Camden House	13	10	13	12	14
17		Camden Hall	38	41	37	28	closed
18		70 Lower Camden Street	not open	11	14	9	1
19		14 Gardiner Place	26	24	13	14	13
20		Horse and Carriage	24	24	19	17	19
21		Kilmarnock House	88	80	closed	closed	closed
22		Morehampton House	not open	41	closed	closed	closed
23		Newlight House	27	26	19	19	13
24		10 North Frederick Street	22	16	21	21	20
25		Viking Lodge	54	56	60	64	58
26		The Towers	not open	not open	not open	232	216
27		Georgian Court	Reception	Reception	Reception	58	73
28		Hatch Hall	Reception	Reception	Reception	79	107
29		Balseskin (Reception Centre)	178	292	0	260	216
30		Kilmacud (Reception Centre)	56	51	75	67	57
31	Galway	Cloonabinnia Hotel	not open	71	closed	closed	closed
32		Dun Gibbons Inn	85	107	29	70	90
33		Eglinton Hotel	223	198	211	214	232
34		Great Western House	166	160	153	149	166
35		Lisbrook House	not open	not open	not open	not open	269
36		Oaklands Hotel	4	closed	closed	closed	closed
37	Kerry	Atlantic Lodge	46	50	closed	closed	closed
38		Atlas House	88	71	67	86	94
39		Atlas House	101	86	70	89	99
40		Ballymullen Barracks	109	177	closed	closed	closed
41		Johnston Marina Hotel	109	85	70	100	91
42		Linden House	not open	54	46	38	47
43		Park Lodge	49	46	47	47	50
44		The Village House	13	12	closed	closed	closed
45		Westward Court	32	96	77	67	75
46	Kildare	Eyrepowell Hotel	98	70	52	97	85
47		Hillview House	30	32	closed	closed	closed
48		Magee Accommodation Centre	193	125	closed	closed	closed
49	Kilkenny	Ormonde Acc. Centre	75	79	70	closed	closed

## [Deputy Dermot Ahern.]

			31/07/2004	31/07/2005	31/07/2006	31/07/2007	31/07/2008
50	Laois	Hibernian Hotel	47	43	closed	47	46
51		Monague Hotel	not open	not open	not open	not open	189
52	Leitrim	Sliabh An Iarainn	24	36	38	35	40
53	Limerick	Clyde House	97	97	97	103	101
54		Mount Trenchard	8	56	closed	51	53
55		Shannonside Hostel	45	90	closed	closed	closed
56		Westbourne Holiday Hostel	95	96	87	79	78
57		Sarsfield Bridge	not open	not open	not open	not open	104
58	Longford	Richmond Court	57	62	57	86	93
59	Louth	Kincora House	34	33	closed	closed	closed
60	Mayo	Railway Hotel	39	73	68	87	83
61		The Old Convent	94	101	131	290	288
62		The Imperial Hotel	not open	16	closed	closed	closed
63		The Quiet Man Hostel	17	18	closed	closed	closed
64	Meath	Mosney Accommodation Centre	779	614	641	774	732
65	Monaghan	St. Patricks	113	115	83	127	166
66	Offaly	The Maltings Hostel	53	47	closed	closed	closed
67	Sligo	Red Cottage	16	closed	closed	closed	closed
68		Globe House	not open	219	194	222	213
69	Tipp. North	Clodagh Bar	29	24	closed	closed	closed
70	Tipp. South	Bridgewater House	87	93	79	111	102
71		Vee Valley Hotel	19	closed	closed	closed	closed
72	Waterford	Atlantic/Coltro	71	74	closed	73	85
73		Ursuline Complex	158	172	146	148	140
74		Ocean View	78	80	closed	68	79
75		Viking House	95	99	99	96	93
76	Westmeath	Athlone Accommodation Centre	322	227	255	225	339
77	Wexford	Old Rectory House	47	50	52	45	52
78	Wicklow	Beechlawn B&B	19	17	closed	26	23
79		The Warrens	15	22	17	21	23

## Numbers residing in Self Catering Accommodation on 31/07/2004 to 31/07/2008

			31/07/2004	31/07/2005	31/07/2006	31/07/2007	31/07/2008
1	Cork	Davis Lane Apartments	23	43	31	41	34
2	Dublin	Ard Erdrad Apartments	97	71	closed	closed	closed
3		Glenview House	56	39	34	50	39
4		Harbour View	not open	14	13	13	closed
5		James Street Apartments	12	17	17	19	14
6		Montpellier Hill Apartments	62	41	closed	closed	closed
7		Portobello Harbour	not open	13	10	11	closed
8		Tathony House	67	54	68	68	40
9		Watergate House	63	58	35	46	45
10	Louth	Carroll Village	not open	183	209	223	175
11	Offaly	Church Street Apartments	not open	70	closed	closed	closed
12	Roscommon	Station Road Apartments	18	38	56	66	38

It needs to be understood that the above figures represent a 'snapshot' of each centre at a given date each year. While capacity figures remain constant, occupancy figures can vary throughout the year because of the interaction of residents leaving (either through normal means or because of special schemes such as the Irish Born Child 2005 Scheme), residents arriving, temporary closures (such as Baleskin in July, 2006) medical restrictions on arrivals arising from outbreaks of chickenpox, and so on.

977. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform if he will provide details in tabular form of the number of independent and internal inspections in respect of each of the 61 accommodation centres which have been carried out annually in each of the past five years; the locations at which follow up inspections were required; the main reasons for downfalls in standards at accommodation centres; the centres that have received the Excellence Ireland Quality Association mark and the centres which have been closed, temporarily or otherwise, at any point for breaches in standards. [30856/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Reception and Integration Agency (RIA) of my Department is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision and dispersal. In this regard, the RIA is currently providing accommodation to over 6,800 asylum seekers in 62 centres located across 22 counties.

All accommodation providers are required under contract to ensure that accommodation centres comply and operate in accordance with all statutory requirements of local authorities and state agencies in relation to bedroom capacity, food, food-hygiene, water supply, fire safety and general safety.

The Agency engages independent external assessors to conduct comprehensive inspections of all centres on at least an annual basis. These inspections are always unannounced and the inspectors look at all aspects of the accommodation centres in relation to the proprietors' obligations under the contract. These inspections cover such areas as reception, staff cover, menus, facilities being provided, maintenance of the property and fire and safety issues. In addition, RIA has an internal Inspections Unit which aims to conduct inspections of each of the properties used to accommodate asylum seekers at least on a twice yearly basis. Further unannounced visits are made to accommodation centres throughout the State on a regular basis by senior management to ensure that standards are being maintained. Staff from RIA hold information clinics on a regular basis in accommodation centres: these afford asylum seekers an opportunity to comment on accommodation and operating standards and to discuss other general issues.

Any report of a diminution in standards which comes to the attention of the RIA is immediately followed up and proprietors are instructed to make any changes and improvements deemed necessary. Follow-up inspections are also arranged as appropriate. In cases where standards stipulated in the contract have not been met and the proprietor has not made sufficient efforts to remedy the situation, there is provision for the contract to be terminated.

The primary reasons for follow-up inspections usually occur in relation to health and safety issues. This can involve asylum seeker residents failing to observe restrictions on smoking, sometimes involving the deliberate covering of internal smoke alarms. Another issue may involve overloaded electrical sockets. Other lapses may include some staff not recording all Fire Safety checks in the register or maintenance and cleaning issues in bedrooms and bathrooms. In all such cases, the RIA will not deem the issue as being resolved until it or the independent inspectors are entirely satisfied that remedial procedures are in place. RIA has found that all inspection issues to date have been remedied using this procedure. As a consequence, no

[Deputy Dermot Ahern.]

contracts have been terminated as a result of such inspections issues. List of internal and external (independent) inspections carried out in the last five years:

County	Centre	2004		2005		2006		2007		2008	
		Int	Ext	Int	Ext	Int	Ext	Int	Ext	Int	Ext
Carlow	Milverton House*		1		1						
Clare	Corofin Holiday Hostel*	1	1	1							
	Knockalisheen Centre	1		1		2	2	0	0	1	
	Scariff Court*	1	2	1							
	The Clare Hostel#		1		1	1	1	0	4		1
Cork	An Poc Fada**	1	1	1				1	0	0	1
	Davis Lane			1	1	1	1	2	0	1	1
	Ashbourne		1		1	1	1	1	2	1	1
	Clonakilty Lodge**	2		1	1					1	1
	Glenvera Hotel		1	1		1	1	1	1	0	1
	Millstreet	1		1	1	2	1	1	0	1	1
	North Quay Place*	1	1		1						
	Slip House*	1		1	1						
	Kinsale Road		1	1		1	1	1	1	1	1
Donegal	Cliffview	1	2		1	1	1	1	1	1	1
	Moville Holiday Hostel*	1									
Dublin	Parnell West*	1									
	Hatch Hall			1		1	0	0	1	0	1
	Camden House	1			1	1	0	1	2	1	0
	Newlight House#	1	1	2		1	1	1	1	0	1
	Morehampton Lodge*		1	1	1						
	North Fredrick St.		1	1	1	1	1			0	1
	Viking Lodge#		1	3	2	1	2	0	2	1	1
	Glenview#	1	1	1	1	1	1	1	2	0	1
	James Street Apts.†		1		1	0	1	0	1	1	1
	Montpelier*	1		1	1						
	Watergate#	2	1			2	1	0	2	1	1
	Kilmacud House	1	1		1		1	0	1	0	1
	Balseskin	2		1	1			0	1	1	1
	Gardiner Place		2	1		0	2	1	1	2	1
	Georgian Court			1		2	1	1	1	0	1
	Tathony House†	2		1	1	1	1	1	1		
	Kilmarnock House*	1	3		1						
	Horse and Carriage				1	0	1			1	1
	Camden Hall†	1			1	0	2	0	1		
	Ard Erdrad*	1			2						
	70 Lr. Camden Street	1				0	1	1	2	1	0
	Harbour View†						2	1	1		
	Portobello†					0	2	1	1		
	Towers							0	1	0	1
Galway	Dun Gibbons**	1		1		0	1	1	0	1	1
	Eglinton Hotel	2		1	1	1	2	1	0	1	1
	Great Western Hotel	1		1	2	1	1	2	0	0	1
	Cloonabinnia*			1	1						
	Lisbrook House									0	1

County	Centre	2004		2005		2006		2007		2008	
		Int	Ext	Int	Ext	Int	Ext	Int	Ext	Int	Ext
Kerry	Atlantic Lodge*	2		1	1						
	Atlas House (K)	2	1	1	1	1	1	0	1	1	1
	Linden House				1	2	1	0	1		
	Ballymullen Barracks*		1	1	1						
	Johnston Marina Hotel	1	1	1		1	1	0	1	1	1
	Park Lodge		1	2	0	1	1	0	1	1	0
	Atlas House (T)	1	1	2		2	1	0	1	0	1
	The Village House*	1		1							
	Park Place*		1								
	Westward Court	2		1		2	1	0	1	0	1
Kildare	Magee Barracks*	2		1							
	Eyre Powell	2	2	0	2	1	0	0	3		
	Hillview House*	0	0		1						
Kilkenny	Ormonde Acc. Centre*		2	1	1	1	2				
Laois	Hibernian	2	1		1			1	0	1	1
	Montague									1	1
Leitrim	Sliabh an Iarainn	1	1		1	1	0	1	0	1	2
Limerick	Clyde House	1	1	1		0	1	2	1	0	1
	Shannonside*	1	2	0	2						
	Mount Trenchard**				1			0	1	1	1
	Sarsfield Bridge Hotel									0	1
	Westbourne	1	1	1	1	1	0	2	0	1	2
Longford	Richmond Court	1	2	1		0	2	1	1	1	0
Louth	Kincora House*	1	1	1							
	St. Laurences*		1								
Mayo	Carroll Village			1		1	1	1	1	0	1
	The Old Convent	1	1	1	1	2	0	0	2	1	1
	Railway Hotel	1	1	2	1	2	0	0	1	1	2
	The Quiet Man*	1	1								
	Imperial Hotel*			1				1	1		
Meath	Mosney	1	1			0	1	1	1	1	0
Monaghan	St. Patricks		1	1	1	0	1	1	1		
Offaly	The Maltings*		1	1							
	Church Street*	1			1						
Roscommon	Station Road apts	1		1		1	1	0	1	1	2
Sligo	The Red Cottage*	1									
	Globe House	1		1		1	1	1	1	1	1
Tipp. (North)	Clodagh Bar*	1									
Tipp. (South)	Bridgewater	1	1		1	1	0	2	1	0	1
	Vee Valley*	1									
Waterford	Atlantic House/ Coltro**		1	2				0	1	1	0
	Ocean View**		1	1				0	1	1	0
	Ursuline Complex	1	1		2	1	0	1	1	0	1
	Viking House		1	1	1	1	0	1	1	0	1
Westmeath	Athlone Acc. Centre		1			1	1	0	1	2	1
Wexford	The Old Rectory	1	1	1		0	1	2	1	0	1
Wicklow	Beechlawn**	2			1			0	1	1	0
	The Warrens	2			1	0	2	1	1		

*Table legend:*

\* closed during downsizing of accommodation following the Department's 2005 IBC Scheme.

\*\* and re-opened in 2007.

† Contract period ended.

# Locations where follow up inspections were required.



[Deputy Dermot Ahern.]

The centres that have received the Excellence Ireland Quality Association mark (or equivalent) are listed below. It should be noted that, notwithstanding the stringency of its contractual requirements, RIA does not oblige centre operators to obtain this EIQA award or its equivalent, although it welcomes all such awards.

- Globe House, Sligo
- Lisbrook House, Galway
- Old Convent, Ballyhaunis
- Railway Hotel, Kiltimagh
- Sliabh an Iarainn, Leitrim
- Station Road, Roscommon
- Bruach Na hAbhainn, Mayo
- Athlone Accommodation Centre, Westmeath
- Bridgewater House, Carrick on Suir, Tipperary
- Millstreet Accommodation Centre, Cork
- Knockalisheen, Co. Clare
- Park Lodge, Co. Kerry
- Kinsale Road, Cork
- Atlas House, Tralee
- Johnson Marina, Tralee

978. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the statutory requirements of local authorities and State agencies in relation to the standard of accommodation provided in direct provision. [30858/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Reception and Integration Agency (RIA) of my Department is responsible for the accommodation of asylum seekers while their application for asylum in the State is being processed.

All contracts with service providers for the provision of accommodation include the following clause:

“It shall be the responsibility of the Contractor to ensure that the premises complies and operates in accordance with all relevant statutory requirements of Local Authorities and other Agencies in relation to planning, building, bye-laws, bedroom capacity, food, food hygiene, water supply, sewage disposal, fire precautions, minimum pay, legally binding industrial or sectoral agreements and health and general safety, including:

- Building Control Acts 1990 and 2007;
- Building Regulations 1997 to 2007;

- Building Control Regulations 1997 to 2004;
- Employment Permit Acts, 2003 and 2006;
- European Communities (Drinking Water) Regulations 2000;
- European Communities (Hygiene of Foodstuffs) Regulations 2000 and 2005;
- European Communities (Official Control of Foodstuffs) Regulations 1998;
- Fire Services Acts, 1981 and 2003;
- Food Hygiene Regulations, 2000;
- Housing Acts, 1966 to 2004;
- Industrial Relations Acts 1946 to 2004;
- National Minimum Wage Act 2000;
- Planning and Development Acts 2000 to 2005;
- Private Security Services Act, 2004;
- Safety, Health & Welfare at Work Act, 2005;
- Tourist Traffic Acts, 1939 to 2003;
- Any statutory modification or re-enactment of same; and,
- Any other relevant Act or Regulations as may be notified by the Minister to the Contractor.”

In addition to the legal and regulatory requirements outlined in the above contract clause, the RIA oversees its own robust system of inspections, both internal and independent, to ensure that the accommodation provided is of a suitable standard and that the terms and conditions of the contract are met at all times.

### **Garda Operations.**

979. **Deputy Niall Collins** asked the Minister for Justice, Equality and Law Reform the position regarding a re-organisation (details supplied) in County Limerick; when it will become effective; the parts of County Limerick affected; and if he will make a statement on the matter. [30891/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** In accordance with the provisions of the Garda Síochána Acts 2005 to 2007, proposals 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 Garda Síochána’s 2008 Policing Plan, which was laid before both Houses of the Oireachtas, contains the Commissioner’s proposals to realign Garda Divisional boundaries to make them coterminous with local authority boundaries. The planned changes will bring about greater efficiencies and effectiveness in facilitating the establishment and functioning of Joint Policing Committees.

I have been advised by the Garda authorities that the Limerick Division is being primarily affected by the boundary realignment of the Tipperary Division. The realignment of the Tipperary Boundaries has resulted in the following changes to the Limerick Division:

[Deputy Dermot Ahern.]

- The sub-districts of Oola, Doon and Galbally will be transferred from the district of Tipperary and will be incorporated into the Bruff district. These changes will take place on the 1st January 2009.
- The divisions of Clare, Kerry and the three divisions within County Cork are scheduled to re-align their divisional boundaries during 2009 and this will have a further impact on the Limerick Division. A detailed programme of work is now being developed to identify and facilitate alignment changes in these divisions and will set out a timetable for the proposed changes.

### Probation and Welfare Service.

980. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the existence of a group (details supplied) in Dublin 15; his views on whether the service provided is essential to those offenders who benefit from it; if those benefiting from this service fall into the category of most vulnerable in society; if his further attention has been drawn to the fact that a decision has been made by the Probation Service to end funding to the group; his views on the reversal of this decision; if he will provide an alternative funding line in order that this facility can continue in existence; and if he will make a statement on the matter. [30895/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** My Department, through the Probation Service, provides funding to a wide range of community based projects which work with the Service to add value to its core work. The total amount of funding provided to such projects has increased in recent years, as can be seen from the following table:

Level of Funding Provided 2004-07

Year	No. of Projects	Funding Provided (€000's) (includes capital)	Probation Service Gross Expenditure (€m)	% of Annual Expenditure Budget
2007	66	21,596	59,323	36%
2006	66	20,827	49,719	42%
2005	68	18,471	44,939	41%
2004	68	16,040	39,966	40%

Funding of approximately €19 million is being provided in 2008. As the Deputy will appreciate, funding of this order must be subject to stringent value for money criteria. In this context, a new funding agreement structure was introduced in 2007 whereby groups seeking funding must commit to a range of outputs in line with the strategy and the work plans of the Probation Service. The project detailed by the Deputy has been in receipt of funding from my Department, through the Probation Service, since its establishment in 1997. In keeping with the need to make best use of State resources, the Probation Service has worked in partnership with the project in that period to ensure that the funding provided was used to the direct benefit of the probation client group, thus ensuring value for money from this distinct stream of funding. Despite the best efforts of probation management and the project, Probation Service referrals remained low with limited added value to the core work of the Service.

My Department was the main funder of the project in 2008, committing almost €300,000. It seems that other funding commitments did not materialise. Combined with staff changes and other issues, this left the viability of the project in question. Following a meeting between

representatives of the Probation Service and the Board of Management in September 2008, the Board confirmed to my Department in September 2008 that it has put plans for the orderly closure of the project in place. In coming to the decision to cease funding, my Department took account of the level of referrals to the project from the Service, compared to the level of funding; the other local support services available in the Blanchardstown area to the client group of the Probation Service; and the view of the management of the Probation Service that it was satisfied that sufficient supports are available to the probation team in the area. I refer the Deputy to a value for money and policy review report on projects funded by the Probation Service, which was published by my Department in September 2008. The report sets out a strategy that will inform funding in the future, providing for better governance, better management information and a more effective and efficient delivery to the client group of the community based projects in receipt of State funding. I am a strong advocate of developing partnerships with local communities to add value to the core work of the Probation Service. The funding we have provided in recent years is a measure of that commitment. I want community projects to continue to work with the Probation Service to deliver a focused and measurable set of outcomes to the client group of the Service.

#### **Paramilitary Activity.**

981. **Deputy Tony Gregory** asked the Minister for Justice, Equality and Law Reform if the group (details supplied) is regarded as formally disbanded; if it has ceased all paramilitary activities; if its origin was a splinter group of the IRA; and if the group was listed in his Department as a paramilitary republican anti-partition group. [30955/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Deputy will be aware that the group to which he refers emerged in the late 1960s pursuing a particular militant socialist agenda. The group is known to have been engaged in various criminal acts in purported pursuit of this agenda. From the information available to me, the group appears to have ceased to operate and has effectively been disbanded. The group was never the subject of a suppression order.

#### **Central Mental Hospital.**

982. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform the funding that has been allocated from Budget 2008 for the new access road to the new Central Mental Hospital; and if he will make a statement on the matter. [31066/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** In accordance with the Government decision of 16 May 2006 to approve the development of a new national forensic mental health facility at Thornton Hall, County Dublin, the cost of developing the hospital will be met from the proceeds of the sale of the existing site in Dundrum, County Dublin. The development of the new hospital is the responsibility of the Health Service Executive. The Executive, therefore, is the appropriate body to consider the particular matters raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy. The cost of acquiring the site for the new prison and hospital was €29,900,000. An additional 8.7 acres, at a cost of €1,305,000, was later acquired by the Department of Justice, Equality and Law Reform to provide a dedicated access road to the prison construction site.

983. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform the contacts and meetings which have taken place between the Health Service Executive, the Minister for Health and Children, himself and officials from his Department in relation to the

[Deputy Joan Burton.]

location of the new Central Mental Hospital on the Thornton Prison site; and if he will make a statement on the matter. [31068/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I have had no meetings with the Minister for Health and Children or the Health Service Executive about the location of the Central Mental Hospital on the Thornton site. My Department did not have any meetings with the Department of Health and Children or the HSE about the location of the Central Mental Hospital on the Thornton site prior to its acquisition. However, memoranda for Government relating to the acquisition of a greenfield site to replace Mountjoy and the development of a Central Mental Hospital were circulated between the Departments in the normal way. Officials from my Department wrote to the Department of Health and Children in December 2005 in the context of a visit by the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, CPT, which was planned for 2006. The letter referred to an earlier Government decision that, in principle and subject to further study, the Central Mental Hospital should be transferred to the same site as that chosen for the prison to replace Mountjoy. The letter set out the progress being made on the prison project and confirmed that a portion of the site had been reserved as a possible location for the Central Mental Hospital. It went on to suggest that it would soon be in position to give a concrete indication to the CPT of future plans for a new Central Mental Hospital on the site. There were contacts between the Irish Prison Service and the Department of Health and Children on the area of the Thornton site which would be reserved for the Central Mental Hospital. Since the acquisition, there have been meetings between my Department and the Department of Health and Children about the service being provided for mentally ill prisoners and other matters. In that context, the location of a new Central Mental Hospital on the Thornton site has arisen.

#### **Departmental Staff.**

984. **Deputy Lucinda Creighton** asked the Minister for Justice, Equality and Law Reform the number of civil service staff dealing with constituency matters in his office; the number of civil service staff dealing with constituency matters in the offices of junior Ministers within his Department; and the cost in salaries for these staff per annum. [31133/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** There are 3.5 civil servants in my Constituency Office — one Clerical Officer Higher on a salary scale of €24,255 to €38,397; and 2.5 Clerical Officers on a salary scale of €24,397 to €39,558. There are three civil servants in the Constituency Office of the Minister of State, Deputy Conor Lenihan — one Executive Officer on a salary scale of €30,566 to €48,504; and two Clerical Officers on a salary scale of €24,397 to €39,558.

#### **Garda Reserve.**

985. **Deputy Jimmy Deenihan** asked the Minister for Justice, Equality and Law Reform the number of individuals recruited to the Garda Reserve Force in Tralee and Listowel Garda Districts; and if he will make a statement on the matter. [31138/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** At 31 August 2008, there were 254 attested Reserve Gardaí and 121 Reserve trainees nationally. There are two Reserve Gardaí in the Kerry Division, both of whom are assigned to Tralee Garda District. To date, no reserve members have been assigned to Listowel. Following a recent marketing campaign in the Kerry Division, a number of applications to join the Garda Reserve have been

received by the Public Appointments Service. Interviews are due to commence in Kerry in October.

### Public Order Offences.

986. **Deputy Jimmy Deenihan** asked the Minister for Justice, Equality and Law Reform the number of anti-social behaviour orders issued to individuals in Listowel, Tralee and Abbeyfeale towns respectively; and if he will make a statement on the matter. [31140/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Part 11 of the Criminal Justice Act 2006, which provides for civil proceedings in relation to anti-social behaviour by adults, was commenced on 1 January 2007. Part 13 of the Act, relating to anti-social behaviour by children, was commenced on 1 March 2007. These provisions set out an incremental procedure for addressing anti-social behaviour by adults and children. With regard to children, these range from a warning from a member of the Garda Síochána, to a good behaviour contract involving the child and his or her parents or guardian, to referral to the Garda Juvenile Diversion Programme and to the making of a behaviour order by the Children's Court. I am informed by the Garda authorities that from 1 January 2007 to 31 July 2008, 30 behaviour warnings were issued to adults and nine to children in the Kerry Garda Division, which includes Listowel, Tralee and Abbeyfeale. Figures are provisional, operational and liable to change. In setting up the regime under the Criminal Justice Act 2006, the intention was that these warnings or good behaviour contracts would address the problem behaviour. It is only if they fail that a court order will be applied for. In any case, it inevitably takes time to reach the stage where a court order might be sought. No significance should be attached to the fact that the stage has not yet been reached in the process where a court order has been issued. If warnings or good behaviour contracts do not succeed in altering a person's behaviour, however, they will culminate in a court order being sought by the Garda authorities from the courts.

### Tribunals of Inquiry.

987. **Deputy Arthur Morgan** asked the Minister for Justice, Equality and Law Reform the amount paid out by the State in 2007 and to date in 2008 in tribunal costs. [31151/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I wish to inform the Deputy that the position with respect to Tribunals which come under the aegis of my Department and whose costs are paid out of my Department's Vote is as follows:

Year	Amount paid
	€
2007	20,353,184
January 2008 – August 2008	10,184,160
Total	30,537,344

*Question No. 988 answered with Question No. 936.*

### Visa Applications.

989. **Deputy Willie Penrose** asked the Minister for Justice, Equality and Law Reform if he will take steps to have an application for a visa in respect of a person (details supplied) expedited, in view of the fact that all the necessary details were furnished in relation to deeds



[Deputy Willie Penrose.]

of dwelling house, bank statements, passport and so on by the person involved; and if he will make a statement on the matter. [31233/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The visa application referred to by the Deputy was received in the Visa Office in Dublin on 14 August 2008. It was refused by the Visa Officer on 15 September 2008 for a number of reasons. There was insufficient documentation submitted in support of the application. The evidence of finances was deemed insufficient or incomplete. There was no evidence shown of a relationship being in existence prior to the visa application. It is open to the applicant to submit an appeal within two months of the date of decision, in this case before 15 November 2008. Comprehensive information when making a visa appeal is available on the website of the Irish Naturalisation and Immigration Service, at *www.inis.gov.ie*.

*Question No. 990 answered with Question No. 967.*

### **Crime Levels.**

991. **Deputy Emmet Stagg** asked the Minister for Justice, Equality and Law Reform the headline crime statistics for the Carlow-Kildare division for the second quarter of 2008. [31244/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office, as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the CSO to provide the statistics sought by the Deputy directly to him.

### **National Disability Strategy.**

992. **Deputy David Stanton** asked the Minister for Justice, Equality and Law Reform further to Question No. 137 of 28 May 2008, if the strategic document which outlines the vision, mission and objectives of the National Disability Strategy has been completed; when same will be published as per the commitment in Towards 2016; and if he will make a statement on the matter. [31280/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer to my reply to Question No. 137 of 28 May 2008, in which I indicated that the Social Partnership agreement, Towards 2016, contains a commitment to publish a strategic document on the National Disability Strategy which will outline the vision, mission and strategic objectives under the Strategy. The draft document has been prepared by my Department and forwarded to all of the relevant partners. It is due to be finalised later in the year and will be published as soon as possible after that.

*Question No. 993 answered with Question No. 737.*

### **Sexual Offences.**

994. **Deputy Alan Shatter** asked the Minister for Justice, Equality and Law Reform the number of sex offenders serving sentences of imprisonment; the number in each prison; the number in prison who have to date completed treatment programmes related to the offences committed by them; and the nature of the programme or programmes completed. [31300/08]

995. **Deputy Alan Shatter** asked the Minister for Justice, Equality and Law Reform the number of sex offenders in prison who will complete their sentences within the next 18 months or who have applied to the parole board for release who have undertaken and completed treatment programmes related to the offences committed by them; and the nature of the programme or programmes completed. [31301/08]

996. **Deputy Alan Shatter** asked the Minister for Justice, Equality and Law Reform the number of sex offenders imprisoned participating in a treatment programme relating to the offence or offences committed by them; when such programme will be completed; and the qualifications and numbers of persons employed by the prison service to provide such programmes. [31302/08]

997. **Deputy Alan Shatter** asked the Minister for Justice, Equality and Law Reform the number of convicted sex offenders released from prison during the past five years who have neither undertaken nor participated in any treatment programme provided by the prison service related to the offence or offences for which they were convicted. [31303/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 994 to 997, inclusive, together.

As of 19 September 2008, 279 prisoners are in custody under sentence for offences of a sexual nature. Ninety of the prisoners in question are in custody in Arbour Hill, 19 are in custody in Castlerea Prison, seven are in custody in Cork Prison, three are in custody in Limerick Prison, 80 are in custody in Midlands Prison, four are in custody in St. Patrick's Institution and 76 are in custody in Wheatfield Prison. While offenders can be supported and encouraged in their efforts to change and to address their offending behaviour, successful completion of any intervention programme ultimately depends on the willing participation and commitment of appropriately motivated individuals. The challenge for the Irish Prison Service is to use a range of channels to motivate as many offenders as possible to undertake change and to address their offending behaviour. Every effort is made to assist sex offenders in custody who are willing to participate at any level in rehabilitation and relapse prevention.

Three main forms of direct therapeutic intervention for sex offenders are currently operating within the Irish prison system. An intensive sex offender programme has been in operation since 1994. Individual counselling is offered by the Irish Prison Service's Psychology Service and the Probation Service. One-to-one interventions are made by visiting psychiatrists who provide support to prisoners. The intensive programme is a group programme managed and delivered by the Irish Prison Service's Psychology Service in partnership with the Probation Service. It caters for eight offenders at a time, taking 11 months to complete. Although delivered in Arbour Hill Prison, it is available to sex offenders in other prisons. The programme is a structured, offence-focused programme, employing a cognitive behavioural approach with a relapse prevention component. The programme places considerable emphasis on the therapeutic process within the group and on supporting each participant in gaining the knowledge, skills, attitudes and self-confidence necessary to live life differently and more constructively in the future. The programme seeks to address the behaviour that leads to offending.

A total of 136 sex offenders have completed the sex offender programme to date. The most recent group completed the programme in July 2008. The programme is delivered by a team comprising a Senior Clinical Psychologist, a Counselling Psychologist and a Probation Officer. The Psychology Service staff involved in the Programme have internationally recognised qualifications in psychology, such as a Doctorate in Clinical Psychology or a Masters in Counselling Psychology. The programme also involves one full-time Probation Officer with accompanying

[Deputy Dermot Ahern.]

managerial input. This Probation officer is a professionally qualified social worker. A number of offenders undergo one-to-one counselling in relation to their sexual offending with the Irish Prison Service's Psychology Service. Some individuals engage with the therapeutic services initially to seek assistance in adjusting to imprisonment and to address their mental health needs. Following such interventions, offenders are often more open to looking at their sexual offending and a concentrated period of motivational work is conducted to help them address their offending behaviour and related issues. In response to such counselling many offenders, who initially might deny responsibility for their crime or deny any need for treatment, are motivated towards some process of change. For some offenders this results in them undertaking the Sex Offender Programme, for others it results in sustained individual therapy around their offending or engagement in some other programme available in the prison system.

In recent years, additional psychologists have been appointed to the Irish Prison Service. The Service's staffing level is at an all-time high. The psychologists play an important role in working with offenders to address their offending behaviour, including work with sex offenders aimed at enhancing their preparedness for possible participation on the Sex Offender Programme. There are 17 psychologists appointed to the Irish Prison Service. A total of 11 psychologists are based in the establishments holding sex offenders. Another two vacant psychology posts are expected to be filled later this year, both in Arbour Hill Prison. They provide psychological services, on request, to prisoners, including sex offenders, held in these establishments. The work undertaken with sex offenders covers mental health and/or offence-related issues. In 2008 to date, 61 sex offenders have engaged in one-to-one counselling and other interventions with the Psychology Service. The Probation Service also engages with prisoners on a one-to-one basis. The Sex Offender Programme is under review. Recommendations from the review will be incorporated in the new Sex Offender Management Policy that is being finalised. I await the findings of this review.

Some 115 of the sex offenders in custody under sentence will complete their sentences within the next 18 months. Ten of them have completed the intensive Sex Offender Programme. Prisoners do not "apply" to the Parole Board for release. Eligible prisoners, including sex offenders are invited by the board to take part in a process which may ultimately result in the board making a recommendation to the Minister concerning their release. In the course of this process, the board must be satisfied that the prisoner has made the required efforts and reforms to warrant such a recommendation being made. There are 12 sex offenders engaging in the process. Of the 578 sex offenders released in the last five years, 42 have completed the highly intensive Sex Offender Programme. In addition, a number of other sex offenders would have availed of a range of other rehabilitative interventions available in prison.

998. **Deputy Alan Shatter** asked the Minister for Justice, Equality and Law Reform his proposal to ensure that all convicted sex offenders undertake treatment programmes related to the offences for which they were convicted prior to release from prison; the existing services in place to provide for either the supervision or ongoing treatment or counselling of such offenders following release; the period of time to which such monitoring supervision or treatment may apply; and his proposals for reform in this area. [31304/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The treatment for sex offenders in custody is not straightforward and cannot be viewed in isolation. Supports within the community on release can be equally vital to ensuring sex offenders do not reoffend. While the weight of opinion is that cognitive behavioural approaches to the treatment of sexual offenders show the most promise, not all offenders are amenable to such treatment and unless properly motivated the chances of success with an offender are limited. Even if it were legally

possible, there is no gain in forcing offenders to attend such treatment against their will. A Group involving my Department, the Garda Síochána, the Irish Prison Service and the Probation Service has been established to review the existing arrangements for the management of sex offenders. That review will include the question of treatment and supervision. In the meantime, every effort continues to be made to assist sex offenders in custody who are willing to participate at any level in rehabilitation and relapse prevention. The challenge for the Irish Prison Service, therefore, is to use a range of channels to motivate as many offenders as possible to undertake change and to address their offending behaviour.

Three main forms of direct therapeutic intervention for sex offenders are currently operating within the Irish prison system. An intensive sex offender programme has been in operation since 1994. Individual counselling is offered by the Irish Prison Service's Psychology Service and the Probation Service. One-to-one interventions are made by visiting psychiatrists who provide support to prisoners. The intensive programme is a group programme managed and delivered by the Irish Prison Service's Psychology Service in partnership with the Probation Service. The programme seeks to address the behaviour that leads to offending. Although delivered in Arbour Hill Prison, it is available to sex offenders in all prisons. A total of 136 sex offenders have completed the sex offender programme to date. The most recent group completed the programme in July 2008. A number of offenders undergo one-to-one counselling in relation to their sexual offending with the Irish Prison Service's Psychology Service. The Probation Service also engages with prisoners on a one-to-one basis.

While it is not possible to quantify with absolute accuracy participation in all forms of rehabilitation, many of those in custody for sex offences have availed of one or more of the forms of intervention referred to. The Sex Offender Programme is under review and the recommendations from this will be incorporated in the new Sex Offender Management Policy, which is being finalised. I await the outcome of this review. Working in conjunction with the Psychology Service of the Irish Prison Service, the Probation Service engages with sex offenders in custody to reduce their risk of reoffending and in preparation for their release. The Department of Justice, through the Probation Service, funds and delivers two community-based sex offender treatment programmes in partnership with the Granada Institute. A third programme, known as "Lighthouse", which is based in Cork, is due to commence in October of this year. The Probation Service is in the process of introducing an all-island risk assessment tool for sex offenders which will assist with pre-release and post-release assessment and management of sex offenders. Initial joint training to this effect has taken place with the Garda Síochána.

As the Deputy is aware, the 2001 Act provides for a range of actions in relation to the management of this group of offenders. The Sex Offender Act 2001 (Part 5) provides for the post-release supervision of a convicted sex offender by the Probation Service. The period of supervision is set by the court and is based on considerations of the offender's rehabilitative needs and the need to protect the public from serious harm. Under the Act, the combination of the term of imprisonment and the period of supervision cannot exceed the maximum penalty provided by statute for the offence committed (section 29). The period of post-release supervision can be subject to additional conditions of counselling or treatment (section 30). Under Part 5, offenders who are subject to a post release supervision Order are managed on a one-to-one basis by a Probation Officer. If a sex offender fails to comply with supervision obligations, as directed by the Court in accordance with the Act, the offender is guilty of an offence and may be subject on conviction to a fine and-or imprisonment. It is a matter for the court in its deliberations at the time of sentencing to decide whether to impose a post-release supervision order.

[Deputy Dermot Ahern.]

There is a system in place whereby child care managers in the Health Service Executive are informed by the senior probation officer of the impending release of sex offenders from prisons regardless of whether the offence is against a child or adult. The child care manager is provided with the date of release, details of the offence committed and the address of the offender following release. Section 9 of the Sex Offenders Act places an obligation on prison governors to inform the Garda of the impending release of a sex offender, at least 10 days in advance, and to remind the offender of his or her obligations under the legislation prior to release. In addition to offenders approaching release, offenders who are going to court where there is a possibility of early release, such as a review of sentence or an appeal of length of sentence, must be informed of their obligations before they attend court.

Furthermore, a convicted sex offender must notify his/her name(s), date of birth and current home address to the Garda Síochána within seven days of the conviction for the sexual offence concerned or, where the offender is sentenced to imprisonment, from the date of full release from prison. The offender must also notify the Garda of any change of name or address within seven days of that change. Notification of any address where the offender spends either as much as seven days or two or more periods amounting to seven days in any 12-month period must also be given to the Garda. If the offender intends to leave the State for a period of seven days or more s/he must inform the Garda of this fact and the address at which s/he intends to stay and also notify the Garda of his/her return.

The provisions of the Act extend to any sex offenders entering this jurisdiction from abroad who have an obligation to register in their own countries or who have been convicted abroad of an offence comparable to one covered by the Act. It is an offence (Part 4) for convicted sex offenders to apply for, or to accept, work or to offer services, a necessary and regular part of which consists mainly of unsupervised access to, or contact with, children or mentally impaired persons, without informing the employer or organisation of his/her conviction for a qualifying sexual offence. It is an offence to fail to comply with the notification requirements. The Garda has a system in place to monitor people subject to the aforementioned requirements.

A registered sex offender advisory group, comprising representatives of the Garda Síochána, the Police Service of Northern Ireland, the Department of Justice, Equality and Law Reform and the Northern Ireland Office, has been established. As part of its work, the group evaluates the potential for sharing information, examines the registration criteria in both jurisdictions for sex offenders and identifies areas for further co-operation. A protocol for the sharing of information on the management of sex offenders between the Probation Service and the Probation Board for Northern Ireland was signed by the heads of both organisations in March 2006. The protocol established mutual arrangements for the management of sex offenders, subject to supervision by the respective services. The protocol facilitates best practice and effective case management of sex offenders between jurisdictions by enabling the exchange of relevant information on a structured and agreed basis. A Memorandum of Understanding on information sharing arrangements between Ireland and the UK relating to sex offenders was signed on 27 November 2006. The rationale for the memorandum is that such information will be shared between police forces for the purposes of protecting the public from the risks presented by sex offenders — whether paedophile or otherwise — and investigating serious sexual offences. The transmission of any information necessary to achieve these purposes is covered.

In Northern Ireland and Scotland, a static assessment instrument is used to assess risk factors for reoffending which do not change through intervention, such as age, sex, number of previous convictions, gender and age of victim. The system is known as MASRAM — Multi Agency Sex Offenders Risk Assessment and Management — in Northern Ireland and MAPPA —



Multi Agency Public Protection Arrangements — in Scotland. Static assessments are useful predictors for estimating the long-term recidivism potential of an offender. The two jurisdictions have decided to supplement this assessment instrument (Risk Matrix 2000) with an additional instrument — Stable and Acute 2007 — which has been developed by Hanson and Harris. This assessment tool allows for a dynamic and ongoing assessment of changes in an offender's situation that may increase his or her chances of reoffending. These dynamic factors can be further broken down into “stable” factors, which reflect relatively enduring traits such as intimacy deficits, and “acute” factors, which can change rapidly, such as intense anger. The combination of static assessment — Risk Matrix 2000 — and Stable and Acute assessment has been identified as the most comprehensive available for the effective management of sex offenders in the community in both Northern Ireland and Scotland.

The Probation Service has committed to the introduction of the above assessment system in this jurisdiction in the coming year. An implementation team is developing a plan for its introduction nationally. Officers are receiving the necessary training and are already piloting its use. Close liaison has been developed with both the Probation Board for Northern Ireland and the Northern Ireland Sex Offender Strategic Management Committee in relation to the 12-month pilot introduction of this system under MASRAM in Northern Ireland. Contact with the Scottish Executive is also being established.

The Irish Prison Service and the Probation Service continually review their processes to determine what measures may be taken to increase the number of offenders participating on the Sex Offenders programme. In recent years, additional psychologists have been appointed to the Irish Prison Service. The Service's staffing level is at an all-time high, as is the staffing level of the Probation Service. These new psychologists play an important role in working with offenders to address their offending behaviour, including work with sex offenders aimed at enhancing their preparedness for possible participation on the Sex Offender Programme. In addition, the Irish Prison Service is actively exploring the possibility of enhancing service provision to sex offenders in all institutions in the prison estate, in partnership with community based organisations which have expertise in this area. Likewise, the Probation Service continues to monitor developments and best practice internationally in the management of sex offenders in the community, as evidenced by the introduction of the assessment tool that has been mentioned. Probation Service staff continue to be actively involved in the delivery of community based programmes which specifically cater for the sex offender client group to address offending behaviour with a view to reducing recidivism.

### **Residency Permits.**

999. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding the residency status in the case of a person (details supplied) in County Galway; and if he will make a statement on the matter. [31519/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications. As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.



### **Citizenship Applications.**

1000. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding an application for citizenship in the case of a person (details supplied) in County Louth; and if he will make a statement on the matter. [31520/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Irish Nationality and Citizenship Act, 1956, as amended, provides that the Minister, in his absolute discretion, may grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. These conditions are that the applicant must have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years. In the context of naturalisation, certain periods of residence in the State are excluded. These include periods of residence in respect of which an applicant does not have permission to remain in the State, periods granted for the purposes of study and periods granted for the purposes of seeking recognition as a refugee within the meaning of the Refugee Act, 1996. An application from the person referred to in the Deputy's Question was received in the Citizenship Section of my Department in November 2007. On examination of the application it was determined that the person in question did not meet the above mentioned residency requirement. A letter informing her of this was issued on 16 April 2008. It is open to the person in question to lodge a new application if and when she is in a position to meet the statutory requirements applicable at that time.

### **Residency Permits.**

1001. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [31537/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned and her infant daughter arrived in the State on 23 February 2006 and applied for asylum. Their application was refused following consideration of their 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 people concerned were informed, by letter dated 24 November 2006, that the Minister proposed to make Deportation Orders in respect of them. They were given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of Deportation Orders or of making representations to the Minister setting out the reasons why they should be allowed to remain temporarily in the State. I should also mention that a person who has been refused refugee status and has been served with a notice of intention to deport is, since 10 October 2006, afforded a fourth option, viz. to apply for Subsidiary Protection pursuant to the European Communities (Eligibility for Protection) Regulations, 2006 — Statutory Instrument No. 518 of 2006.

Their case was examined 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. Consideration was given to representations submitted on their behalf for permission to remain in the State. A Subsidiary Protection application lodged in respect of the mother was refused and this decision was communicated by letter dated 16 January 2008. On 26 February 2008, my predecessor refused permission to remain temporarily in the State and instead signed Deportation Orders in respect of the people concerned. Notice of this order was served by registered post requiring them to present themselves at the Garda National Immigration Bureau (GNIB),

13-14 Burgh Quay, Dublin 2 on Thursday 27 March 2008 in order to make travel arrangements for their deportation from the State. The people concerned failed to present themselves as required and were classified as evading their deportation.

A request was made by a close relative of the people concerned directly to my immediate predecessor to review the case files with a view to revoking the Deportation Orders in respect of the people concerned. On 9 May 2008, my predecessor decided against this course of action and instead directed that the Deportation Orders should remain in full force and effect. The people concerned were advised of this decision by letter dated 14 May 2008 and, in addition, were advised to present themselves at the Garda National Immigration Bureau (GNIB), 13-14 Burgh Quay, Dublin 2 on Tuesday, 27 May 2008 in order to make travel arrangements for their deportation from the State. They presented as required and were given further presentation dates which they kept. They are due to present again in October 2008. The effect of the Deportation Orders is that the people concerned must leave the State and remain thereafter out of the State. The enforcement of the Deportation Orders is an operational matter for the Bureau.

1002. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 22; and if he will make a statement on the matter. [31538/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 24 October 2006. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 9 June 2008, 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 he should be allowed to remain temporarily in the State. Representations have been received on behalf of the person concerned and will be fully considered before the file is passed to me for decision.

1003. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for family reunification in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [31539/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that at present there is no Family Reunification application pending in respect of the person named in the details by the Deputy.

1004. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to a residency application in the case of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [31540/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 22 December 2004. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 21 March 2006, 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

[Deputy Dermot Ahern.]

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 before the file is passed to me for decision.

1005. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to a residency application in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [31541/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to the reply to Question No. 240 of Thursday 24 April 2008. The position requested remains as set out in that reply.

*Question No. 1006 answered with Question No. 866.*

1007. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [31545/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to the written replies to Question No. 239 of Thursday, 24 April 2008 and Question No. 181 of Thursday, 10 April 2008. The person concerned has been granted leave to remain in the State for the period to 14 April 2009. This decision was conveyed in writing to the person concerned by letter dated 14 April 2008.

1008. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [31546/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal, which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. While it is not the practice to comment in detail on individual asylum applications, I point out to the Deputy that delays in finalising cases can occur for a variety of reasons, including giving applicants and appellants the fullest opportunity possible to present their cases and the determination of Judicial Review proceedings, where appellants pursue such a course of action. Where the latter is relevant, the time taken to discharge any proceedings is a matter for the Courts and is not something that I, as Minister, can comment on. It is, of course, open to the applicant or the appellant to withdraw any Judicial Review proceedings which they may have instigated and this would allow for their appeal to be processed in the normal manner.

1009. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [31547/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 11 April 2005. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 13 February 2006, 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 before the file is passed to me for decision.

### **Citizenship Applications.**

1010. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for citizenship in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [31548/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** An application for a certificate of naturalisation from the person referred to in the Question was received in the Citizenship Section of my Department in June 2007. Officials in the section inform me that processing of the application has commenced and the file will be forwarded to me for a decision in the near future.

### **Residency Permits.**

1011. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for family reunification in the case of people (details supplied) in Dublin 15; and if he will make a statement on the matter. [31549/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that at present there is no Family Reunification application pending in respect of the people in question.

1012. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in County Waterford; and if he will make a statement on the matter. [31550/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Question No. 543 of Tuesday, 20 May 2008 and the written reply to that Question. The person concerned applied for asylum on 16 April 2003. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 24 November 2004, 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, before the file is passed to me for decision.

1013. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [31551/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Question No. 183 of Thursday, 28 February 2008, and the written Reply to that Question. The person concerned applied for asylum on 21 September 2006. His application was refused

[Deputy Dermot Ahern.]

following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), he was informed, by letter dated 16 June 2007, 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 he should be allowed to remain temporarily in the State. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person concerned submitted an application for Subsidiary Protection in the State in accordance with these regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

1014. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if extension of residency will be granted to people (details supplied) in County Cork; and if he will make a statement on the matter. [31552/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to my many previous and comprehensive Replies in this matter. As previously stated, the people concerned arrived in the State on 7 March 2005 and 1 July 2005 and applied for asylum. Their applications were refused following the consideration of their cases by the Office of the Refugee Applications Commissioner (ORAC) and, on appeal, by the Refugee Appeals Tribunal. The people concerned, following refusal recommendations by the ORAC and the appeals tribunal on their asylum applications, were informed, by letters dated 27 September 2005 and 16 January 2006, that the Minister proposed to make deportation orders in respect of them and afforded them three options under Section 3(3)(b)(ii) of the Immigration Act, 1999 (as amended), namely to leave the State voluntarily, to consent to the making of deportation orders or to submit, within 15 working days, written representations setting out the reasons they should be allowed to remain temporarily in the State i.e. why they should not be deported.

Their cases were examined having regard for the 11 factors specified in Section 3(6) of the Immigration Act, 1999 (as amended), including consideration of representations for temporary leave to remain in the State lodged on their behalf by their legal representatives. Their cases were also considered having regard for the provisions of section 5 of the Refugee Act, 1996 (as amended) on the Prohibition of Refoulement. Refoulement, in essence, relates to the safety of returning a person to their country of origin. After their cases had been comprehensively assessed under all the relevant headings, on 27 February 2006, one of my predecessors signed Deportation Orders in respect of the people concerned. Notice of the Deportation Orders was served by registered post requiring the people concerned to present themselves to the Garda National Immigration Bureau (GNIB) on Thursday 9 March 2006 to make arrangements for their deportation from the State. They failed to present themselves on that occasion, as required, and were thus classified as evading their deportation. They should, therefore, present themselves to the GNIB without further delay. The effect of the Deportation Orders is that the people concerned must leave the State and remain thereafter outside the State. The current



position in respect of the husband and wife, the subject of this Question, is that an undertaking was given to the legal representatives acting on behalf of the wife by letter dated 26 April 2007 to the effect that her Deportation Order will not be enforced until such time as the asylum application of her infant son has been considered. At present, Judicial Review proceedings have been instituted challenging the negative recommendation of the Office of the Refugee Applications Commissioner.

### **Citizenship Applications.**

1015. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for citizenship in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [31553/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to the reply to Question No. 206 of 21 February 2008. The position remains as stated.

### **Residency Permits.**

1016. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [31554/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 18 December 2001. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 January 2003, 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 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 before the file is passed to me for decision. The Deputy might wish to note that the person concerned also made an application for permission to remain in the State in accordance with the revised arrangements applicable to the non-EEA national parents of Irish born children, born in the State before 1 January 2005. The revised arrangements in question, commonly referred to as the IBC/05 scheme, were announced by the Minister for Justice, Equality and Law Reform on 15 January 2005 and the closing date for receipt of applications was 31 March 2005. The application of the person concerned was received on 13 February 2006 and, as such, was received much too late for consideration. The person concerned was made aware of the non-acceptance of his IBC/05 application by letter dated 16 February 2006.

1017. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to residency and leave to remain here on humanitarian grounds in the case of people (details supplied) in County Clare; and if he will make a statement on the matter. [31556/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned arrived in the State on 30 August 2005 and applied for asylum. Her application was refused following consideration of her 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



[Deputy Dermot Ahern.]

letter dated 24 November 2006, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons she should be allowed to remain temporarily in the State. I should also mention that a person who has been refused refugee status and has been served with a notice of intention to deport is, since 10 October 2006, afforded a fourth option, viz. to apply for Subsidiary Protection pursuant to the European Communities (Eligibility for Protection) Regulations, 2006 — Statutory Instrument No. 518 of 2006.

Her case was examined 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. Consideration was given to representations submitted on her behalf for permission to remain in the State. A Subsidiary Protection application lodged in respect of the person concerned was refused and this decision was communicated by letter dated 10 January 2008. On 6 May 2008, my immediate predecessor refused permission to remain temporarily in the State and instead signed a Deportation Order in respect of the person concerned. Notice of this order was served by registered post requiring her to present herself at the Garda National Immigration Bureau (GNIB), 13-14 Burgh Quay, Dublin 2 on Tuesday, 3 June 2008 in order to make travel arrangements for her deportation from the State. The person concerned presented as required and was given further presentation dates which she kept. She is due to present again shortly. The current position in respect of the person concerned is that an undertaking was given to the legal representatives acting on her behalf by letter dated 16 June 2008 to the effect that her deportation order will not be enforced until such time as the asylum application of her infant son has been considered. The effect of the Deportation Order is that person concerned must leave the State and remain thereafter out of the State. The enforcement of the Deportation Order is an operational matter for the GNIB.

1018. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the application for residency in the case of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [31557/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Question No. 181 of Thursday, 1 May 2008, and the written Reply to that Question. The person concerned applied for asylum on 12 May 2004. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 24 July 2006, 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 before the file is passed to me for decision.

1019. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency in the case of a person (details supplied) in County Louth; and if he will make a statement on the matter. [31558/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Question No. 203 of Thursday, 28 February 2008 and the written Reply to that Question.

The person concerned arrived in the State on 29 April 2003, and applied for asylum on 12 June 2003. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), he was informed, by letter dated 8 September 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 submitting written representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State. Representations have been received on behalf of the person concerned and will be fully considered before the file is passed to me for decision.

### **Citizenship Applications.**

1020. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for citizenship in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [31559/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** An application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Section of my Department in March 2008. Officials in that Section are processing applications received in April 2006. All applications are dealt with in chronological order as this is deemed to be the fairest to all applicants. The current processing time for applications for certificates of naturalisation is approximately 28 months.

### **Residency Permits.**

1021. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency and naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [31560/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Question No. 173 of Thursday, 26 June 2008 and the written Reply to that Question. The person concerned applied for asylum on 13 August 2002. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 29 August 2003, 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 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, before the file is passed to me for decision.

1022. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [31561/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to the written replies to Question No. 814 of Tuesday, 8 July 2008, Question No. 201 of Thursday, 10 April 2008 and Question No. 200 of Thursday, 28 February 2008. The person concerned applied for asylum on 26 June 2003. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee

[Deputy Dermot Ahern.]

Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 30 June 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 reasons as to why he should be allowed to remain temporarily in the State. Representations were received on behalf of the person concerned.

On 10 October 2006, Regulations known as the European Communities (Eligibility for Protection) Regulations, 2006, S.I. No. 518 of 2006, came into force. The person concerned submitted an application for subsidiary protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. If the subsidiary protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

### **Asylum Applications.**

1023. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency in the case of a person (details supplied) in Dublin 11; and if he will make a statement on the matter. [31562/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum on 19 December 2003. Following investigation by the Office of the Refugee Applications Commissioner, it was established that the person concerned had previously made an asylum application in the United Kingdom and, as such, a determination was made that the person concerned should be transferred to the UK to have his asylum application examined there. This determination was upheld following an appeal to the Refugee Appeals Tribunal. Consequently, a transfer order was signed in respect of the person concerned on 1 March 2004. This order was subsequently served on the person concerned, by letter dated 2 July 2004, which placed a legal obligation on him to present himself at the Offices of the Garda National Immigration Bureau (GNIB), on Monday, 12 July 2004, to make arrangements for his formal transfer to the United Kingdom. The person concerned failed to present on this occasion and was therefore classified as having evaded his transfer. The person concerned became illegally resident in this State at that time.

The person concerned continued to evade his transfer with the consequence that the Transfer Order expired leaving Ireland responsible for processing the asylum application of the person concerned. At this point the case of the person concerned was referred back to the Office of the Refugee Applications Commissioner to have his asylum claims investigated. Subsequently, the Office of the Refugee Applications Commissioner made a recommendation that the person concerned be refused a declaration of refugee status. This recommendation was, on appeal, upheld by the Refugee Appeal Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 23 June 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 he should be allowed to remain temporarily in the State. Represen-

tations have been submitted on behalf of the person concerned and will be fully considered before the file is passed to me for decision.

### **Residency Permits.**

1024. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for family reunification in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [31564/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that there is no Family Reunification application pending in respect of the above named person.

1025. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for family reunification and citizenship in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [31565/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to my previous answers to Parliamentary Questions in relation to this person. I am informed by the Immigration Division of my Department that a request was issued to the person referred to by the Deputy in July 2006 and again in February 2008 for birth certificates and passports in relation to her application for Family Reunification. A further request issued on 22 September 2008. The onus is on the applicant to provide this documentation in support of the Family Reunification application. The application will be further processed on receipt of this documentation. An application for naturalisation was also received in my Department from this person on 15 May 2008. In this regard I understand there has since been correspondence with the individual in relation to certain aspects of the application. The application will be further processed when a reply is received to this correspondence.

### **Citizenship Applications.**

1026. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for citizenship in the case of a person (details supplied) in Dublin 22; and if he will make a statement on the matter. [31567/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am pleased to inform the Deputy that my predecessor has approved the application of the person in question and a certificate of naturalisation has been issued to the individual via her Solicitor on 30 July 2008.

### **Residency Permits.**

1027. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for family reunification in the case of a person (details supplied) in Dublin 8 in view of the fact that their passport expires in January 2009; and if he will make a statement on the matter. [31568/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that the person in question made an application for Family Reunification on behalf of his wife in June 2008. This application has been forwarded to the Refugee Applications Commissioner for investigation as required under section 18 of the Refugee Act 1996. The Commissioner will prepare and forward in due course a report

[Deputy Dermot Ahern.]

to my Department. Upon receipt of the report the application will be considered and a decision will issue in due course.

### **Citizenship Applications.**

1028. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for citizenship in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [31569/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** 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 2006. Processing of the file has been completed and I have reached a decision. The person in question will be informed of that decision in due course.

### **Residency Permits.**

1029. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [31570/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person concerned applied for asylum in the State on 10 October 2005. His asylum application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, 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 10 July 2007, 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 he should be allowed to remain temporarily in the State. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). The person submitted an application for subsidiary protection in the State in accordance with the regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. If the subsidiary protection application is refused, the case file of the person concerned, including all representations submitted, will then be 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. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

1030. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency in the case of a person (details supplied) in Dublin 2; and if he will make a statement on the matter. [31572/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to the written replies to Question No. 538 of Thursday, 17 April 2008 and Question No. 188 of Thursday, 10 April 2008. The person concerned applied for asylum on 6 October 2003. Her application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, 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 23 March 2005, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons she should be allowed to remain temporarily in the State. Representations have been received on behalf of the person concerned and will be fully considered before the file is passed to me for decision.

### **Asylum Applications.**

1031. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for residency in the case of a person (details supplied) in Dublin 3; and if he will make a statement on the matter. [31573/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** It is not the practice to comment in detail on individual asylum applications. As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. A final decision on each application is made following receipt of the recommendation of the Refugee Applications Commissioner or the decision of the Refugee Appeals Tribunal, as appropriate.

### **Consultancy Contracts.**

1032. **Deputy Arthur Morgan** asked the Minister for Justice, Equality and Law Reform the amount that was spent by his Department on consultants in 2007 and to date in 2008. [31650/08]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I can inform the Deputy that the most up-to-date figures readily available for the amount spent by my Department on consultancy were outlined in my reply to Question No. 769 of 10 July 2008.

### **Irish Territorial Waters.**

1033. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the amount of times and the reason permission was given for military submarines of foreign navies being given permission to travel in Irish territorial waters; the date of such permission and the conditions that were attached, such as having to avoid fishing grounds, travelling on surface, and possession of nuclear weapons; the assurances that were given in each case for the past five years; and if he will make a statement on the matter. [31360/08]

1034. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if permission was given, and for what purpose, to a British Navy nuclear submarine to travel in Irish territorial waters off the coast of County Mayo in early September 2008; the purpose of the British Navy manoeuvres in the area; if they were linked to the arrival of the pipe laying ship *The Solitaire* for work on the Corrib gas pipeline and the presence of the Irish Navy's LE Orla patrolling in the vicinity of Broadhaven Bay, County Mayo. [31361/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I propose to take Questions Nos. 1033 and 1034 together.

In accordance with the United Nations Convention on the Law of the Sea, to which Ireland is a party, all ships enjoy the right of innocent passage through the territorial sea. All ships, therefore, are entitled to enter the territorial sea without prior notification or consent, provided



[Deputy Micheál Martin.]

that their passage is not prejudicial to the peace, good order or security of the coastal state. The right applies to submarines on the condition that they must navigate on the surface and show their flag. Accordingly, the issue of permission, conditions or assurances does not arise in such circumstances. With regard to the deployment of the *LE Orla* to Broadhaven Bay, which is a matter for the Department of Defence, I have been informed by that Department that the vessel was deployed to the area on foot of an Aid to the Civil Power request from the Garda Síochána. Moreover, the Department of Defence has no knowledge of any British Navy manoeuvres in the area in question.

### **EU Directives.**

1035. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the percentage of legislation here that has its origins in EU law; and if he will make a statement on the matter. [29278/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** While my Department has an overall co-ordinating role in European Union matters, responsibility for incorporating EU legislation into Irish law rests with individual Departments in their respective areas of responsibility. In Ireland's years of our EU membership, a large proportion of primary and secondary legislation has originated from agreements reached at EU level. It is not possible to put a precise percentage on this. EU measures emerge from negotiations in which Ireland plays a full part and in which Irish interests are satisfactorily accommodated. When agreement has been reached at EU level, it is vital that the agreed measures be properly transposed into national law. Over the last 35 years, EU measures have inspired much beneficial legislation in Ireland. For example, the ending of discrimination against married women in the public service came about from the Equal Pay and Equal Treatment Directives which were adopted soon after Ireland's entry into the then EEC. In addition, agreements made at EU level have shaped the development and evolution of Irish environmental law in areas such as water and air quality, improving waste management and protecting our countryside. Furthermore, Irish legislation designed to give effect to the European Single Market has facilitated the free movement of people, services, goods and capital which has served to enhance our national prosperity.

### **Overseas Development Aid.**

1036. **Deputy Billy Timmins** asked the Minister for Foreign Affairs if he is committed to achieving the level of overseas development aid in the timespan laid down by the previous Government; and if he will make a statement on the matter. [29409/08]

**Minister of State at the Department of Foreign Affairs (Deputy Peter Power):** In the Programme for Government, the Government makes a commitment to expanding Ireland's Overseas Aid Programme. It has set a target of spending 0.7% of GNP on Official Development Assistance, ODA, by 2012. In 2008, the Government has allocated approximately €900 million to ODA. The majority of this funding — €769 million — comes under Vote 29, International Co-operation, which is managed by my Department, through Irish Aid. A further estimated €130 million will be spent by other Departments and through Ireland's contribution to the EU Development Co-operation Budget. Expenditure on ODA in 2008 will be the highest in the history of the programme, which we estimate will be approximately 0.54 % of GNP. This level of spending will ensure that Ireland remains one of the most generous donors in the world on a *per capita* basis, demonstrates our firm commitment to the developing world and is a clear indication that we are on track to meet the UN target.

1037. **Deputy Billy Timmins** asked the Minister for Foreign Affairs if he will issue ethical guidelines instructing State agencies as to countries and products in which Irish State funds should not be invested in view of the past involvement of agencies investing such funds in Zimbabwe; and if he will make a statement on the matter. [29411/08]

1067. **Deputy Billy Timmins** asked the Minister for Foreign Affairs if he will instruct all State agencies to cease investment in Zimbabwe until a Government is formed there that represents the views of the people of Zimbabwe as shown in a free and fair election. [29410/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I propose to take Questions Nos. 1037 and 1067 together.

I have in principle welcomed the agreement signed on 15 September by Robert Mugabe's Zanu-PF party and the two factions of the opposition Movement for Democratic Change (MDC), as have my EU colleagues. Ireland will reserve full judgment on this agreement until we have a clear picture of the allocation of Ministerial portfolios; and until we see evidence that the commitment and goodwill shown in brokering this agreement transfer into implementation. We will need to see how the proposed arrangements, especially the duplicate cabinet / Council of Ministers structures, will work out in practice. We will wish to be assured that violence and intimidation against opposition supporters and activists has ceased, and that the political and economic recovery of Zimbabwe can begin. I hope the administration which has emerged will reflect the mandate of 27 March last from the Zimbabwean people and fully respect their democratic will. It is on this basis that we will judge the value of the agreement, though we very much hope that it will turn out to be a most positive development for this long-suffering country, marking the beginning of a new era for it. EU Foreign Ministers will return to the situation in Zimbabwe in October, to discuss what progress has been made by that time. In the meantime, the EU has neither imposed new restrictive measures; nor has it lifted those already in place.

The investment of Government funds by State agencies is a matter for Ministers whose Departments have responsibility for those agencies, such as my colleague the Minister for Finance in respect of the National Pensions Reserve Fund. With regard to the National Pensions Reserve Fund, the issues raised relate to investments in a number of multinational companies which have operations across the globe, including Zimbabwe and indeed, in most cases, Ireland. The National Pensions Reserve Fund Commission is raising with these companies the concerns which have been expressed about their operations in Zimbabwe, taking into account of course the new and developing situation in this country. The National Pension Reserve Fund Commission's investment mandate, as set out in section 19 of the National Pensions Reserve Fund Act 2000, provides that the fund shall be invested to secure the optimal financial return provided the level of risk to the moneys invested is acceptable to the Commission. I understand that the Fund has gone as far as possible in accordance with its statutory investment mandate to adopt and implement a responsible investment policy and is actively pursuing a policy of engaging with companies on environmental, social and governance issues. In July 2007 it appointed Hermes Equity Ownership Services to execute proxy votes and engage with companies on its behalf across its global equity portfolio.

#### **Departmental Transport.**

1038. **Deputy Fergus O'Dowd** asked the Minister for Foreign Affairs the number, type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by his Department for each of the past three years; and if he will make a statement on the matter. [29554/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** Vehicles for use by Ireland's diplomatic missions, including the Irish Aid programme, are purchased in line with State procurement guidelines, with particular regard to the overriding principles of safety and security. Vehicles purchased by Irish Aid for use in the developing countries in which they operate, are of necessity mostly all-terrain, 4-wheel drive vehicles, such as the Toyota Landcruiser. Vehicles purchased for head of mission use elsewhere tend to be mid-range, standard, executive saloon cars with a strong preference for diesel models, where appropriate to local conditions and circumstances. In addition, there are also three vans in use by my Department in Dublin. The following table details the numbers and costs of official vehicles purchased by my Department in 2006, 2007 and 2008 to date:

	2006	2007	2008 to date
Number of Vehicles Purchased, Vote 28	11	11	6
Total Cost	€421,192	€389,825	€152,266
Number of Vehicles Purchased, Vote 29 (Irish Aid)	19	21	3
Total Cost	€400,699	€545,070	€95,997

Since the beginning of 2006, carbon emissions have been taken into account in vehicle purchases made by the Department. In the time available, it has not been possible to compile a complete list of the carbon dioxide emissions of the Department's official vehicles abroad. In June of this year, to take account of the wider availability of new technologies, my Department issued an updated policy on the purchase of official vehicles worldwide. This will ensure that environmental considerations are taken fully into account as existing vehicles are replaced, which is normally done at four year intervals. This revised policy will enable us to record the carbon dioxide emissions of all official vehicle purchases in the future. One vehicle purchase has been made since the introduction of the new policy: a BMW 525IA with carbon dioxide emissions of 174g/km, for the official use of our embassy in Singapore. Our vehicle procurement policy is kept under regular review and will be refined as needed, to ensure we keep pace with technological developments and best practice in the area of vehicle emissions.

#### **Departmental Agencies.**

1039. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the State agencies related to his Department. [29565/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** No State agencies are operating under the responsibility of my Department. I can inform the Deputy that three advisory committees and one educational commission come under the aegis of the Department. The Development Education Advisory Committee was set up in 2003 following a recommendation made by the Ireland Aid Review Committee. Its purpose is to advise the Minister for Foreign Affairs, the Minister of State with responsibility for overseas development and Irish Aid on policy regarding development education. The Government Emigrant Services Advisory Committee, previously known as Díon, was set up in 1984 to advise the Government on the welfare of the Irish community in Britain. The committee's primary role is to advise on the distribution of Government financial support to voluntary agencies providing front line services and community care to Irish people in Britain. The advisory board for Irish Aid was established in August 2002 to provide general oversight and advice to the Minister for Foreign Affairs and the Minister of State for Overseas Development on the strategic direction of the Government's programme of assistance to developing countries. The Fulbright Commission, also known as the board of the

Ireland — United States Commission for Educational Exchange, finances study, research, teaching and other educational activities between Ireland and the United States of America.

### **Reconciliation Fund.**

1040. **Deputy Eamon Gilmore** asked the Minister for Foreign Affairs the grants paid in 2007 and to date in 2008 under the reconciliation fund; the amount paid in each case and the recipient organisation; the purpose of the grant; and if he will make a statement on the matter. [29609/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The Reconciliation Fund was established in the Department of Foreign Affairs in 1982. It provides assistance to organisations involved in reconciliation work to help to create a better understanding between people on the island of Ireland and between Ireland and Britain. Since 1999, grants of over €24 million have been awarded to over 700 groups involved in a wide range of cross-community and cross-Border reconciliation activities. Some 134 organisations have received grants under the Reconciliation Fund since the beginning of 2007. In 2007, grants totalling €2,948,000 were paid to 103 organisations. To date, €1,418,810 has been paid to 47 organisations in 2008. The amounts paid to individual organisations and the purpose of the grants are set out in the following table:

Organisation Name	Purpose of Grant	Grant Paid
An Teach Bán/The Centre for Peace Building, Donegal	This organisation aims to contribute to the co-ordination, support and development of the peace building effort in the North West Region in the context of national and international peace building practice. This allocation of funding contributed to the expansion of the organisation's outreach programme engaging communities in Donegal and increasing cross border partnerships with communities in Derry.	€50,000
Ardboe Literary, Photographic and Historical Association — ALPHA, Co. Tyrone	This organisation is a voluntary association based in a rural area in Co. Tyrone that aims to educate the general public by promoting awareness of the area's heritage. This allocation contributed towards research, publication and exhibition on the life and writings of a blind school teacher who moved to Ardboe from Co. Waterford in 1914, which will be used to develop cross-border links between the area and Co. Waterford.	€5,000
Ardoyne Fleadh, Belfast	This festival is organised in the months of July and August to act as a diversion for youth in the Ardoyne area of Belfast to take them away from the interfaces and potential parades-related disturbances, and to provide alternative recreational activities. Funding was awarded towards the costs of the festival.	€10,000
Ardoyne Youth Club, Belfast	This organisation aims to support the personal and social development of young people between the ages of 5 and 25. This grant contributed towards the Club's youth projects, including a number of cross-community partnerships, in an interface area in North Belfast.	€25,000
Artability (NI) Ltd, Belfast	This is a community organization, founded in 1989, aimed at improving social integration by providing art, music, education and play projects to people with disabilities from all communities of North and West Belfast. Funding was awarded towards these programmes.	€15,000
Arts For All, Belfast	This is a community-based arts organisation in North Belfast that targets residents that wish to develop and explore community development through art. Funding was awarded towards the organisation's programmes.	€25,000
Autism NI (PAPA), Belfast	This organisation seeks to ensure that people with autism and their carers have access to appropriate services. The grant contributed towards funding places for parents from south of the border to attend joint North/South workshops and training in Northern Ireland.	€15,000

Organisation Name	Purpose of Grant	Grant Paid
Ballinasloe CT Institute, Co. Galway	This organisation aims to facilitate and maintain working relations between groups in Ireland and the UK to promote reconciliation. This allocation of funding went towards the Sixth Aughrim Summer School, which is located close to the battle site in Aughrim.	€3,000
Ballougry Primary School, Co. Derry	This organisation is located in a border area on the west bank of the Foyle, and recently changed to integrated status. The school is seeking to provide activities for older children and teenagers from both communities outside school hours. This allocation of funding contributed towards fitting out the school for these evening activities.	€15,000
Ballybeen Women's Centre, Belfast	This organisation is committed to enabling women and young children to realise their potential and aspirations through the promotion of health, personal and socio-economic development. This allocation went towards workshops and the creation of a cross-border network, along with training to contribute to these goals.	€15,000
Ballykeel 11 Residents Association — Community House, Ballymena	This is a locally based voluntary organisation based in the Ballykeel estate, was awarded two grants to fund preparatory community capacity building work in the estate and to engage young people on cross-community basis in positive work within their area.	€5,000 in 2007 & €5,000 in 2008
Ballymagroarty Hazelbank Community Partnership	This local Community Development Project based in Derry, was awarded a grant towards an inventive project that will bring people from Crevagh and Springtown wards of Derry together with people from estates in Coleraine area. Workshop topics include anti-sectarianism and conflict mediation.	€15,000
Ballymena Learning Together, Co. Antrim	This organisation was awarded funding towards “Common Purpose”, an innovative project that is taking all 15 year olds in community schools in Ballymena and placing them on a programme that focuses on addressing sectarianism and encouraging cultural diversity. The organisation was awarded a second grant to enable the establishment of a Michael McIlveen Scholarship, which will award one student in each of the nine schools in Ballymena a scholarship of €1,500 each year for carrying out a reconciliation project.	€50,000 in 2007 & €80,000 in 2008



Organisation Name	Purpose of Grant	Grant Paid
Ballynateigh Community Development Association, Belfast	Based in an area where Catholics and Protestants have lived alongside each other since before the conflict, this organization aims to take a creative approach to community development. Funding was awarded towards the organisation's programmes.	€20,000
Ballyroan & Drumcree Parishes Group, Dublin	This organisation takes Protestant and Catholic children from Portadown, Co. Armagh, to Ballyroan in Dublin for a week-long diversionary visit each year during the marching season, offering a non-threatening way for the children to mix and get to know each other. Funding was provided towards the costs of this project in both 2007 and 2008.	€3,500 in 2007 & €3,500 in 2008
Ballysillan Youth for Christ Community Drop-in Centre, Belfast	This organisation provides after schools training and drop-in services to young people in a purpose-built facility in the Ballysillan estate in North Belfast. Funding was awarded towards the organisation's programmes.	€15,000
Beechfield Primary School & St Bernadette's Primary School, Belfast	This organisation consists of a partnership between two parents' groups attached to Beechfield Primary School, which draws students from the loyalist Lower Newtownards Road, and Saint Bernadette's Primary School in the nationalist Ballymurphy area of Belfast. This allocation went towards a cross-community programme for pupils and parents from both schools.	€12,500
Bloody Sunday Trust, Derry	This organisation provides a support network for the families of those killed and injured on Bloody Sunday and has the support of all sections of the community in the city. Funding was awarded towards the organisation's programmes.	€25,000
Border Minority Groups	This allocation went towards building a project with Protestant minorities on the southern border, with the co-operation of the Equality Authority.	€25,000
Boyne Fishermen's Rescue and Recovery Service, Co. Louth	This organisation provides a completely voluntary service that carries out recovery missions on both sides of the border. They are currently expanding on this cross-border work by developing a new unit that will operate in Portadown and Belfast.	€30,000
Breakthru Drugs and Alcohol Awareness Project, Armagh	This is a ten-week drugs awareness course which is aimed at young women in Armagh and addresses such issues such as self esteem, confidence, depression, and dealing with stress-related abuse of alcohol and drugs.	€1,500

Organisation Name	Purpose of Grant	Grant Paid
Caledon Playgroup, Co. Tyrone	This organisation was awarded a grant in both 2007 and 2008 towards a summer scheme catering for children 3-12 years old from both Catholic and Protestant backgrounds, promoting cross community and interdenominational activities, promotion of tolerance and acceptance of cultural diversity.	€1,500 in 2007 & €1,000 in 2008
Castleberg Youth Forum, Co Tyrone	This organisation was awarded funding towards work with communities in Castleberg in order to counteract and break down the barriers created by years of sectarianism. The group will aim to draw young people away from a lifestyle involving excess alcohol and drugs and towards a life style of positive citizenship.	€10,000
Centre for Contemporary Christianity in Ireland, Belfast	This organisation aims to develop knowledge and personal skills among the Christian community and Churches to serve their communities at critical points of communal conflict and social change. The funding on this occasion was allocated towards a programme that looks at leadership and reconciliation, targeting students in Universities on both sides of the border.	€25,000
Children's Voices of Ireland, Dundalk	This organisation brings children and young people from diverse socio-economic, religious and ethnic backgrounds together. Funding was awarded towards a joint cross-border initiative, including co-operation with the Peace and Reconciliation Centre in Ballycastle.	€20,000
Civil Rights Commemoration Committee, Co. Tyrone	This organisation has been established to commemorate the 40th anniversary of the Civil Rights Movement, and to promote inclusive discussion and debate about the role of civil rights. Funding was awarded towards the organisation's programmes.	€20,000
Cloughmills Golden Oldies, Ballymoney	This organisation is a group for the elderly which aims to improve quality of life and to reduce social isolation through social networking. The organisation runs outings and activities of historical and educational interest.	€1,000
Community Action for Locally Managing Stress — CALMS, Derry	This organisation works with people who are coming forward for help in dealing with issues resulting from the troubles. This funding will contribute towards a project called 'Stresswise', which aims to inform, educate and advise young people how to recognize and manage stress in their lives.	€25,000

Organisation Name	Purpose of Grant	Grant Paid
Co-operation Ireland, Dublin/Belfast	Cooperation Ireland is one of the largest organisations working to promote reconciliation on the island of Ireland. Funding was provided in both 2007 and 2008 towards the organisation's Community and Youth Exchanges Programme and 'Beyond Borders', a programme for groups within the youth and community sectors from both sides of the border.	€114,000 in 2007 & €229,810 in 2008
Corduff / Killeen Pipe Bands, Co. Armagh & Co. Monaghan	These bands are working together in a cross border and cross community initiative to promote the teaching of pipe music and drumming to adults and young people in their own and different environs.	€10,000
Corner House Cross Community Family Centre, Belfast	This organisation is situated on an interface between the Protestant Tiger's Bay and Catholic New Lodge areas of North Belfast. The Centre provides an informal drop-in crèche, educational classes and recreational activities for mothers and young people, and in recent years, has started to place an emphasis on cross-community work.	€7,000
Corpus Christi Youth Centre, Belfast, located in West Belfast	This organisation operates provides social and personal development opportunities to young people aged 5-25. This allocation was awarded towards the Centre's cross-community relations and cultural traditions programmes.	€25,000
Creggan Country Park Enterprises Ltd, Derry	This organisation is a not for profit organisation that is extending its "Reconciliation through Recreation" project to provide a diversionary programme of activity during the parading season, and brings Unionist / Loyalist Communities 'across the river' to the west bank of Derry.	€25,000
Creggan Enterprises Limited, Derry	This organisation was awarded funding towards an Intermediate Labour Market Project in the Derry area which will assist the long term unemployed in returning into full time employment. The project will promote reconciliation through education, training and skills development and will work on a cross community basis.	€50,000
Creggan Youth Drop-In, Derry	This is a voluntary group that caters for up to 150 young people in the Creggan Estate in Derry. This allocation was awarded to enable the Centre to carry out a wide range of activities, including cross-community work with young people from Protestant Bond Street and Lincoln Courts.	25,000

Organisation Name	Purpose of Grant	Grant Paid
<p>Cross Border International Arts, Cultural &amp; Sports Week, c/o Rás na hÉireann, Dunleer, Co. Louth</p>	<p>This is a cross-border, cross-community event which includes activities around the week of this major international event. The main event will take place at an appropriately historical site and other events will be held at various locations in counties Louth and Armagh.</p>	<p>€20,000</p>
<p>Cross Border Musical Links, Co. Louth</p>	<p>This organisation reaches out to students both North and South of the border and facilitates mixing between students of various traditions through the medium of music and cultural events.</p>	<p>€5,000</p>
<p>Cross Border Orchestra of Ireland, Dundalk</p>	<p>This organisation was awarded an allocation towards their performance at the annual dinner of the Ireland Fund in New York on 3rd May 2007, at which President Mary McAleese was the guest of honour. An additional grant was awarded in 2007 towards the organisation's ongoing programmes on the island of Ireland</p>	<p>€125,000</p>
<p>Cullybackey Improvement Association, Co. Antrim</p>	<p>This is a community based association that is building a new resource centre that will contribute to community spirit in the area, and will offer a neutral space that will enable the community to engage in cross-community activities.</p>	<p>€12,500</p>
<p>Cúnamb, Derry</p>	<p>This organisation provides programmes and support to families who were directly affected by the events of Bloody Sunday.</p>	<p>€20,000</p>
<p>Cushendall District Development Group Ltd., Co. Antrim</p>	<p>This organisation was established in 1990 with the aim of encouraging locally based initiatives to stimulate development in the village, and to encourage more people to become involved in community development. Based in an area with a strong Ulster-Scots ethos, the organisation has strong cross-border links with Imeall Trá in Donegal. This allocation will contribute to the fitting out of community and cultural facilities.</p>	<p>€50,000</p>
<p>Derry &amp; Raphoe Action</p>	<p>This organisation has been involved in cross border work for ten years and has a record of successful partnerships and links on cross border and cross community projects. The organisation seeks to promote the self confidence and capacity of border Protestants so that they will become involved in building the future of their communities.</p>	<p>€50,000</p>

Organisation Name	Purpose of Grant	Grant Paid
Donaghmoynne Youth Band, Co. Monaghan / Lisnaskea Accordion & Drum Band, Co. Fermanagh	These bands are coming together to build an understanding of their different traditions and to build stronger relationships on a cross-community basis.	€15,000
Dooneen Community Association, Co. Fermanagh	This is an umbrella organisation which oversees the upkeep of Dooneen Community Education Centre, located in an isolated rural area of Co Fermanagh. The Centre provides recreational activities to members of both communities, and various cross border events are organised to promote tolerance and acceptance of cultural diversity.	€25,000
Dove House Community Trust, Co. Derry	This is one of the longest running community development groups based in the Bogside & Brandywell areas of Derry City. Grants were awarded in both 2007 and 2008 towards programme and running costs for a Youth Intervention Programme PATHS for 13 to 19 year olds aimed at tackling the high level of sectarian tension which often manifests itself over the summer months.	€20,000 in 2007 & €20,000 in 2008
Downpatrick Listowel Linkage Group, Co. Down	This linkage group between Downpatrick, Co. Down, and Listowel, Co. Kerry, carries out excellent mediation work. Grants awarded in both 2007 and 2008 contributed towards a project that teaches participants how to handle conflict using mediation as a way to help tackle sectarianism. It aims to provide participants with a “toolkit” of relevant skills in handling conflict through mediation, with the objective of tackling sectarianism as a cause of conflict.	€25,000 in 2007 & €20,000 in 2008
Downs Syndrome Association N.I., Saintfield Road, Belfast	This organisation was awarded funding to support a conference aimed at developing links north and south of the border area and between Ireland and Britain, and promoting cross community and interdenominational activities.	€10,000
Drugwiser Family Support Group, Enniskillen	This is a cross-community organisation that provides a safe, confidential place for parent and siblings of addictive young people. The work of Drugwiser is purely voluntary and includes training, workshops and residential weekends for respite.	€9,500
Dunamoney Community Group, Magherafelt	This organisation works with young people by organising musical practice nights and events. This grant was awarded to develop a new local cross community programme.	€5,000

Organisation Name	Purpose of Grant	Grant Paid
Dunmurry Community Association, Co. Antrim	This organisation is developing a varied programme of activities for young people that aims to address prejudice and intolerance of other people's religion and culture. By engaging with young people from other outlying interface communities this project will bring young people together on joint activities, building relationships and promoting acceptance and understanding of each other.	€15,000
East Belfast Community Focus	This organisation was created in 1999 to encourage links, exchanges and visits between East Belfast and the border counties. They are currently working on 9 cross-community and cross-border projects.	€3,500
East Ireland Open Bridge Congress, Co Louth	This organisation provides bridge competitions for all levels, from novices to beginners, and which traverses denominational and cross-community differences.	€2,500
Families Acting for Innocent Relatives-FAIR, Co Armagh	This organisation has developed a project entitled Border Encounter, which aims to improve understanding among people from North and South, to develop practical encounters between communities in Ireland and Britain, and to raise awareness of victims' issues.	€20,000
Faughart Social Group, Dundalk, Co. Louth	This organisation supports social activities for retired and mature people. The grant was awarded towards a series of programmes that will form part of a cross-border and cross-community linkage.	€11,000
Fellowship of Messines Association, Belfast	This is a cross-community, cross-border organisation that aims to promote peace and reconciliation in society through the study and critical examination of the shared and common history of the people of this island. The group is currently recruiting participants for educational courses from groups in Northern Ireland and the border counties.	€60,000
Fingal County Council Women in Focus, Dublin	This allocation contributed towards a conference that brought together groups involved in Fingal County Council's "Women in Focus" project. The project facilitates group meetings and discussion between women's groups from disadvantaged areas of Dublin, Donegal and Belfast.	€20,000



Organisation Name	Purpose of Grant	Grant Paid
<p>Fountain Street Community Development Association, Tyrone</p>	<p>This organisation is engaged in a cross-community project involving Catholic young people from the Head of the Town Area in Strabane and Protestant young people from rural areas of Strabane, Castlederg and Donemana, which will build reconciliation within and between different cultures, traditions and communities.</p>	<p>€10,000</p>
<p>Friends of the Somme — Mid Ulster Branch, Co. Tyrone</p>	<p>This organisation was awarded a grant to carry out a four day visit to Cork that looked at the life of Michael Collins. The trip aimed to create a challenge for members, who are mostly of a unionist background, and included a visit to the Lord Mayor's office, Collins Military Barracks, and the Michael Collins Trail.</p>	<p>€1,000</p>
<p>Gasyard Wall Féile, Derry</p>	<p>This is a year round cultural programme based primarily in the Bogside &amp; Brandywell areas of Derry City but with activities and events taking place throughout the city. Grants awarded in both 2007 and 2008 went towards diversionary activities during the group's annual Summer Féile, a week-long cultural and educational festival.</p>	<p>€7,500 in 2007 and €7,000 in 2008</p>
<p>Gig'n The Bann Cross Community Festival, Portlengone</p>	<p>This festival brings together children, youths and families from both sides of the community, and encourages positive relationships between the two main traditions and immigrants. The Festival is a catalyst for all people to come together thus promoting reconciliation, tolerance and acceptance of cultural diversity.</p>	<p>€1,500</p>
<p>Glencree Centre for Peace &amp; Reconciliation, Co Wicklow</p>	<p>Glencree is one of the largest organisations on the island of Ireland working towards peace building and the promotion of reconciliation. The Centre, through the delivery of its various programmes and summers schools, attracts participants from a large cross-section of society, with a view to building peace and reconciliation within the island of Ireland, between Ireland and Britain and beyond. Grants awarded in 2007 and 2008 will be used to support the centre's ongoing education programmes, workshops and political seminars.</p>	<p>€200,000 in 2007 &amp; €200,000 in 2008</p>
<p>Glenravel/Cullybackey Environmental Improvement Association, Co. Antrim</p>	<p>This organisation is working to maintain and further develop cross-community relationships between the Glenravel and Cullybackey committees and beyond into the wider communities through a local history programme and schools projects.</p>	<p>€40,000</p>
<p>Greater New Lodge Festival, Belfast</p>	<p>This group organises diversionary activities around the parading season, including some on a cross-community basis.</p>	<p>€15,000</p>

Organisation Name	Purpose of Grant	Grant Paid
Hard Gospel	This is a programme within the Church of Ireland that acts as an over-arching policy to help the Church to deal more positively with difference and to make a contribution to healing division.	€50,000
Highfield Partnership, Belfas	This is an umbrella group for community projects in the Highfield area. Grants awarded in 2007 and 2008 went towards several cross-community events including a festival, events involving cross community women's groups, and interface workers' networks).	€6,000 in 2007 & €5,000 in 2008
History of Border Entertainment	This is carrying out research and publication of a book on the shared history of the entertainment industry in the border area.	€1,000
I.C.T.U.	An allocation of €20,000 was awarded in 2007 for the development and management of a small grants scheme (approx €500/€1500) for allocation at difficult periods, and a further grant of €80,000 was awarded in 2007 towards the development of an Anti-Sectarianism Project.	€100,000
Imeall Trá Teoranta, Co. Donegal	This organisation aims to facilitate a range of cross border linkages, programmes and networks which will promote reconciliation and advance the economic, social and cultural regeneration of North Antrim and the Donegal Gaeltacht. This allocation of funding went towards the organisation's peace-building programme, cultural & heritage activities, and towards developing a network of practitioners of traditional skills across the region.	€50,000
Inishowen Women's Information Network, Co. Donegal	This organisation was formed in February 2000 to support women and women's groups throughout the Inishowen peninsula. The group has been working with the Mid Ulster Women's Network from Magherafelt, Co. Derry in delivering a programme on the effects of the Troubles that aims to identify and break down barriers to enable participants to forge mutually beneficial networking links between the neighbouring counties of Donegal and Derry. An initial grant of €35,000 was awarded to the organisation in 2007, and a further grant of €90,000 was awarded in 2008 towards the development of a three year project which will recruit 74 women and develop their capacity to work in their own communities with people from all religions on projects and activities involving reconciliation.	€35,000 in 2007 & €90,000 in 2008
Institute for British Irish Studies	This organisation, which is based in the School of Politics and International Relations, University College Dublin, was awarded funding towards an annual exchange with Queen's University in Belfast.	€2,000

Organisation Name	Purpose of Grant	Grant Paid
Irish Countrywomen's Association, Ballsbridge HQ	This organisation brought 30 members (5 from each of the counties in Northern Ireland) of the Women's Institute in Northern Ireland to join in festivities and exchange and share mutual customs, cultures etc at an event hosted by the organisation in Co. Louth.	€3,000.
Irish School Of Ecumenics Trust, Belfast	This is a cross border institute with centres in Dublin and Belfast which promotes dialogue, peace, and reconciliation through teaching, research and community outreach activities. This funding was awarded to support the extension of their work with community groups on both sides of the border.	€70,000
Journey of Remembering, Donegal	This organisation consists of brass bands and pipe bands from both sides of the religious divide and both sides of the border, who were travelling to ceremonies in Messines.	€30,000
Kilcooley Women's Education and Development Group, Co Down	This organisation provides a wide portfolio of training, education and support programmes for socially excluded and marginalized women, with the aim of encouraging a shared future for all in the locality. Alongside this, they provide training in peace and reconciliation to address the legacy of conflict in Northern Ireland, and take part in a range of cross-community activities with similar women's groups in the North and in border counties.	€20,000
Kilkerley Community Development Group, Co. Louth	This organisation runs a community hall that offers the community activities such as bowls, badminton etc. that attract both cross community and cross border participants. This gives people in the area on both sides of the border an opportunity to mix and socialise in a neutral venue, thereby promoting reconciliation and tolerance of cultural diversity.	€25,000
Knockconan/Aughnacloy Summer Scheme, Co. Monaghan	This organisation caters for children on both sides of the border and provides them with an opportunity to interact and communicate with each other through sports, arts and cultural activities.	€5,000
L.A.T.C.H (Listening And Talking Can Help)	This organisation works with young people within a range of highly effective and successful life skills and mentoring programmes throughout schools and community based youth centres across Limavady, rural Derry and Strabane. This allocation of funding contributed to workshops exploring culture and tradition through music as part of their 'Rock the Valley' festival in 2007 and 2008.	€10,000

Organisation Name	Purpose of Grant	Grant Paid
Ledley Hall Boys & Girls Club, Belfast	This organisation is located in an interface area of inner East Belfast with social problems and a lack of local role models. The contribution was allocated towards single-identity and cross-community programmes.	€25,000
Ligoniel Family Centre, Belfast	This organisation was awarded funding towards a cross-community project that will bring women together from Ligoniel and Ballysillan on a number of programmes, including cultural diversity, drug awareness, health and domestic violence.	€10,000
Lincoln Courts Football Club, Derry	This organisation is carrying out a programme of coaching and a tournament for approximately 25 young people from two communities, one strongly loyalist and one strongly nationalist, in Derry in the month of August. The programme seeks to promote tolerance and acceptance of different traditions through the medium of sport.	€1,000
Lough Allen Community Development Project Ltd, Co. Leitrim	This organisation was awarded a grant towards the costs of an exchange weekend that will bring a group from Ballysillan estate in Belfast to Drumkeerin in Co. Leitrim.	€3,000
Loughview and Redburn Community Forum, Co. Down	This organisation was set up to improve the quality of life of residents in the two estates. The grant contributed towards the development of a Community Strategy for the area.	€15,000
Lower Castlereagh Community Group, Belfast	This organisation aims to provide the whole Lower Castlereagh community with the necessary skills to gain employment, to become active citizens and to become involved in training courses.	€10,000
Maiden City Festival, Derry	This festival is organised by the Apprentice Boys and seeks to encourage Protestants to be more active in the West Bank i.e. Cityside of the City.	€40,000
Malahide International Festival of Piping & Drumming, Dublin	This organisation attracts a large number of bands from both Northern Ireland and Great Britain each year and gives participants and supporters an excellent opportunity to mix in a shared cultural tradition of piping.	€5,000.
Moyallon Development Committee (Religious Society of Friends in Ireland), Co. Armagh	The Moyallon Development Committee has built a centre suitable for day conferences, weekend and residential gatherings, and can be used as a Reconciliation Centre where groups can meet in a neutral venue.	€75,000

Organisation Name	Purpose of Grant	Grant Paid
New Border Generation, Carlingford, Co. Louth	This organisation is a community based voluntary organisation that has developed and delivered a range of cross-border and cross-community exchanges and has established links with a variety of cross-community and cross-border network of groups. Funding has been provided towards a cross-community, cross-border initiative which will include co-operation conferences, a 'conflict transformation programme' and peer leadership programmes.	€180,000
New Ireland Group, Co. Antrim	This group works to support those seeking political and social reconciliation in Ireland and invites speakers from the South to engage in public meetings.	€2,500
Newhaven Trust, Newry	This organisation was set up in 1993 to help in the education, training and rehabilitation of ex-offenders, alcoholics, drug addicts and those socially excluded from society. Funding was allocated towards the group's cross-community and cross-border "Equi-Need" project which will bring four target groups together from Dundalk, Newry and Kilkeel to identify their needs and to assist them in working in partnership to improve their communities.	€25,000
NIMMA -Northern Ireland Mixed Marriage Association, Belfast	This is a self-help group that does works on behalf of people in mixed marriages in Northern Ireland. A grant was awarded in both 2007 and 2008 towards the organisation's ongoing work in this area	€25,000 in 2007 & €20,000 in 2008
NIPPA, Belfast	This is the largest voluntary organisation in Northern Ireland working with the under 12 age group and their families. This allocation of funding is supporting the organisation's 'Respecting Differences' project — a media programme for pre-school children and their parents which seeks to tackle sectarian attitudes.	€25,000
North Belfast Youth Project	This organisation was awarded funding towards the running costs of a project that is bringing together the Glenbryn, Ardoyne and Deany Youth groups in North Belfast.	€15,000
North Leitrim Glens Development Company Ltd.	This organisation carries out a range of cross-border arts-based activities on a cross-border basis. Funding was awarded towards the group's ongoing programme costs in both 2007 and 2008.	€30,000 in 2007 & €25,000 in 2008
North West Archaeological & Historical Society	This organisation was awarded funding to support its work in promoting better understanding of Irish, British and Ulster heritage through further research, lectures and exhibitions aimed at community associations in Derry, Tyrone and Donegal, and at local schools and social groups in the region.	€1,500

Organisation Name	Purpose of Grant	Grant Paid
Northern Ireland Council for Integrated Education, Belfast	This organisation was established in 1989 as an umbrella body to promote Integrated Education in Northern Ireland. This funding went towards an intensive training programme that will challenge attitudes in relation to sectarianism, and will embed reconciliation and diversity within schools.	€150,000
Northern Ireland Trade Union Educational & Social Centre Ltd	This organisation was awarded funding towards its work in giving support to groups on both sides of the community, with people from all backgrounds willing to attend the centre.	€60,000
Northern Ireland's Children Enterprise, Belfast	This organisation is a community relations organization that aims to promote reconciliation, good relations and tolerance. This allocation of funding will go towards a programme entitled 'Citizenship in a Divided Society' in schools for 11 weeks, which will cover such issues as identity, diversity, stereotypes, prejudice and conflict management.	€20,000
Northside Partnership, Dublin	This organisation was established in 1991 and works with local communities that have benefited least from economic and social development. It aims to promote social inclusion and improve the quality of life of people living in these communities. The Partnership has been engaged in assisting organisations in Northern Ireland over many years, and this allocation contributed towards the continuation of this work.	€10,000
Omagh Support & Self Help Group, Omagh	This organisation was established in the aftermath of the Omagh Bomb in 1998 as a source of support and solace for those bereaved and injured. This grant contributed towards a residential in Corrymeela Reconciliation Centre for the victims (including those from Donegal) of both the Omagh and Claudy bombings.	€5,000
PAKT, Lurgan	This is a cross community and family focused group delivering a range of educational and social programmes to children, young adults and parents. Funding was awarded towards an accredited cultural enrichment programme which will contribute to reconciliation through education and promotion of tolerance and acceptance of cultural diversity.	€10,000
Participation & Practice of Rights Project	This organisation was awarded funding towards their work in engaging the CAJ, Combat Poverty Agency, I.C.T.U. and the IICL in bringing rights and equality issues down to local level.	€10,000



Organisation Name	Purpose of Grant	Grant Paid
Pat Finucane Centre for Human Rights & Social Change, Derry	This organisation is a non-political, anti-sectarian organization that advocates a non-violent resolution of the conflict on the island of Ireland. Funding was awarded towards the group's activities including work with the families of victims of the conflict in their contact with the Historical Enquiries Team.	€25,000 in 2007 & €25,000 in 2008
Puddleducks, Co. Tyrone	This organisation was awarded a grant towards the cross-community courses and activities of this playgroup based in a rurally isolated area.	€2,000
Randalstown Arches Association, Co. Antrim	This organisation aims to assist the local community towards harmony, empowerment and success, and to increase their capacity by providing social and educational opportunities. This allocation of funding was awarded towards a youth project that tackles sectarianism and criminal issues in the town.	€10,000
REACH Across	This organisation was awarded a grant towards cross community based programmes on Citizenship and Drug Awareness.	€4,000
Rosemount Resource Centre, Derry	This organisation was awarded funding towards its existing community-based programmes to further develop the cross-border and cross-community reconciliation elements within their projects.	€25,000
S.A.V.E.R. / N.A.V.E.R, Co. Armagh	This organisation engages in activities and programmes to provide respect and support to victims and their families. This allocation went towards an anti-sectarianism programme involving youth groups.	€15,000
S.P.R.I.N.G Trust Ltd	This organisation contributes to reconciliation in Armagh through focussing on educational and confidence building programmes for youth and women in marginalised areas. This allocation of funding went towards a programme on anti-sectarianism and cross-border work.	€50,000
Schomberg Society, Kilkeel Ltd.	This organisation aims to preserve, promote and advance the heritage, music, song, dance, language and literature of the Ulster Scots community. Funding went towards the group's activities including cross-border interaction and projects with the Limerick Peace Institute, the Drogheda Focus Group and the Border Minority Group.	€20,000
Seymour Hill and Conway Community Network, Belfast	This organisation was awarded a grant towards a programme that takes young men to visit historical sites on both sides of the border and a session in Glencree with trained facilitators to promote reconciliation and tolerance of cultural diversity.	€5,000

Organisation Name	Purpose of Grant	Grant Paid
Sligo Presbyterian Church Celebrations	This organisation pursues an annual Christmas celebration promoting contact between Northern Ireland and the border counties.	€5,000
St. Bernard's Primary School/Lisnasharragh Primary School	These schools are working together with the aim of developing a real and lasting partnership between the two communities. The two principals and the Parent-Teacher Associations of both of these schools have recently come together to explore ways of establishing lasting cross-community links between the two schools. This allocation of funding will contribute to the development of a broad range of indoor and outdoor play opportunities outside of school hours that will actively bring children and their parents together. St. Bernard's is the only Catholic primary school in East Belfast.	€20,000
St. Louis House, Belfast	This organisation was awarded a grant towards its work with young people from all churches to provide a network of community leaders that will go and work with other youth organisations as tutors.	€12,500
St. Patrick Centre, Co. Down	This cross-community organisation was awarded funding towards programmes in both 2007 and 2008 which included a project that uses St. Patrick as a model for cross-community work, and particularly with young people, north and south, addressed issues such as identity, stereotypes and understanding conflict.	€29,000 in 2007 & €30,000 in 2008
St. Patricks College, Bearnagee	This organisation was awarded funding towards a three year project which enables Protestant students in North and East Belfast to sample Gaelic games, both hurling and shinty, and at the same time encourages East-West development with groups in Scotland.	€75,000
St. Theresa's Youth Centre	This organisation has provided activities for young children in a difficult area of West Belfast for the past thirty years. This allocation went towards the group's project costs and its work with youth.	€15,000
Summer Madness, Belfast	This is an event involving up to 5000 young people in diversionary activities in Belfast over one week each year. Funding was awarded towards this event in 2007, with a further grant awarded to the organisation in 2008 to extend the project to Dublin, with the intention of bringing together 200-400 young people to take part in their activities.	€25,000 in 2007 & €9,500 in 2008

Organisation Name	Purpose of Grant	Grant Paid
Tara Counselling & Personal Development Centre, Omagh	This organisation provides a counselling service on a cross-community and cross border basis, which aims to address the trauma and hurt of conflict experiences. This grant was awarded towards a 2 year reconciliation programme which will look at sectarianism, tolerance, forgiveness and identity.	€50,000 in 2007, €50,000 in 2008
The Corrymeela Community	This organisation received funding for the 'Rathcoole Youth Project', a positive citizenship programme for marginalised young people that is being run by Corrymeela. The project will target young men aged 14-17 from a loyalist background who have been involved in disorderly and anti-social behaviour.	€7,000
The Gateway Club, Co. Tyrone	This organisation is special needs club located in Cookstown, Co. Tyrone that is carrying out cross-border links with similar groups in Sligo and Donegal.	€2,500
The H.U.R.T. Group, Lurgan	This is a conflict trauma organisation that has been very active and a positive influence in helping victims in Northern Ireland move forward. Funding was awarded towards a reconciliation programme for its youth group and potential leaders that will be held over a 12-month period.	€25,000
Tim Parry Jonathan Ball Foundation	This organisation is organizing a three-year Leadership Development Programme aimed at developing young British and Irish people together through a structured, comprehensive programme of learning that will take place in Ireland, North and South, and Britain.	€75,000
Tipperary Peace Convention	This organisation aims to promote peaceful ideals, through music, song, debate, and the recognition of individuals who have a particular noteworthy contribution to peace, through a Festival of Peace which is held on an annual basis.	€2,000 in 2007 & €2,000 in 2008
Traditions Meet	This organisation consists of a brass band and a pipe band from both sides of the religious divide. Funding was awarded towards a project in which a CD was compiled with emphasis placed on the musical talents of the bands involved. This project will look at different social, cultural and traditional history of the cross-community groups involved.	€15,000
Truagh Development Association, Co. Monaghan	Based in a mixed community in Co. Monaghan, aims to rebuild relations with neighbours both locally and across the border.	€15,000

Organisation Name	Purpose of Grant	Grant Paid
Vine Centre, Belfast	This organisation was established in 1970 at a time of significant sectarian violence as an initiative of local Presbyterian churches in the Crumlin Road area of North Belfast. The Centre aims to offer help and assistance to people caught up in inter and intra community conflict, by seeking to relieve poverty and by providing education and facilities that promote social welfare of local people. The allocation went towards a cross-border project with Dundalk IT.	€16,500
Westgate Foundation, Co. Cork	This organisation works with and is run by older people on a cross-border, cross-community basis and has over 22 years experience in dealing with development programmes. The group is engaged in a mediation project entitled 'Tackling Sectarianism — Working Towards Integration' which will work with new community groups in and around Belfast and the surrounding areas, and will include North/South exchange visits.	€150,000
Wexford Garden & Flower Club	This organisation was founded in 1968 to raise the standard of horticulture and floral arts of its members. They hosted the Comber & District Horticultural Society, Co. Down to Wexford on a four day visit, to foster better relations and break down barriers that existed between communities, North and South.	€2,500
Willowfield Parish Community Association, Belfast	This organisation was set up during 2002 in order to tackle social, environmental, sectarian, educational, moral and spiritual problems faced by residents of the Woodstock/Willowfield area of Protestant East Belfast.	€20,000
Woodvale Community Initiative, Belfast	This organisation works with the children of the Shankill/Woodvale area and the Upper Crumlin, with the objective of promoting interaction and contact between the communities.	€3,000
Youth Initiatives (YI), Belfast	This is a cross-community youth organisation based in Poleglass, Belfast. This contribution went towards the group's workshops with young people in need, which target areas in both West and East Belfast.	€20,000
Youthlink N.I., Belfast	This organisation is a partnership of churches working together to develop excellence in youth work and ministry, peace building and reconciliation. It is the only forum in Northern Ireland where churches co-operate formally on training youth workers who will be key to tackling sectarian attitudes and facilitating/creating opportunities for greater contact at local levels.	€100,000

### Consultancy Contracts.

1041. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs if a company (details supplied) has been awarded contracts by his Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if he will make a statement on the matter. [29713/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** There have been no payments or contracts between this company and my Department, or any bodies operating under the aegis of my Department, from 2000 to date.

### International Agreements.

1042. **Deputy Pat Breen** asked the Minister for Foreign Affairs the plans he has to seek to have the ban on Belarussian children visiting Ireland lifted; the further plans he has to negotiate a special agreement with the Belarussian Government similar to the agreement reached between Belarus and Italy; and if he will make a statement on the matter. [29927/08]

1045. **Deputy Finian McGrath** asked the Minister for Foreign Affairs the plans he has to support the Chernobyl Children's request to remain here for respite. [30092/08]

1046. **Deputy Richard Bruton** asked the Minister for Foreign Affairs if his attention has been drawn to the obstacles that have arisen in respect of children from Belarus coming here as part of the Chernobyl Project; the steps that have been taken to resolve the difficulties; and if he will make a statement on the matter. [30113/08]

1053. **Deputy Pat Breen** asked the Minister for Foreign Affairs if he will report on his recent discussions with the Belarussian authorities regarding a possible threat to children from Belarus travelling to Ireland; and if he will make a statement on the matter. [30591/08]

1058. **Deputy Mary Upton** asked the Minister for Foreign Affairs the situation regarding the travel ban initiated by the authorities in Belarus preventing children from travelling here for medical treatment and holidays; the steps he is taking to work with the Belarussian authorities to resolve the issue; and if he will make a statement on the matter. [30794/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I propose to take Questions Nos. 1042, 1045, 1046, 1053 and 1058 together.

Ireland has a long tradition, dating back 17 years, of hosting children from Belarus for holiday periods with the agreement of the Belarussian authorities. Ireland can be proud of this generous response to those affected by the nuclear disaster at Chernobyl. I warmly commend the various charities and host families for their tireless work on behalf of the children from the affected area. As the mark of the Government's support for the work of the Chernobyl Children's Project International, Irish Aid committed €600,000 over three years in March 2008 for the development of day care centres in Belarus. More recently, on my instructions, the Irish ambassador to Moscow, who is also accredited to Minsk, travelled to the Belarussian capital on 9 September to register with the Belarussian authorities the Government's concern about the suspension of the visits by children from Belarus to Ireland. In addition, at my invitation, the chargé d'affaires of the embassy of the Republic of Belarus travelled to Dublin on 11 September to discuss with me ways of overcoming the suspension. The chargé d'affaires also met officials from my Department and the Office of the Minister for Children and Youth Affairs.

Following contact with my colleagues, the Attorney General and the Minister of State with responsibility for children and youth affairs, I instructed officials in my Department to start immediate negotiations with the Belarussian authorities on an international agreement on the recuperation of Belarussian children in Ireland. I am confident that it will be possible to conclude negotiations on this agreement quickly despite differences in the legal and administrative systems in Ireland and Belarus. In the meantime, I have conveyed to the Government of Belarus our strong hope that, while negotiations are continuing, it can agree to allow the visits by the children from Chernobyl to go ahead next Christmas.

#### **Departmental Staff.**

1043. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs the number of staff sent from his Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if he will make a statement on the matter. [29995/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The Department of Foreign Affairs was not represented at the conference in question and, as a result, no costs were incurred.

#### **Human Rights Issues.**

1044. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs his plans to raise the arrest and detention of Bishop Jia Zhiguo with the Chinese Government; and if he will make a statement on the matter. [30049/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I am very concerned about the case of Bishop Jia Zhiguo, who was rearrested on 24th August in Zhengding. Though he was allowed to return home on 18th September, he is currently under house arrest. Bishop Jia Zhiguo has been the subject of repeated arrests over a great many years.

His case has been raised on a number of occasions with the Chinese authorities through the EU-China Human Rights Dialogue, including at the most recent round of the dialogue which was held in Brdo, Slovenia on 15th May last. This Dialogue is the agreed formal framework through which the EU raises human rights issues, as well as individual cases of concern. My Department will seek to ensure that his case is raised again at the next Dialogue meeting, which is expected to take place at the end of November. We will also raise the case bilaterally with the Chinese authorities.

Human rights are a constant and important subject of dialogue with the Chinese Government at bilateral as well as at EU level. In our contacts with the authorities we continually stress the importance the Government attaches to issues such as freedom of expression and freedom of religion. My Department will continue to monitor the situation of Bishop Jia Zhiguo. It is particularly disappointing that he should have been rearrested so soon after the end of the Olympic Games. His age and state of health give grounds for particular concern.

*Questions Nos. 1045 and 1046 answered with Question No. 1042.*

#### **Data Protection.**

1047. **Deputy John O'Mahony** asked the Minister for Foreign Affairs the procedures in place to ensure that personal data stored by his Department is secure. [30132/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** All officials of my Department are bound by the provisions of the Official Secrets Act. In addition, on the day of their appointment, all officials are made aware of their responsibilities under the Data Protection Acts.



[Deputy Micheál Martin.]

Ongoing awareness training is also provided; each Division has a nominated Data Protection Coordinator and, earlier this year, my Department launched a dedicated Data Protection Page on the Intranet, to facilitate and encourage awareness of data protection responsibilities among all staff.

All data held in my Department, including personal data, is protected by a wide range of physical and technical safeguards. The provisions of the Data Protection Acts are kept under regular review, to ensure ongoing compliance and the categories of personal data retained by my Department are reviewed annually, to ensure that our obligation to register these with the Data Protection Commissioner is discharged.

Over the past year, the Department has been placing a particular focus on increasing awareness among all staff of their obligations under the Data Protection Acts and is working with the Office of the Data Protection Commissioner in this regard. The Data Protection Commissioner recently gave a briefing to the Department's Data Protection Coordinators and we will continue to liaise closely with his Office.

1048. **Deputy John O'Mahony** asked the Minister for Foreign Affairs the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from his Department in 2007 and to date in 2008; and if he will make a statement on the matter. [30147/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** In the period in question two laptops have been stolen and one USB memory stick has been lost. No personal information was held on any of these devices and the data contained on them was unclassified. All laptops and USB memory sticks now issued by the Department are encrypted.

#### **Departmental Expenditure.**

1049. **Deputy Finian McGrath** asked the Minister for Foreign Affairs the amount his Department contributed to the Lisbon Treaty Referendum. [30382/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** In total, the Government allocated €5.8 million to meet the costs associated with informing the public about the Lisbon Treaty, €5 million of which was allocated to the Referendum Commission. The balance of €0.8million was allocated from the budget of the Department of Foreign Affairs for expenditure in connection with the Government's information campaign on the contents of the Lisbon Treaty. The budget covered the design, translation, printing and distribution of information material including: An explanatory pamphlet; A guide to the Treaty which was distributed to households in April; A White Paper on the Lisbon Treaty.

Other areas of expenditure for this information campaign included, maintenance of a dedicated website, newspaper advertisements relating to the availability of information and the production of Braille and audio versions of the explanatory pamphlet.

1050. **Deputy Finian McGrath** asked the Minister for Foreign Affairs the amount his Department has part funded the Institute of European Affairs. [30383/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** My Department pays an annual fee, currently set at €6,000, in respect of its corporate membership of the Institute of International and European Affairs (IIEA).

In addition, the Institute has also received funding from my Department under the Communicating Europe Initiative (CEI). This scheme provides grants to organisations and individuals for projects aimed at increasing knowledge and awareness of the European Union. Last year, the IIEA received funding of €3,000 under the CEI.

As part of the Department's public information campaign about the Lisbon Treaty, the Institute received €23,250 towards the preparation and publication of a consolidated version of the EU Treaties, as amended by the Lisbon Treaty. Copies of this text were made available on request to members of the public and copies were also distributed to all public libraries throughout the State.

### Departmental Advertising.

1051. **Deputy John Deasy** asked the Minister for Foreign Affairs the amount spent on advertising in the Irish language by his Department and by agencies under the aegis of his Department since the enactment of the Official Languages Act 2003; and if he will make a statement on the matter. [30395/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** Advertising undertaken by my Department in Ireland typically includes advisory notices on public opening hours over holiday periods, changes in passport application procedures and fees, recruitment notices and public information notices relating to Ireland's official aid programme. My Department's policy is to keep advertising costs to a minimum and much of this material is now placed on the Department's Website. However, a certain amount of advertising continues to be necessary, in order to reach all of our customers, particularly in relation to important passport and consular services. Since 2003, all advertisements are either bilingual or run simultaneously in the Irish Language media, as appropriate.

Advertising is charged on a per cm/column basis and the cost of the Irish language element of advertisements is not specifically identified or recorded when making payment. As a result, it is not possible to disaggregate the Irish language element of such costs. However, the following table shows my Department's overall expenditure on advertising, for each year since 2003 and, given the usual bilingual nature of the advertisements placed, approximately 50% of these costs would relate to the Irish language element. In addition, my Department has incurred some expenditure in specific Irish Language media. These are also shown in the table, in respect of the two votes for which my Department is responsible: Vote 28 (Foreign Affairs) and Vote 29 (International Cooperation), which funds the Irish Aid Programme.

	2003	2004	2005	2006	2007	2008 (to date)
	€	€	€	€	€	€
Vote 28 (Foreign Affairs)	79,527	228,410	177,595	137,685	176,981	321,105
Vote 29 (International Cooperation)	104,416	44,546	123,530	271,491	417,130	286,519
Irish Language Media	675	5,325	6,421	450	1,047	7,210
Totals	184,618	278,281	307,546	409,626	595,158	614,834

There are four bodies under the remit of my Department. Three of these have a research and advisory function, namely; the Advisory Board for Irish Aid, the Emigrant Services Advisory Committee and the Development Education Advisory Committee, and have no dedicated budget for advertising.

[Deputy Micheál Martin.]

While the Fulbright Commission operates under the aegis of my Department and, as Minister, I have certain specific statutory responsibilities towards it, the Fulbright Commission enjoys ‘autonomy of management and administration’, by reason of section 2(5) of the Educational Exchange (Ireland and the United States of America), Act 1991.

### **Human Rights Issues.**

1052. **Deputy Finian McGrath** asked the Minister for Foreign Affairs if he will clarify a matter (details supplied). [30579/08]

1056. **Deputy Pádraic McCormack** asked the Minister for Foreign Affairs if he and the Government have satisfied themselves with the assurances given by the US administration that aircraft using Irish airports are not being used for the transport of detainees or prisoners. [30650/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I propose to take Questions Nos. 1052 and 1056 together.

As has been made repeatedly clear, the Government is 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 my predecessor as Minister for Foreign Affairs, Mr. Dermot Ahern T.D., and by President Bush to the former Taoiseach. The assurances are of a clear and categorical nature, relating to facts and circumstances within the full knowledge and control of the US Government. I am satisfied that it is appropriate for the Government to rely fully on these assurances.

*Question No. 1053 answered with Question No. 1042.*

### **Departmental Agencies.**

1054. **Deputy Joan Burton** asked the Minister for Foreign Affairs the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of his Department; and if he will make a statement on the matter. [30614/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** There are four bodies operating under the aegis of my Department. Details on these four bodies are set out below: Development Education Advisory Committee was established in 2003 following the recommendations of the Ireland Aid Review Committee. Its purpose is to advise the Minister for Foreign Affairs, Minister of State for Overseas Development and Irish Aid on policy regarding development education; Government Emigrant Services Advisory Committee (previously known as Díon) was set up in 1984 to advise the Government on the welfare of the Irish community in Britain. The Committee’s primary role is to advise on the distribution of Government financial support to voluntary agencies providing front line services and community care to Irish people in Britain; the Advisory Board for Irish Aid was established in August 2002 to provide general oversight and advice to the Minister for Foreign Affairs and the Minister of State for Overseas Development on the strategic direction of the Government’s programme of assistance to developing countries; and the Fulbright Commission (The Board of the Ireland — United

States Commission for Educational Exchange) finances study, research, teaching and other educational activities between Ireland and the United States of America.

Three of these bodies are Advisory Committees, serviced by the staff of my Department and, therefore, have no Chief Executive. The management of the Fulbright Commission, to which my Department provides an annual grant in aid, enjoys full autonomy of management and administration in accordance with the Educational Exchange (Ireland and the United States of America) Act, 1991.

### Departmental Staff.

1055. **Deputy Joan Burton** asked the Minister for Foreign Affairs the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of him and each Minister of State within his Department; and if he will make a statement on the matter. [30629/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The requested details for my Department during the periods in question are set out in tabular form:

Numbers of staff by grade (Private and Constituency Offices)

	Minister for Foreign Affairs, Mr. Micheál Martin, T.D.	Minister of State, Mr. Dick Roche, T.D.	Minister of State, Mr. Peter Power, T.D.
Private Secretary	1	1	1
Higher Executive Officer	1	0	0
Executive Officer	2	0	1
Staff Officer	1	1	0
Clerical Officer	6	6.3	5.6
Special Advisor	2	1	1
Personal Assistant	1	1	1
Personal Secretary	1	1	1
Civilian Driver	0	2	2
Total	15	13.3	12.6

Numbers and breakdown of staff in each office

	Private Office	Constituency Office
Minister for Foreign Affairs, Mr. Micheál Martin, T.D.	10 (8 civil servants, 2 personal appointees)	5 (3 civil servants, 2 personal appointees)
Minister of State, Mr. Peter Power, T.D.	7.6 (4.6 civil servants, 3 personal appointees)	5 (3 civil servants, 2 personal appointees)
Minister of State, Mr. Dick Roche, T.D.	6.8 (3.8 civil servants, 3 personal appointees)	6.5 (4.5 civil servants, 2 personal appointees)

[Deputy Micheál Martin.]

Estimated costs at each office

	2007		2008 (projected)	
	Private	Constituency	Private	Constituency
	€	€	€	€
Minister for Foreign Affairs	591,425	280,912	558,300	193,080
Minister of State for European Affairs	439,783	241,871	414,520	224,056
Minister of State for Development Cooperation	270,182	173,550	315,757	198,767

I would point out that the number of staff assigned to Ministers' Offices in the Department of Foreign Affairs complies with the relevant Department of Finance guidelines.

*Question No. 1056 answered with Question No. 1052.*

### International Agreements.

1057. **Deputy Michael Ring** asked the Minister for Foreign Affairs the progress made establishing a bilateral agreement with the US that would allow greater access to working opportunities in both countries for Irish and American citizens; if a working visa agreement will be put in place; and if he will make a statement on the matter. [30728/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** As the Deputy will be aware, the Government continues to attach a very high priority to finding a solution for our undocumented citizens in the United States. At the same time, we have also argued that the long term strength of our bilateral relationship with the United States would benefit greatly by the establishment of new immigration arrangements which would facilitate greater legal migration between the two countries, an approach which was endorsed in the all-party motion passed in November 2007.

On a visit to Washington DC and New York this week, I will be meeting with senior US political leaders and the Irish Lobby for Immigration Reform to push for early progress following the US Presidential and Congressional elections. In particular I will be advocating a three pronged approach involving: a solution for our undocumented; new bilateral arrangements to provide reciprocal long term working visas (known as E3s) and a new Working Holiday Agreement which will enable at least 20,000 Irish citizens in, or recently graduated from, post secondary education to work and travel in the US for up to 12 months. Intensive discussions are continuing in relation to the latter.

I can assure the Deputy that the Government will continue to avail of every possible opportunity to highlight the importance of this issue in our contacts with US Administration and political figures.

*Question No. 1058 answered with Question No. 1042.*

### Consular Services.

1059. **Deputy Finian McGrath** asked the Minister for Foreign Affairs if he will advise and support a matter (details supplied). [30948/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** Consular assistance was provided by the Department of Foreign Affairs, to the person mentioned by the Deputy, when her father

died in Mostar, through the Irish Embassy in Slovenia, which is also accredited to Bosnia-Herzegovina.

On 26 May, the Irish Embassy Ljubljana was informed that the death had occurred of an Irish national in Mostar. The Consular Section of my Department offered consular assistance to the nominated family member here in Ireland of the deceased person, and our Embassy in Ljubljana immediately liaised with the undertakers and assisted in the translation of relevant medical reports to ensure the speedy repatriation of the remains to Ireland. The remains of the person were repatriated to Ireland on 30 May.

On becoming aware of the concerns expressed by the family of the deceased in relation to the medical treatment he received while in the hospital in Mostar, our Ambassador made further urgent enquiries about the case with the medical authorities there. The subsequent statements received from the hospital were forwarded, with an unofficial translation by the Embassy, to the family. The family have also been informed of the offer from the Head of Neurological Clinic in Mostar, through our Embassy, of her willingness to discuss on a professional basis with an Irish doctor, of their choosing, the case. I believe that this may be helpful in responding to the family's concerns and worries, and again I would like, through the Deputy, to offer my sincerest sympathy to the family.

### **Diplomatic Representation.**

1060. **Deputy Finian McGrath** asked the Minister for Foreign Affairs if he will support a matter (details supplied). [30949/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The opening of further resident diplomatic missions abroad, including in Bosnia Herzegovina, is considered by the Government on an ongoing basis. However, any expansion of our overseas network can only be undertaken on the basis of clear priorities.

The current position is that our Ambassador to Slovenia is also accredited to Bosnia Herzegovina on a non-resident basis, and there are no plans at present to change this arrangement. The services of the Irish Embassy in Slovenia are fully available to assist Irish citizens in Bosnia Herzegovina should they so require.

### **Departmental Staff.**

1061. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the number of Civil Service staff dealing with constituency matters in his office; the number of Civil Service staff dealing with constituency matters in the offices of Ministers of State within his Department; and the cost in salaries for these staff per annum. [31131/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The following tables set out the grades, numbers and remuneration of the civil service staff in my constituency office and those of the two Ministers of State at the Department of Foreign Affairs.

Grade/Position	Number	Salary Scale
Executive Officer	1	Executive Officer PPC Salary Scale €32,179 – €51,054 per annum
Clerical Officer	2	Clerical Officer PPC Salary Scale €24,397 – €39,558 per annum
Total	3	



[Deputy Micheál Martin.]

Minister of State, Mr. Dick Roche, T.D.

Grade/Position	Number	Salary Scale
Staff Officer	1	Staff Officer Standard Scale €34,941 – €46,655 per annum
Clerical Officer	1	Clerical Officer PPC Salary Scale €24,397 – €39,558 per annum
	1.5	Clerical Officer Standard Scale €23,174 – €37,584 per annum
	1	Clerical Officer Higher Scale €24,255 – €38,397 per annum
Total	4.5	

Minister of State, Mr. Peter Power, T.D.

Grade/Position	Number	Salary Scale
Clerical Officer	2	Clerical Officer PPC Salary Scale €24,397 – €39,558 per annum
	1	Clerical Officer Standard Scale €23,174 – €37,584 per annum
Total	3	

Personal Pension Contribution (PPC) scales apply where officers were employed since 6 April 1995, pay class A rate of PRSI and make a personal pension contribution.

1062. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs the bonuses, merit awards and other payments above the basic salary they have approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which they made the decision to approve such awards; and if he will make a statement on the matter. [31195/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** There are four bodies operating under the aegis of my Department. Details on these four bodies are set out below: Development Education Advisory Committee was established in 2003 following the recommendations of the Ireland Aid Review Committee. Its purpose is to advise the Minister for Foreign Affairs, Minister of State for Overseas Development and Irish Aid on policy regarding development education; Government Emigrant Services Advisory Committee (previously known as Díon) was set up in 1984 to advise the Government on the welfare of the Irish community in Britain. The Committee's primary role is to advise on the distribution of Government financial support to voluntary agencies providing front line services and community care to Irish people in Britain; Advisory Board for Irish Aid was established in August 2002 to provide general oversight and advice to the Minister for Foreign Affairs and the Minister of State for Overseas Development on the strategic direction of the Government's programme of assistance to developing countries; and Fulbright Commission (The Board of the Ireland — United States Commission for Educational Exchange) finances study, research, teaching and other educational activities between Ireland and the United States of America.

Three of these bodies are Advisory Committees, serviced by the staff of my Department. The management of the Fulbright Commission, to which my Department provides an annual grant in aid, enjoys full autonomy of management and administration in accordance with the Educational Exchange (Ireland and the United States of America) Act 1991. Accordingly, the question of the payment of bonuses and merit awards by my Department in respect of these bodies does not arise.

### Departmental Expenditure.

1063. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if his attention has been drawn to the costs involved in producing and sending out Irish Aid's 2007 Annual Report 365, published in September 2008; if it came from his Department's annual grant to Irish Aid; and if he will make a statement on the matter. [31365/08]

**Minister of State at the Department of Foreign Affairs (Deputy Peter Power):** The total cost of copy writing, designing and printing the Irish Aid Annual Report for 2007 was €39,846. The cost of the Report is met from the public information budget of the Irish Aid programme under Vote 29 of the Department of Foreign Affairs.

The Annual Report plays a key role in informing the public about the programmes, activities and partner organisations funded through our official overseas development assistance and the impact of this spending in tackling global poverty. The importance of providing public information on the aid programme has been highlighted on many occasions.

The Annual Report is mainly distributed via the Irish Aid website. Printed copies are also forwarded to members of the Oireachtas, non-governmental organisations, Embassies and on request to members of the public. Copies of the Report are also available at the Irish Aid Volunteering and Information Centre.

### Overseas Development Aid.

1064. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his Department's initiatives to promote awareness of the work of Irish Aid in the past two years; the amount that was spent on each; and the initiative it entailed. [31366/08]

**Minister of State at the Department of Foreign Affairs (Deputy Peter Power):** The Department of Foreign Affairs undertakes a number of important initiatives every year to raise awareness of the global poverty reduction work of Irish Aid, on behalf of the Irish people. Over the last two years these have included:

Initiative	Outline	Cost
		€
Material on the aid programme for 50,000 university students, August 2008	Note-pad with information on the programme and services available at the Irish Aid Volunteering and Information Centre	55,235
Irish Aid participation at Electric Picnic, August 2008	Irish Aid tent with workshops to raise awareness of the aid programme	11,250
Irish Aid sponsored Africa Day event at Dublin Castle, May 2008	Celebration of African culture, diversity and progress, attended by over 9,000	73,143
Co-production with RTÉ of Far Away Up Close television series, March 2008	Four-part series on overseas development watched by over 200,000 viewers per episode	180,930
Advertising to highlight the opening of the Irish Aid Volunteering and Information Centre, February 2008	Advertising campaign on public transport and in regional press to inform the public about Centre and services available	62,119
Opening of the Irish Aid Volunteering and Information Centre, January 2008	Construction and fit-out of Centre and associated offices and creation of multimedia exhibition; visited by 18,000 people since opening, including over 90 school groups	2.1 million (excludes VAT and fees)

[Deputy Peter Power.]

Initiative	Outline	Cost
		€
Public information campaign around World AIDS Day, December 2007	Newspaper advertisements highlighting the impact of HIV and AIDS on children and Irish Aid's response	126,086
Material on the Irish Aid programme for 45,000 university students, September 2007	Booklet on the Irish Aid programme distributed to first year students	35,831
Nationwide circulation of summary of the White Paper on Irish Aid, February 2007	Printing and delivery of summary document to every house in the country	250,000

### Departmental Programmes.

1065. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the steps that have been taken to ensure that funding for the Safe Home Programme (details supplied) and other such programmes are secure in the near future; and the other steps he is taking to encourage more such programmes. [31367/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The establishment of the Irish Abroad Unit in the Department of Foreign Affairs in 2004 has greatly enhanced our capacity to develop and implement policies to support the Irish community overseas, in particular elderly people and those at risk of social exclusion.

My Department remains very supportive of the excellent work of the Safe Home programme. The award of a €249,900 grant in April of this year brought the Department's total funding for the Safe Home programme since 2005 to over €900,000. In 2007, additional Government funding, totalling €72,000, was also awarded to the Safe Home Programme by the Department of Environment and Local Government and the Department of Social and Family Affairs. This substantial funding is testament to the high value which the Government places on the work performed by the Safe Home programme in enabling elderly Irish emigrants to return to live in Ireland.

As the Deputy will be aware, the Government has progressively increased the level of funding available for emigrant services in recent years, from €3 million in 2003 to a record €15.183 million this year. These significant increases have enabled the Emigrant Support Programme, administered by the Irish Abroad Unit, to provide far greater financial support to the most vulnerable members of our overseas communities.

As the Deputy will appreciate, all grant applications for Emigrant Support funding are reviewed on their respective merits each year. However, I can assure the Deputy that my Department will maintain the current very significant level of funding to frontline welfare organisations in the period ahead.

### Consultancy Contracts.

1066. **Deputy Arthur Morgan** asked the Minister for Foreign Affairs the amount that was spent by his Department on consultants in 2007 and to date in 2008. [31648/08]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The Department of Foreign Affairs is responsible for two Votes — Vote 28 (Foreign Affairs) and Vote 29 (International Cooperation). I have set out in the following table details of expenditure under sub-head A7 (Consultancy) under both Votes in 2007 and to date in 2008.

Expenditure under Consultancy Subhead (A07)	Vote 28	Vote 29
	€	€
2007	245,462	2,840,000
2008	130,458	2,853,000

I am very conscious of the need to achieve value for money on consultancy expenditure. The Department commissions consultancies only where specialised knowledge and/or skills are not available within the Department and, particularly in the case of Irish Aid (Ireland's official development assistance programme), where an independent evaluation of programmes and projects is required. Given the overall scale of the Irish Aid Programme, this level of monitoring, review and evaluation is both prudent and proportionate.

*Question No. 1067 answered with Question No. 1037.*

### **Departmental Expenditure.**

1068. **Deputy Jack Wall** asked the Minister for Arts, Sport and Tourism the amount allocated to the Horse and Greyhound fund, established under the Horse and Greyhound Racing Act 2001, for each year from 2001 to date in 2008; the amount paid from the fund each year to Horse Racing Ireland; the reason for such payments; if it was for capital investments; and if so, the projects that received funding; the amount paid each year to Bord na gCon; the reason for such payments; if it was for capital development; and if so, the projects that received funding; and if he will make a statement on the matter. [30542/08]

1069. **Deputy Jack Wall** asked the Minister for Arts, Sport and Tourism the implications for the horse and greyhound fund of the reductions in revenue from taxation of retail betting offices in the past number of years; and if he will make a statement on the matter. [30544/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** I propose to take Questions Nos. 1068 and 1069 together.

The Horse and Greyhound Racing Fund was established under the Horse and Greyhound Racing Act 2001 for the purpose of giving support to both racing industries. Under the provisions of the Act, the Fund receives a guaranteed level of finance based on excise duty on off-course betting in the preceding year, subject to a minimum level based on the year 2000 amount adjusted for inflation. Any shortfall in the amount generated by the excise duty is made up by direct Exchequer subvention.

In accordance with the Horse and Greyhound Racing Act 2001, 80% and 20% of the moneys paid into the Fund each year are distributed between Horse Racing Ireland (HRI) and Bord na gCon respectively.

The funding allocated to HRI and Bord na gCon from the Fund is not earmarked for specific purposes. Since 2001, income from the Fund has been used by both bodies towards increasing prize money levels, meeting administration and integrity costs alongside a programme of capital investment which has underpinned a growth in both sectors. Details of the projects which have been funded by HRI and Bord na gCon from the proceeds of the fund would be available from the agencies.

The rationale of the Fund was that horse and greyhound racing needed certainty in relation to its funding support on a multi-annual basis and that such funding to develop the industries should be derived from the duty generated from off-course betting. Prior to 2001 the Horse

[Deputy Martin Cullen.]

and Greyhound Racing Bodies were funded with annual grant-in-aid allocations as well as a fixed fee from off-course betting and 0.3% of turnover from off-course betting.

In 2004, the Government put in place regulations to increase the limit of the Horse and Greyhound Racing Fund from €254m to €550m to continue the Fund for a further four years to 2008. The current round of the Fund is due to expire at the end of 2008. A review of the Horse and Greyhound Racing Fund is currently underway. Any extension of the Fund will require the approval of the Government and the Oireachtas (the level of the Fund is increased by Regulations made by the Minister, with the consent of the Minister for Finance). The details of the Fund allocations from 2001 to date are as set out in the following tabular form.

Horse and Greyhound Racing Fund 2001-2008

Fund Year	2001	2002	2003	2004	2005	2006	2007	2008	Total
	€m	€m	€m	€m	€m	€m	€m	€m	€m
Fund Income	58.89	68.06	64.19	66.91	68.35	70.06	73.11	76.29	545.86
Horse Racing	47.12	54.45	51.35	53.53	54.68	56.05	58.49	61.03	436.70
Greyhound Racing	11.77	13.61	12.84	13.38	13.67	14.01	14.62	15.26	109.16

### Arts Funding.

1070. **Deputy Jack Wall** asked the Minister for Arts, Sport and Tourism his views in relation to a submission (details supplied); the actions he has or will take to underpin the request; and if he will make a statement on the matter. [31114/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** The organisation referred to by the Deputy receives funding from the Arts Council in respect of its activities. As Minister for Arts, Sport and Tourism I am committed to securing the best possible funding for the Arts Council and the arts sector generally. The Arts Council's funding requirement for the year ahead will be addressed in the context of the 2009 Estimates. In doing so, the Government must balance competing demands from all other sectors of our economy and society. Funding for the Arts Council has increased from €47.67m in 2002 to €81.6m this year — an increase of over 71%. These are significant amounts of money in any context. This funding has transformed the arts, increasing access to and participation in the arts, and has provided an excellent platform for future development. My policy on the arts is to promote and strengthen the arts in all its forms, increase access to and participation in the arts and make the arts an integral and valued part of our national life.

### Sports Capital Programme.

1071. **Deputy Niall Collins** asked the Minister for Arts, Sport and Tourism when a grant will be awarded to a club (details supplied) in County Limerick. [29314/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** The club in question was provisionally allocated €140,000 under the Sports Capital Programme in 2006. The guidelines, terms and conditions for the programme specify that the Department will pay grants in stages as an approved project proceeds by reimbursing the applicant's costs when they submit original, paid, valid invoices or certificates of payment. The Department typically pays 70% of the value of the valid paid invoices submitted. In addition, the Department reserves 5% of the grant

pending confirmation from a consultant or architect that the facility has been satisfactorily completed in all respects.

In the case of the club in question, the Department authorised the payment of €133,000, or 95% of the grant, on 29 July 2008. At the time of payment the club did not have sufficient invoices to draw down the entire amount and permission was given to apply the outstanding balance of the grant to the cost of additional field works. In order for the balance of the funding to be drawn down, it is necessary that valid, paid invoices for the additional work carried out now be submitted and a letter from the grantee's technical supervisor confirming that the all works have been completed in full.

### **Tourism Promotion.**

1072. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to provide €300 million to assist the industry, tourism agencies and local authorities in delivering the ambitious world-class product outlined in Fáilte Ireland's Tourism Product Development Strategy 2007 to 2013; and if he will make a statement on the matter. [29315/08]

1073. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to place a greater emphasis on the protection, conservation, interpretation and access to Ireland's natural and built heritage; and if he will make a statement on the matter. [29316/08]

1074. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made in regard to the commitment in the programme for Government to deepen North-South co-operation on tourism in view of the success of Tourism Ireland; and if he will make a statement on the matter. [29317/08]

1075. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to establish, through Fáilte Ireland, an innovation fund to promote and support the development of tourism products that are new to the market here and to promote best practice, particularly in terms of environmental sustainability and accessibility for tourists with disabilities; and if he will make a statement on the matter. [29318/08]

1076. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to develop with Fáilte Ireland, rural-based, package-style holidays through which bed and breakfast owners and farm holiday operators can offer activities such as walking, angling, golfing and cycling in addition to the provision of accommodation and quality home-cooked meals; and if he will make a statement on the matter. [29319/08]

1077. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to develop a rolling programme of national culture, musical and literary festivals to enhance the tourism product here, in particular through the establishment of a new fund of €28 million for the creation of a small number of major annual events over the period to 2013; and if he will make a statement on the matter. [29320/08]



1078. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to work with Fáilte Ireland and Tourism Ireland to capitalise on the beauty of the countryside here and to promote Ireland as a healthy activity holiday destination for walking, cycling, angling, golfing, sailing, equestrian and marine holidays; and if he will make a statement on the matter. [29321/08]

1079. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to invest €335 million under the national development plan in marketing tourism here; and if he will make a statement on the matter. [29325/08]

1080. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to seize the opportunities presented by the open skies arrangement with the US to substantially increase the number of US visitors; and if he will make a statement on the matter. [29326/08]

1081. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to provide significant infrastructural development in the mid west area, as well as marketing support to the Shannon region for a transitional period to help consolidate existing markets and develop new sources of business; and if he will make a statement on the matter. [29327/08]

1082. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to build on the opportunities presented by the increasing availability of low-cost flights from mainland Europe and the UK; and if he will make a statement on the matter. [29328/08]

1083. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to undertake a strategic review of new and developing markets to identify the investment and actions needed to realise their potential; and if he will make a statement on the matter. [29329/08]

1084. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to put in place a strong promotional programme for the new national conference centre in Dublin with a view to doubling the level of business tourism to Ireland from €400 million to €800 million per year over the next ten years; and if he will make a statement on the matter. [29330/08]

1085. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to investigate the feasibility of a regional conference centre in the Shannon and Limerick area; and if he will make a statement on the matter. [29331/08]

1086. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to encourage the tourism agencies to highlight national games to a greater degree in their promotional activities and continue the policy of attracting here suitable major international sporting events; and if he will make a statement on the matter. [29332/08]

1087. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to seek, with the tourism agencies and local authorities, suitable areas to develop and promote eco-tourism, as well as enhancing the existing north west project, the Green Box; and if he will make a statement on the matter. [29333/08]

1088. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to invest in new information and communication technologies for marketing and customer relations management and training work with the regional tourism development boards, in conjunction with local authorities and the tourism industry, to develop comprehensive, interactive local area tourism websites; and if he will make a statement on the matter. [29334/08]

1089. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to invest €149 million under the National Development Plan 2007 to 2013 in training and human resources in the tourism sector; and if he will make a statement on the matter. [29335/08]

1090. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to implement in full the Fáilte Ireland Competing through People Programme, which looks to people working in the industry as a principal source of competitive advantage, and their skills as a key variable in delivering strong business results; and if he will make a statement on the matter. [29336/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** I propose to take Questions Nos. 1072 to 1090, inclusive, together.

I am setting out a schedule which lists each of the relevant tourism commitments and the progress thereon pertaining to the Department of Arts, Sport and Tourism and the bodies under its aegis.

*Provide €300 million to assist the industry, tourism agencies and local authorities in delivering the ambitious world-class product outlined in Fáilte Ireland's Tourism Product Development Strategy 2007-2013.*

*Progress to date:*

- An allocation of €137 million has been provided under the National Development Plan, 2007-2013, to support, by way of grants through Fáilte Ireland, investment in tourism infrastructure, attractions and activity products over the Plan period. An additional allocation of €180 million has been provided under the NDP for the construction and operation of the National Conference Centre in Spencer Dock in Dublin.
- To date, Fáilte Ireland has mostly targeted infrastructure provision (e.g., walking and cycling routes, beach management works, access to angling waters etc) by local authorities. Up to early September 2008, grants totalling over €25 million were announced for expenditure on projects around the country.
- Separately, grants totalling almost €2.2 million were approved in September 2008 under Fáilte Ireland's Historic Towns Initiative, for the further development of historic walking trails in 35 towns around the country.

[Deputy Martin Cullen.]

- As the Plan continues, the focus of the investment will move towards investment in Visitor Attractions and the expansion of various commercial Visitor Activities. This programme is known as the Tourism Capital Investment Programme (TCIP), and applications for funding were invited before the end of April 2008. This Programme will provide support for the development of major visitor attractions and visitor activities.
- Fáilte Ireland received almost 150 applications under the TCIP, which were evenly split between Attractions and Activities. Fáilte Ireland's priority is to firstly evaluate the attractions seeking upgrading, and to assess activity projects put forward by the private sector subsequently.

*Place much greater emphasis on the protection, conservation, interpretation and access to Ireland's natural and built heritage.*

*Progress to date:*

- Fáilte Ireland's Tourism Product Development Strategy 2007–2013 was subject to an environmental assessment. Issues around protection, conservation, interpretation and access to Ireland's natural and built heritage are a key part of the Strategy with specific actions scheduled to be rolled out as appropriate.
- Fáilte Ireland has also adopted an Environmental Action Plan which provides a framework for its work in sustainable tourism development over the period 2007-2009.
- Under the TCIP, investment in Visitor Attractions will concentrate on bringing alive and increasing visitor access to our natural and built heritage.
- Environmental conservation and sustainable design provisions have been incorporated into the guidelines for the assessment of projects under the mid-Shannon Corridor Tourism Infrastructure Scheme which was launched by An Taoiseach in June 2008.

*Deepen North/South cooperation in tourism, building in particular on the success of Tourism Ireland as a dynamic and innovative cross-border body leading the way on mutually advantageous all-island economic co-operation.*

*Progress to date:*

- North South Ministerial Council Tourism Sectoral Meetings were held on 8th November 2007 in Dublin Castle and 29th May 2008 in Enniskillen. At the November 2007 meeting agreement was reached on Tourism Ireland's Business Plan for 2008 and a Corporate Plan for the period 2008-2010.
- Fáilte Ireland and the Northern Ireland Tourist Board have produced an agreed paper on tourism priorities, under PEACE/INTERREG funding. Advertisements inviting applications for funding for suitable projects were published earlier this year and applications are currently being examined.
- Tourism Ireland markets the island of Ireland as a holiday destination in over 20 markets across the world. Northern Ireland is presented prominently in all of Tourism Ireland's global destination marketing campaigns which reach a potential audience worldwide of 200 million each year.

*Establish, through Fáilte Ireland, an innovation fund to promote and support the development of tourism products that are new to the Irish market and to promote best practice, particularly in terms of environmental sustainability and accessibility for tourists with disabilities.*

*Progress to date:*

- Fáilte Ireland have launched an innovation fund which offers assistance in respect of feasibility studies for innovative tourism products. This fund complements a range of other product development schemes which have been launched over the past year to support tourism infrastructure, attractions and activity projects, with an emphasis on innovation and environmental sustainability.
- Fáilte Ireland has brought tourism suppliers together on a pilot basis in the South East region to innovate a “Family Fun” product, and will be rolling out further initiatives elsewhere for product offerings based on Adventure and Celtic Culture.
- In line with its Environmental Action Plan 2007-2009, Fáilte Ireland has published a Review of Good Environmental Policy and Practice in the Tourism Sector.

*Develop with Fáilte Ireland, rural-based package-style holidays through which B & B owners and Farm Holiday operators can offer activities such as walking, angling, golfing and cycling in addition to the provision of accommodation and quality home-cooked meals.*

*Progress to date:*

- A partnership of the Town and County Homes Association (TCHA) and Irish Farm Holidays (IFH) has come together, with the encouragement of Fáilte Ireland, to develop a number of theme-based holiday packages. Over 30 B&B owners in 14 counties have been selected and have agreed their specialist areas. The owners participated in a series of workshops between November 2007 and March 2008. Fáilte Ireland has continued to build on the initiatives and supports developed and tested in 2007 and the early months of 2008.
- Irish Home Operators are being encouraged to become members of regional activity hubs. To date an adventure hub has been established in Cork/Kerry, a family-friendly hub in the South East, a rural activity hub in the Glen of Aherlow, a salmon centre of excellence in Ballina and a cultural hub in the Western islands of Inishturk, Inishbofin and Clare Island. A further heritage initiative in the Boyne Valley area is at the early stages of development.
- Over the last year, Fáilte Ireland has financed a €0.5 million programme of marketing and support for the small accommodation sector which has focused on the development and enhancement of e-Business capability and providing operators with supports to target and develop new business. This has resulted in significant investment in websites, booking systems, search engine marketing campaigns and targeted promotions in key trade and consumer events.
- Fáilte Ireland has established the Irish Homes Bed and Breakfast Working Group with an independent Chair to develop recommendations on the strategic development of the sector. The group includes representatives of the B&B sector as well as officials from both Fáilte Ireland and the Northern Irish Tourist Board. This group has met a number of times since May 2008 and is in the process of developing and recommending an action

[Deputy Martin Cullen.]

plan to drive the growth of the sector in the context of the competitive tourism market and the evolving needs of consumers. It is expected that the Group's final report will be available by the end of 2008.

- It is anticipated that the report will include recommendations for further development and promotion of themed based holiday experiences and packages. The "Report on Standards and Quality Options for the B&B Sector in Ireland", published by the B&B Associations in August will be a useful contribution to this work.
- The marketing and communications plan for 2009 and beyond will be informed by this report in addition to further consumer research commissioned by Fáilte Ireland.
- The training and development programme for the end of 2008 and 2009 will include additional eBusiness programmes for operators and more specialist workshops to encourage operators to add value to the guest experience in areas such as food, outdoor activity and special interest groups.

*Develop a rolling programme of national culture, musical and literary festivals to enhance the Irish tourism product, in particular through the establishment of a new fund of €28 million for the creation of a small number of major annual events over the period to 2013.*

*Progress to date:*

- Fáilte Ireland is committed to continued support for a number of key festivals in 2008 and subsequent years under the Festivals and Cultural Events Initiative, the primary aim of which is to encourage the spatial spread of visitors throughout the country by strategically investing in attractive and sustainable festivals and cultural events that enhance the local tourism product and in turn expand regional tourism.
- The Initiative operates by supporting existing and new festivals and cultural events throughout the regions which can best assist in achieving Fáilte Ireland's objective of providing new and enhanced attractions for visitors both from overseas and from within Ireland.
- Under the Festivals and Events programme, Fáilte Ireland has introduced a tiered investment model that enables it to offer multi-annual funding to key festivals across many regions of the country.
- Over €3 million has been committed to level 1 and level 2 festivals for 2008 with a further €0.8 million allocated to smaller festivals by the regional tourism offices. This figure includes funds awarded to 16 festivals under the regularly funded scheme which will end in 2009. These 16 festivals were identified as major national festivals that can add significant benefit to the economy in their area and include festivals from a broad spectrum of arts disciplines.
- After the acclaimed success of the re-Joyce and Beckett Festivals, in 2007 the Department supported the 50th anniversary of the Dublin Theatre Festival. This year it is supporting the centenary of the Hugh Lane Gallery, the 80th anniversary of the founding of the Gate Theatre, the Quadcentenary of the Flight of the Earls, and the Bicentenary of Thomas Moores' Melodies.

- In light of their value to cultural tourism it is proposed to continue funding appropriate and commemorative cultural initiatives in the future. For example, the Department is currently providing seed funding for a major visual arts festival in Dublin in 2010 under the broad aegis of the Irish Museum of Modern Art.

*Work with Fáilte Ireland and Tourism Ireland to capitalise on the beauty of the Irish countryside and promote Ireland as a healthy activity holiday destination for walking, cycling, angling, golfing, sailing, equestrian and marine holidays.*

*Progress to date:*

- A fund of approximately €28 million has been earmarked under the Tourism Development Programme of the NDP for Fáilte Ireland to support investment in a set of outdoor and other activity pursuits.
- Fáilte Ireland issued a call earlier this year for applications for investment support under the Tourism Capital Investment Programme for new activity pursuits for tourists.
- Fáilte Ireland, in consultation with industry partners, has reviewed marketing strategies for activity and special interest holidays. Activities such as walking, cycling and angling provide excellent opportunities for tourists to visit and stay in rural areas. Looped walking routes, cycle hubs and improved angling infrastructure developed with NDP funding is being marketed internationally in partnership with Tourism Ireland and the tourism industry.
- Building on the impetus generated by the hosting of the Ryder Cup in Ireland and the potential offered by the forthcoming Solheim Cup, growth in golfing holidays is being targeted through co-ordinated marketing campaigns designed to promote bundled value offers, “hidden gems” golf courses and ‘trophy’ themed tours.

*Invest €335 million under the National Development Plan in marketing Irish Tourism.*

*Progress to date:*

- Tourism Ireland implements an extensive marketing programme each year for the island of Ireland in Great Britain, Mainland Europe, North America and in New and Developing Markets. In 2007, overseas visitor numbers and revenue earnings increased by 4% and 4.5% respectively in the South. In the first half of 2008 CSO Statistics show an increase of 2.5% in overseas visitor numbers.
- In the context of Tourism Ireland’s 2008-2010 corporate plan, the objective is to continue to seek to win market share from our competitors. The plan sets the target of generating €16 billion for the island of Ireland in overseas revenue over the three-year period.
- The Tourism Services budget of the Department of Arts, Sport and Tourism for 2008 is €170 million, including €50 million specifically for overseas marketing — the largest ever tourism marketing budget.
- Tourism Ireland has completed a fundamental review of Tourism Brand Ireland in 2007 to ensure that the brand proposition will continue to resonate with visitors into the future having regard to the changes that have taken place in Ireland and the world marketplace



[Deputy Martin Cullen.]

in the interim. New advertising and promotional materials will be produced in 2008 for rollout in 2009.

- Tourism Ireland and Fáilte Ireland have worked closely in developing a regional marketing strategy to help support a wider spread of overseas visitors across the island. This strategy highlights ease of access and the variety of things to do and see, particularly in the regions.

*Seize the opportunities presented by the Open Skies arrangement with the US to substantially increase the number of US visitors. To this end, we will provide significant infrastructural development in the Mid West area, as well as marketing support to the Shannon region for a transitional period to help consolidate existing markets and develop new sources of business.*

*Progress to date:*

- An Economic and Tourism Development Plan for the Shannon Airport Catchment Area, developed by the Minister for Transport in cooperation with other relevant Ministers, was published in January 2008.
- A special €3 million overseas marketing programme, designed to address the challenges to the Shannon Airport catchment area post Open Skies, was launched in February 2008. The marketing programme is the result of close collaboration between Tourism Ireland, Fáilte Ireland and a Tourism Working Group which has been specifically formed for this purpose. The new campaign — “Discover Ireland’s Wonderful West” — highlights the many attractions of the Western regions from Kerry to Donegal, including ease of direct access from many gateway cities, the good value fares and inclusive packages available, as well as showcasing a range of compelling offers from local industry.
- The Mid-Shannon Corridor Tourism Infrastructure Investment Scheme was launched by An Taoiseach in June 2008. Since then, the Board, which will approve and certify projects submitted under the Scheme, has commenced its work, supported by Fáilte Ireland and Shannon Development, and the agencies have also organised several information seminars with tax practitioners and tourism operators to outline operational details of the Scheme.
- Tourism Ireland’s strategy, “North America; Land of Opportunity” was launched by the Minister for Arts, Sport and Tourism in 2006 and seeks to attract a significant increase in visitor numbers to the island by the year 2009.

*Build on the opportunities presented by the increasing availability of low-cost flights from mainland Europe and the UK.*

*Progress to date:*

- Tourism Ireland works with airports and carriers in marketing campaigns to highlight the direct, competitive and convenient air access to Ireland.
- Co-operative campaigns were implemented with a range of carriers in 2007, including Aer Lingus, Ryanair, Aer Arann and Easyjet, and are being continued in 2008. In addition cooperative campaigns have been implemented with sea carriers such as Stena, Irish Ferries and P&O.

- Particular emphasis has been placed on carriers and airports serving the regions of Ireland.

*Undertake a strategic review of new and developing markets to identify the investment and actions needed to realise their potential.*

*Progress to date:*

- A review of new and developing markets, undertaken by Tourism Ireland, was launched at the end of 2007. The review sets out ambitious targets for both visitor numbers and revenue earnings over the period to 2013.
- In order to position itself to secure increased business from new and developing markets, Tourism Ireland has established an office in Shanghai, China and has appointed representatives in Mumbai, India and Dubai. Tourism Ireland also plans to set up, with North South Ministerial approval, a Hub Office to manage the Asian markets.

*Put in place a strong promotional programme for the new National Conference Centre in Dublin with a view to doubling the level of business tourism to Ireland from €400 million to €800 million per year over the next ten years.*

*Progress to date:*

- Fáilte Ireland, Tourism Ireland and the Dublin Convention Bureau are working closely with the Convention Centre Dublin — the operators of the new National Conference Centre — in marketing the Centre to secure bookings for 2010, when the Centre is scheduled to open, and beyond.
- Construction of the Convention Centre Dublin is well-advanced and on schedule and already a number of conferences have been secured for September, 2010 onwards.
- The Business Tourism Section of Fáilte Ireland working with Tourism Ireland and industry partners through the Business Tourism Forum, is implementing co-ordinated marketing strategies to grow high yield conference and incentive business from key overseas source markets to Ireland.

*Investigate the feasibility of a Regional Conference Centre in the Shannon/Limerick area.*

*Progress to date:*

- The Department of Arts, Sport and Tourism asked Fáilte Ireland to arrange an objective and independent study of the feasibility of such a facility. Consultants engaged to carry out the feasibility study have submitted a report to Fáilte Ireland, and this report has recently been presented to the Minister for Arts, Sport and Tourism.

*Encourage the Tourism Agencies to highlight our National Games to a greater degree in their promotional activities and continue the policy of attracting suitable major sporting events to Ireland.*

*Progress to date:*

- The GAA from its most senior administrative level and throughout the regions and local areas are being encouraged to become more aware of the tourism potential of Gaelic Games and to work with the Tourism agencies on issues of information and access. Fáilte

[Deputy Martin Cullen.]

Ireland, in association with the Heritage Council, has also been engaged in discussions with the GAA in connection with the future development of the GAA museum.

- Fáilte Ireland's International Sports Tourism Initiative (ISTI) is designed to attract major sporting events that can showcase Ireland as a major tourism destination. The events targeted have the ability to generate significant international media coverage and bring economic benefit to all the regions of Ireland.
- The major sporting event supported in 2007 was Rally Ireland, a round of the World Rally Championship. This cross-border event took place in November 2007 and is estimated to have attracted approximately 150,000 spectators. It is estimated that the event generated revenue of €48 million on both sides of the border.
- Galway will be one of eleven host ports in the Volvo Ocean Yacht Race 2008/2009. With Government support, Fáilte Ireland has agreed to sponsor the event for €8 million over 2008/2009. The race is expected to bring in over €35 million in revenue to the local economy.
- The Solheim Cup is to be hosted by Ireland at Killeen Castle, Co. Meath in 2011. The Solheim Cup is a biennial transatlantic team matchplay competition which is considered the Ladies equivalent of the Ryder Cup. Government sponsorship — through Fáilte Ireland — for the Solheim Cup 2011 amounts to €2.5 million over 5 years.

*Seek, with the Tourism Agencies and Local Authorities, suitable areas to develop and promote eco tourism, as well as enhancing the existing Northwest Project, the Green Box.*

*Progress to date:*

- The Tourism Infrastructure Fund, from which local authorities and other public bodies are eligible for support within Fáilte Ireland's Product Development Programme, emphasises the provision of environmentally sustainable and enhancing infrastructure, so that an ecologically-friendly offering is developed.
- The EU "Flower" symbol for accommodation which complies with specified eco-friendly criteria has been launched on a pilot basis within the Green Box area, and will feature, in 2008, for the first time on Fáilte Ireland websites and other marketing media.

*Invest in new information and communication technologies for marketing and customer relations management and training.*

*Progress to date :*

- Fáilte Ireland's suite of websites was redesigned and re-launched in 2007, with enhancements introduced, including an advanced interactive mapping facility to speedily allow the consumer to access accommodation and attractions of interest.
- The Small Accommodation Sector support programme provides funding and support for the development of eBusiness capability and marketing through the provision of matched funding for investment in websites, booking systems and search engine marketing campaigns. Significant supports have been agreed for 2008 with all the representative bodies and associations.

- An eBusiness programme for small and medium accommodation providers has been designed to help operators promote their business online and sell more rooms through this channel. The programme is offered at two levels, Introductory, for those with little or no knowledge of the internet or email and at intermediate level, which will encourage operators to use the tools of the internet to grow and develop their business. Over 30 programmes, catering for over 350 operators took place between May and the end of June 2008. It is planned to deliver over 40 additional programmes, targeting over 500 businesses from October 2008 to June 2009.
- Fáilte Ireland recently launched a new Web support initiative aimed at assisting tourism SMEs in the area of e-business and web development. This initiative is part of a broader e-business strategy designed to support SMEs in developing their web capability. Last year over a half of tourists who came to Ireland used the internet to plan their holiday and this is projected to increase to 75% by 2010.
- The first phase of the Fáilte Ireland Web Support Initiative “WEB-CHECK” is well under way with 200 SMEs currently taking part in the programme. The businesses involved reflect the broad spectrum of the tourism industry with B&Bs, self catering, equestrian, activity, golf, hotels and attractions all actively engaged in the initiative.
- WEB-CHECK essentially involves an SME being partnered with an e-business specialist who works onsite for one full day with the individual business in identifying e-business/web needs while providing guidance towards the appropriate solutions. Participating businesses gain practical, one to one advice from an expert who helps the individual SME through the process in order to maintain a competitive advantage in the marketplace.
- WEB-BUILD, the second phase of the initiative which will be launched later in 2008 will allow for the implementation of the agreed improvement measures as identified in WEB-CHECK. It is anticipated that approximately 80 SMEs will participate at this stage. Areas of focus within WEB-BUILD will involve delivering improvements to web-site functionality, on-line sales and e-marketing campaigns. The final phase, WEB-SKILLS, will provide additional training support through a series of regionally run workshops to continue strengthening the SMEs web presence.
- Fáilte Ireland North West have undertaken a pilot project with 19 Hotels in Donegal, looking at the “On Line Marketing” techniques available to the industry. The course covered topics including how to optimise a website to increase traffic, the creation and operation of loyalty schemes and the distribution of e-zines. 19 Hotels have generated close to €0.5 million in bookings during the first half of 2008 on this programme.

*Work with the Regional Tourism Development Boards, in conjunction with Local Authorities and the Tourism Industry, to develop comprehensive, interactive local area tourism websites. These will carry details of all possibilities in an area for tourists and will have a booking facility.*

*Progress to date:*

- The Discover Ireland website [www.discoverireland.ie](http://www.discoverireland.ie) is the main tourism website for the Irish domestic holiday market and is powered by the National Tourism database known as the Tourism Contents System or TCS which is a comprehensive database of all activities, attractions, accommodation, events and businesses in the tourism industry.

[Deputy Martin Cullen.]

- Hosted within discoverireland.ie, each region has its own website, thereby achieving significant economies of scale for hardware and software e.g. [www.discoverireland.ie/west](http://www.discoverireland.ie/west) or [www.discoverireland.ie/southwest](http://www.discoverireland.ie/southwest). Within these sites the Tourism Contents System provides all the data relevant to tourism in that area. The TCS is updated on a daily basis within each region e.g. with details of upcoming festivals and events.
- As a subset of the regional sites, a number of sub-regional sites have been created to focus on particular areas of tourism interest e.g. [www.discoverireland.ie/connemara](http://www.discoverireland.ie/connemara) or [www.discoverireland.ie/lakelands](http://www.discoverireland.ie/lakelands). As a subset of the regional site, each county is also represented under [discoverireland.ie](http://discoverireland.ie). For example, [www.discoverireland.ie/cork](http://www.discoverireland.ie/cork) or [www.discoverireland.ie/offaly](http://www.discoverireland.ie/offaly). This presents the data from the Tourism Contents System relevant to that county.
- A comprehensive programme of activity of upgrading and optimising the information in the TCS and the websites is ongoing and is an essential focus for Fáilte Ireland.
- All of the websites provide the consumer with the opportunity to book accommodation online. All registered and approved accommodation is available to book.
- Dublin Tourism has recently upgraded its website [www.visitdublin.com](http://www.visitdublin.com).

Regional Tourism Development Plans for the period 2008-2010 have been published by all the Regional Tourism Development Boards.

*Invest €149 million under the National Development Plan, 2007-2013, in training and human resources in the tourism sector.*

*Implement in full the Fáilte Ireland “Competing through People” programme, which looks to people working in the Industry as a principal source of competitive advantage, and their skills as a key variable in delivering strong business results.*

*Progress to date:*

- The National Development Plan, 2007-2013, includes a Training and Human Resources sub-programme of €149 million.
- In 2007 over 13,000 tourism personnel participated in training and education programmes aimed at developing practical skills and building capability in key areas of customer service and enterprise management. A similar number are expected to participate in these programmes in 2008.
- Fáilte Ireland is broadening the range of skills development opportunities available to both existing tourism staff as well as those developing entry-level skills in preparation for joining the industry. This involves a continuing emphasis on training design and innovative delivery methods, as well as a strong focus on practical work experience.
- An innovative programme of training for front-line staff was conducted over three months from April through to June 2008. Reflecting demand in the industry for training for staff that interact with customers on a daily basis, Fáilte Ireland created a short customer service module designed to be delivered on-site, primarily in the hotel sector. Over the three months in question, some 3,000 staff in 200 hotels participated in the training — all of which took place at a time convenient to the group itself and on-site at

their place of work, so minimising time lost and operational disruption. The initiative was well received, and will be repeated in 2009.

- A new tour guide programme has been developed to train multi-lingual tour guides to work in the coach tourism sector. The programme reflects the increasing demand for tour guides to have language skills that match the nationality of the tour group. The innovative element of the new programme is the creation of a strong on-line learning resource which allows students to access content during their training, and also serves as a readily available reference during their preparations for each new tour group. Research into the skills needs in the tour sector (specifically guides and drivers) was also funded.
- A new training and support programme got underway in April 2008, and was formally launched in July. The WEB CHECK programme — details of which have been set out earlier — is designed to support owners/managers in tourism SMEs who wish to improve their capability to trade on-line.
- The “Competing Through People” Strategy made sixteen specific recommendations which were to be actioned by Fáilte Ireland in the period to 2010. To date thirteen of these have been fully implemented and a fourteenth is currently underway and will be completed by the end of 2008. The remaining two (which relate principally to research programmes in the labour market) will be actioned in 2009.
- An independent mid-term evaluation of progress against the targets set in “Competing Through People” was completed at the end of 2007. The review is being used by Fáilte Ireland to identify areas of best practice and areas where significant progress has been made in the implementation of the strategy together with areas where further progress is required.

### **Sport and Recreational Development.**

1091. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to roll out the local sports partnership programme on a nationwide basis to promote the development of sport at community level; and if he will make a statement on the matter. [29337/08]

1092. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to complete, in conjunction with the local sports partnerships, a national audit of local sports facilities; and if he will make a statement on the matter. [29338/08]

1093. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to put in place a long-term strategic plan to ensure the development of necessary local facilities throughout the country, followed by a year on year monitoring of the improvements delivered; and if he will make a statement on the matter. [29339/08]

1094. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to prioritise sports capital programme grants towards those areas identified as most in need of funding and facilities; and if he will make a statement on the matter. [29340/08]



1095. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to fund Special Olympics clubs; and if he will make a statement on the matter. [29341/08]

1096. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to support a new local authority swimming pool programme, prioritising need and disadvantage; and if he will make a statement on the matter. [29342/08]

1097. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to continue to support the Irish Sports Council as the statutory agency for the promotion, development and co-ordination of sport; and if he will make a statement on the matter. [29343/08]

1098. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to promote a national advertising campaign highlighting the health benefits of sport and exercise; and if he will make a statement on the matter. [29345/08]

1099. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to change the application criteria of the sports capital grants programme in order that only 10% of own funding or contribution is needed in cases in which applicants are located in a recognised area of urban disadvantage such as RAPID and a local drugs task force area; and if he will make a statement on the matter. [29346/08]

1100. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to ensure accessibility as a key component in the provision of sports and recreational facilities; and if he will make a statement on the matter. [29347/08]

1101. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to further develop the Sports Campus Ireland at Abbotstown incorporating the Irish Institute of Sport and including the development of a new 25,000 seater stadium to accommodate athletics and field sports; and if he will make a statement on the matter. [29348/08]

1102. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to provide a national stadium at Lansdowne Road in order that the national rugby and soccer teams have a first rate facility in which to play their games; and if he will make a statement on the matter. [29349/08]

1103. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to support elite athletes in preparation for the 2008 and 2012 Olympics and develop proposals for Ireland to be used as a base for other national teams in advance of the London Games in 2012; and if he will make a statement on the matter. [29350/08]

1104. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to continue with the imple-

mentation of effective and modern anti-doping programmes here which have earned recognition internationally; and if he will make a statement on the matter. [29351/08]

1105. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to produce a Green Paper on animal welfare in sport and recreation; and if he will make a statement on the matter. [29352/08]

1106. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to promote greater sharing of school and community sports facilities and to make it a condition of the sports capital programme that facilities be made available to schools where appropriate; and if he will make a statement on the matter. [29356/08]

1107. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to encourage more schools to apply for funding under the sports capital programme by collaborating with their local sports clubs and community groups; and if he will make a statement on the matter. [29357/08]

1108. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to initiate a financial support package aimed at introducing primary school children to swimming; and if he will make a statement on the matter. [29358/08]

1109. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to ensure that local sports partnerships have an official dedicated to the promotion of girls and women's involvement in sport; and if he will make a statement on the matter. [29359/08]

1110. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to appoint a member of the Irish Sports Council to deal with all aspects of women in sport including the gender proofing of all Sports Council decisions; and if he will make a statement on the matter. [29360/08]

1111. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to establish a forum on female participation in sport in conjunction with the Irish Sports Council to make recommendations on all issues; and if he will make a statement on the matter. [29361/08]

1112. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to create an annual women's sports award scheme; and if he will make a statement on the matter. [29362/08]

1113. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the programme for Government to recognise the importance of volunteerism in the promotion of sport through the expansion of the volunteer awards scheme for persons in sport; and if he will make a statement on the matter. [29363/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** I propose to take Questions Nos. 1091 to 1113, inclusive, together.

[Deputy Martin Cullen.]

The five-year programme for Government includes a series of commitments, in respect of sport, for achievement in the period to 2012. I am pleased to say that action is being taken in a progressive and gradual manner in these areas to ensure these targets are met in the lifetime of the Government. A comprehensive statement is set out below as a schedule to this reply outlining the position on the issues raised by the Deputy.

- *Roll out the Local Sports Partnership programme on a nationwide basis to promote the development of sport at community level. [29337/08]*

The Local Sports Partnerships network is now fully established in 33 different areas throughout the country. These will now act as a conduit to allow for the delivery of programmes and training to local communities.

- *Complete, in conjunction with the Local Sports Partnerships, a national audit of local sports facilities. [29338/08]*
- *Put in place a long-term strategic plan to ensure the development of necessary local facilities throughout the country, followed by a year on year monitoring of improvements delivered. [29339/08]*
- *Ensure accessibility as a key component in the provision of sports and recreational facilities. [29347/08]*

The nationwide audit of sports facilities is ongoing and is being carried out in stages to help speed up the availability of information. Phase one, which focuses on national and regional sports facilities, has now been completed within my Department. Phase two of the audit, which is a more complex undertaking to establish a record of existing sports facilities at local level and identifying the need for future provision, is being undertaken during 2008 with the assistance of Local Authorities. Guidelines have been issued to Local Authorities to assist them in carrying out the audit.

The audit is part of a wider exercise to put in place a more strategic approach to the provision of sports facilities in Ireland. Work on the National Sports Facilities Strategy is at an advanced stage in my Department. The aim of the strategy is to provide high-level policy direction for future investment/grant assistance at national, regional and local level. It is intended to identify the facilities requirement for sport so that participation at reasonable cost is feasible for those who wish to engage in sport at either amateur or elite level.

The issue of strengthening the requirements of accessibility in the provision of sports and recreational facilities will be addressed in the context of the National Sports Facilities Strategy and in future rounds of the Sports Capital Programme, which is administered by my Department.

- *Prioritise Sports Capital Programme Grants towards those areas identified as most in need of funding/facilities. [29340/08]*
- *Change the application criteria of the Sports Capital Programme grants to require only 10% of own funding / contribution where applicants are located in a recognised area of urban disadvantage such as RAPID and a Local Drugs Task Force area. [29346/08]*

- *Promote greater sharing of school and community sports facilities and make it a condition of the Sports Capital Programme that facilities be made available to schools where appropriate. [29356/08]*
- *Encourage more schools to apply for funding under the Sports Capital Programme by collaborating with their local sports clubs, and/or community groups. [29357/08]*

Through the Sports Capital Programme, funding is allocated to sporting and community organisations at local, regional and national level throughout the country. The 2008 Programme was advertised in January and 1,453 applications were received before the deadline. Allocations were made to 685 projects at the end of July 2008. The details of which are available on the Department's website [dast.gov.ie](http://dast.gov.ie).

For the 2008 Sports Capital Programme the Department introduced a number of changes to implement key commitments contained in the Agreed Programme for Government.

The level of own funding required from applicants in urban disadvantaged areas has been reduced from 20% to 10%. This covers applicants from RAPID and Local Drugs Task Force areas. This change is in keeping with the Government's commitment to prioritise the needs of disadvantaged areas. When completed, the National Sports Facility Strategy and the National Sports Facility Audit which is currently underway will further help to direct the provision of facilities to areas most in need of funding and facilities.

The Programme for Government also contains important commitments to promote greater sharing of sports facilities between schools and local sports clubs. Under the 2008 Sports Capital Programme, schools making joint applications with local sports clubs are required to provide evidence of formal agreements with local clubs that guarantees the clubs access to school facilities for at least 30 hours per week throughout the year. In assessing applications, extra marks are also awarded to sports clubs that can show that they are allowing local schools to use their facilities. I intend to discuss with my colleague, the Minister for Education and Science, how his programme for the provision of sports halls in schools and the Sports Capital Programme might be dovetailed to provide greater value for money and enhanced facilities both for schools and the local community users.

The inter-agency steering group, established to oversee the development of a National Sports Facilities Strategy, includes representation from the Department of Education & Science. The work of this group has included discussions with the Department of Education & Science on how its policy on the provision of sports hall facilities and my Department's policy for the provision of sports facilities might be complementary.

- *Fund Special Olympics clubs. [29341/08]*

In 2008 Special Olympics Ireland received €2,849,188 to support the organisation. This is the largest allocation outside of the allocations to the GAA, the IRFU and the FAI.

- *Support a new Local Authority Swimming Pool Programme, prioritising need and disadvantage. [29342/08]*

A sum of €184m has been provided in the National Development Plan 2007-2013 to support existing projects in the current round of the Local Authority Swimming Pool Programme and for new projects to be selected following the launch of a new round of the Programme. The current round of the Programme, which closed in July 2000, has made noteworthy pro-

[Deputy Martin Cullen.]

gress over the last 8 years when consideration is given to the lead in time in the development of pool projects. Under the round, 36 projects have been completed and opened to the public, 9 other pools, which have been allocated funding, are under construction throughout the country and another 12 are at various stages of development. A total of €123.9m has been spent over the last 8 years under the Programme and a total of €20 million is provided for this year.

A Value for Money and Policy Review Report of the Local Authority Swimming Pool Programme was carried out by the Department to examine, among other things, how the Programme has worked to date, and what changes, are required to ensure its effective and efficient delivery. Arrangements are being finalised for the publication of the report. Given the current economic climate, it is not intended to launch a new Programme at this time. However, the recommendations in the Value for Money & Policy Review Report will be considered in the context of any new round of the Programme.

- *Continue to support the Irish Sports Council as the statutory agency for the promotion, development and co-ordination of sport. [29343/08]*

The Irish Sports Council, which was established on a statutory basis in 1999, has witnessed a major increase in the levels of funding from the Department from €13.5m in 2000 to over €57m in 2008. Further support will be dependant on the levels of resources available in the annual Estimates for Public Services.

- *Promote a national advertising campaign highlighting the health benefits of sport and exercise. [29345/08]*

This is being considered by the Irish Sports Council as part of the development of a Participation Strategy. Discussions have also taken place with the HSE in relation to possible co-operation in this area.

- *Further develop the Sports Campus Ireland development at Abbotstown — incorporating the Irish Institute of Sport — and including the development of a new 25,000 seater stadium to accommodate athletics and field sports. [29348/08]*

Following the completion of the move by the FAI to the former State Laboratory building at Abbotstown last year, work has been advanced on providing a headquarters for the Irish Institute of Sport. This involves refurbishing an existing building on the Abbotstown site. Construction is expected to commence shortly and the Irish Institute of Sport is expected to move into its new HQ in early 2009.

Following the appointment by the NSCDA in April last of Project Management and Design Teams, detailed plans for Phase 1 of the Campus are being prepared and it is estimated that an application for Planning Permission will be lodged with Fingal County Council before the end of 2008.

The facilities planned for the first phase of the project include:

- A National Field Sports Training Centre catering for rugby, soccer, Gaelic games and hockey;



- A multi-sport National Indoor Training Centre which will provide world class training facilities for over 20 sports;
- Sports science and medical facilities;
- Accommodation for sports men and women; and
- All-weather synthetic pitches for community recreational access.

The facilities being provided in Phase 1 do not include a 25,000-seater stadium. Any proposal to include such a facility will be considered in the context of later phases of the Campus project and will be subject to economic conditions and the prevailing public finances.

- *Provide a National Stadium at Lansdowne Road so that our National Rugby and Soccer teams have a first-rate facility in which to play their games. [29349/08]*

The development of the new stadium at Lansdowne Road is proceeding satisfactorily and is on schedule for completion during 2010.

I visited the site recently and was most impressed by the rate of progress being made on the construction. I look forward to the opening of what will be a superb sports facility during 2010.

- *Support elite athletes in preparation for the 2008 and 2012 Olympics and develop proposals for Ireland to be used as a base for other national teams in advance of the London Games. [29350/08]*

The amount of funding available for spending on sport in 2008 is €336 million, which demonstrates a clear and substantial commitment to investment in sport by this Government. The Irish Sports Council, which is funded by my Department, has statutory responsibility for encouraging the promotion, development and co-ordination of competitive sport and the achievement of excellence in competitive sport. In 2008 my Department has allocated €57 million to the ISC, an increase since the last Olympic/Paralympic year of €26 million. This allowed the ISC to provide high performance support for elite athletes of over €9 million in 2008 and over €30 million in this Olympic and Paralympic cycle.

The ISC works in partnership with the Irish Institute of Sport, the Olympic Council of Ireland, the Paralympic Council of Ireland and the relevant governing bodies of sport in the preparation of Irish athletes for the Olympic and Paralympic Games.

The planning for the Beijing Olympic and Paralympic Games was comprehensive and well funded with plans implemented by top quality professionals at every step. The performances of the Irish Olympic and Paralympic teams in Beijing exceeded the targets set by the ISC prior to the Games.

I intend to meet with the key stakeholders involved in the support of our elite athletes to discuss how we can best build on the success we had in Beijing and the supports required in terms of coaching, programmes, facilities and funding to ensure the optimum performance of Irish athletes at the London 2012 Olympic Games.

The London 2012 Olympics and Paralympics Task Force was established in August 2006 to ensure Ireland can identify and maximise the complete range of opportunities arising from our proximity to the Olympic and Paralympic Games in London 2012. The Task Force



[Deputy Martin Cullen.]

included experts from the sport, tourism, cultural and business sectors and was supported by staff within my Department.

The Task Force report makes a number of recommendations arising from an audit carried out of high quality sports facilities in Ireland and the findings of a report by Indecon International Economic Consultants on the economic evaluation of the benefit to the island of Ireland of the London 2012 Olympic and Paralympic games.

The report highlights the opportunities for Ireland from the London 2012 Games in the sport, tourism, cultural and business sectors. On the sporting side the report puts forward proposals for investment in sports facilities, which would increase our attractiveness as a training destination for Olympic teams in the lead up and during the games. In this context, I consider that the completion of Phase One of the National Sports Campus at Abbotstown will be of tremendous benefit in the short term to our athletes as they prepare for the London Games and as a venue for other countries to train. I understand that enquiries have already been made about the availability of sports facilities here for some Olympic teams.

During my recent attendance at the Beijing Olympics I had informal discussions with Sebastian Coe, Chairman of the London 2012 Olympic Games Organising Committee to discuss what role Ireland can play in the games. I will shortly be meeting with him in London to continue with our discussions.

I will consider the implementation of the recommendations of the London 2012 Task Force Report in the context of the annual Estimates cycle and taking account of the current economic situation.

- *Continue with the implementation of our effective and modern anti-doping programmes, which have earned well-deserved recognition internationally. [29351/08]*

Ireland's national anti-doping programme is administered by the Irish Sports Council.

My Department funds the ISC on an annual basis and has allocated over €57 million to the Council in 2008. This includes funding to enable the ISC to meet its statutory function to combat doping in sport.

In supporting sport the Government insists that it must be based on fair and ethical principles. The ISC has put in place a comprehensive and effective Anti-Doping Programme, one that the Government strongly endorses and which is recognised internationally as an outstanding model of its type. Ireland also contributes to the international efforts against drugs in sport through our support for the Copenhagen Declaration on Anti-Doping, the Council of Europe Anti-Doping Convention, WADA — the World Anti-Doping Agency and the UNESCO International Convention against Doping in Sport.

- *Produce a Green Paper on Animal Welfare in Sport and Recreation. [29352/08]*

The most effective process for giving effect to this commitment will be considered in consultation with the relevant stakeholders.

- *Initiate a financial support package aimed at introducing primary school children to swimming. [29358/08]*

The commitment in the Programme for Government aims to initiate a financial support package directed at introducing primary school children to swimming. Such a support package would be focussed primarily on the costs of transport to and from pools.

The Department has initiated discussions with the Department of Education and Science on how best to progress this commitment.

- *Ensure that Local Sports Partnerships have an official dedicated to the promotion of girls and women's involvement in sport. [29359/08]*
- *Appoint a member of the Irish Sports Council to deal with all aspects of women in sport, including the gender proofing of all Sports Council decisions. [29360/08]*
- *Establish a Forum on Female Participation in Sport in conjunction with the Irish Sports Council to make recommendations on all issues. [29361/08]*
- *Create an Annual Women's Sports Award Scheme. [29362/08]*

The Women in Sport Programme has received significant Government funding since it was launched in 2005. Through the Women in Sport programme, the Government supports the work of the Irish Sports Council in encouraging women — young and old alike — to become involved in sport as participants, players, officials and administrators.

All LSP staff are fully aware of the need to involve more women and girls in sport and dedicated funding has been made available to operate innovative projects at LSP level to encourage more females into becoming active. In light of the level of funding made available to LSPs it would not be possible to appoint Women in Sport officers in all 33 sites. However LSPs do work closely with the Women in Sport officers that have been appointed by NGBs such as Special Olympics, Badminton, FAI and IRFU.

An officer of the ISC is assigned to looking after all aspects of the Women in Sport Programme. This is not the sole responsibility of this person but all areas of the WIS Programme are under their remit.

Representatives of the ISC have attended international conferences on Women in Sport where examples of best practice were discussed.

From this year the ISC will sponsor the Irish Times Sportswoman of the Year awards.

- *Recognise the importance of volunteerism in the promotion of sport through the expansion of our Volunteer Awards scheme for persons in sport. [29363/08]*

The first programme of National Awards to Volunteers in Sport was successfully held in 2007. The Awards recognises and encourages the work of volunteers and reaches out to potential new volunteers. I hope to commence a second programme shortly subject to available resources.

### **Arts Plan.**

1114. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress regarding the commitment in the Programme for Government to support training and professional development for the performing arts by creating, enhancing and extending modules of in-service training; and if he will make a statement on the matter. [29364/08]

1115. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to support measures that are child centred in arts and cultural programmes and develop and enhance child centred policies that impact throughout the country; and if he will make a statement on the matter. [29365/08]

1116. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to increase funding to the Arts Council for education initiatives; and if he will make a statement on the matter. [29366/08]

1117. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to promote an appreciation of and engagement in arts and culture from early education through to all levels of education levels by the implementation of a comprehensive national strategy; and if he will make a statement on the matter. [29367/08]

1118. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made in regarding the commitment in the Programme for Government to encourage and support the strategic development of the arts in local communities, both geographic and communities of interest, for the disadvantaged and for minority groups; and if he will make a statement on the matter. [29368/08]

1119. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to encourage, promote and foster volunteerism in the arts, drawing on the successful development of volunteerism in sports here; and if he will make a statement on the matter. [29369/08]

1120. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to ensure that arts venues are adequately funded to facilitate activities and to maximise community use and accessibility for all; and if he will make a statement on the matter. [29370/08]

1121. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to encourage partnerships between local authorities, central Government, relevant local community groups and the Arts Council with a view to funding arts locally; and if he will make a statement on the matter. [29371/08]

1122. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to develop a new policy to create and sustain employment in the arts, particularly arts employment that can market, operate and develop local arts infrastructure here; and if he will make a statement on the matter. [29372/08]

1123. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to provide new tax and other incentives aimed at making cultural and educational philanthropy more attractive and to help those working in the arts; and if he will make a statement on the matter. [29373/08]

1124. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to encourage the full participation of the private and corporate sector in supporting the development of arts infrastructure and arts programmes and services here; and if he will make a statement on the matter. [29374/08]

1125. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made in relation to the Programme for Government commitment to continue to support the development of the traditional arts; and if he will make a statement on the matter. [29375/08]

1126. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to create a new combined cultural visa and work permit that simplifies and speeds up entry by incoming artists and groups to Ireland; and if he will make a statement on the matter. [29376/08]

1127. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to ensure that dynamic incentives remain available to the film and television sector and develop bilateral agreements to maximise the potential of Section 481; and if he will make a statement on the matter. [29377/08]

1128. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to continue the examination of fiscal incentives to encourage investment in the indigenous film industry here; and if he will make a statement on the matter. [29378/08]

1129. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to provide multi-annual funding to the Arts Council that identifies key areas for development either for organisations or key strategies in the arts; and if he will make a statement on the matter. [29379/08]

1130. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to ensure that the increased level of arts activity is sustained and developed; and if he will make a statement on the matter. [29380/08]

1131. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to ensure that cultural institutions here are developed to their highest potential by capital investment in storage, presentation and digitisation of national treasures; and if he will make a statement on the matter. [29381/08]

1132. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to digitise the collections of the National Library, the National Gallery, the National Museum and the National Archives; and if he will make a statement on the matter. [29382/08]

1133. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to establish a museum of Irish literature in Parnell Square, Dublin 1; and if he will make a statement on the matter. [29383/08]

1134. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to place the National Theatre, the Irish Museum of Modern Art and the National Concert Hall on a statutory footing; and if he will make a statement on the matter. [29384/08]

1135. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to complete the construction of a new National Theatre and a new National Concert Hall; and if he will make a statement on the matter. [29385/08]

1136. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to begin a programme to digitise all State papers; and if he will make a statement on the matter. [29386/08]

1137. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to complete phases II and III of the National Museum and Collins Barracks and complete phases II and III of the National Gallery; and if he will make a statement on the matter. [29387/08]

1138. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to establish a national sports museum; and if he will make a statement on the matter. [29388/08]

1139. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism the progress made regarding the commitment in the Programme for Government to roll out ACCESS II; and if he will make a statement on the matter. [29389/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** I propose to take Questions Nos. 1114 to 1139, inclusive, together.

The five-year programme for Government includes a series of commitments which relate to the responsibilities of my Department and its Agencies for achievement in the period up to 2012. I am pleased to say that action is being taken in a progressive and gradual manner in these areas to ensure these targets are met in the lifetime of the Government. A comprehensive statement is set out below as a schedule to this reply outlining the position on the issues raised by the Deputy.

#### *The Arts*

This Government is committed to implementing a range of steps for the Arts which will see participation broaden and deepen in the next five years.

#### *Arts and Education*

We will:

- *Support training and professional development for the performing arts by creating, enhancing and extending modules of in-service training.*
- *Support measures that are child centred in arts and cultural programmes and develop and enhance child centred policies that impact throughout the country.*
- *Increase funding to the Arts Council for education initiatives.*

- *Promote an appreciation of and engagement in arts and culture from early education through to all education levels through the implementation of a national comprehensive strategy.*

*Progress to date:*

The Department of Education and Science is the lead Department for developing the arts in education.

The Department of Arts, Sport and Tourism is actively considering the recommendations of the report of the Special Committee on Arts and Education, in consultation with the Department of Education and Science and the Arts Council in the context of the Estimates allocations for 2009 and beyond.

*Arts and Participation*

We will:

- *Encourage and support the strategic development of the arts in local communities, both geographic and communities of interest, for the disadvantaged and for minority groups.*

*Progress to date:*

The Department supports the provision of new arts facilities around the country through the Arts and Culture Capital Enhancement Support Scheme (ACCESS). The ACCESS scheme is a key element in the Government's regional arts strategy and has greatly improved participation in the arts for large numbers of people, of all ages, nationwide. The scheme has been widely acknowledged as a significant intervention in the provision of quality cultural spaces. Under the scheme, funding is provided towards integrated community art centres, theatres and galleries as well as art studios and other arts production, creative and performance spaces.

A total of 120 projects across the country have been supported under the scheme, many of which were community based arts groups.

In addition, the Department provided the Arts Council with additional funding to set up a music instrument purchase scheme for community groups. The Arts Council has commissioned Music Network to undertake an action pilot project on support to community organisations in the acquisition of instruments. €500,000 is available under this scheme in 2008.

Introduced in 2002 the Arts Council's Programme "Artist in the Community" matched artists with community groups and building on this success, an enhanced and extended "New Communities Residencies" Programme is to be introduced in 2009 and 2010. The Department has committed financial support for a new series of books (The Bridges Book Series) aimed at today's multi-cultural society in Ireland. Funding for the Arts Council has also facilitated a new pilot touring initiative, increased funding programmes for arts organisations and, through its Regularly Funded Organisations initiative, provided greater stability for a wider range of organisations.

Arts activity and infrastructure has increased dramatically in recent years, and substantial local energy for the arts now allows for greater scope and vision than ever before. Geography is no longer a barrier to accessing the arts: every county has at least one dedicated arts building and local authorities and others are making it easier for all to engage with artists and the arts as part of everyday life.



[Deputy Martin Cullen.]

- *Encourage, promote and foster volunteerism in the arts, drawing on our successful development of volunteerism in sports.*

*Progress to date:*

Responsibility for the promotion of the arts at all levels throughout the country is devolved primarily to the Arts Council, and the Council is the principal agency through which State funding is channelled to the arts. Under the Arts Act, 2003, the general functions of the Council include the following:

- to stimulate public interest in the arts;
- to promote knowledge, appreciation and practice of the arts;
- to assist in improving standards in the arts.

Volunteerism is critical to the success of many of the arts organisations supported by the Arts Council and they place great value on the role and contribution of their volunteers. This is particularly the case in areas such as Arts Participation, YPCE (young people, children and education) and Festivals, which involve people of all ages, abilities and ethnicities and make a distinctive contribution to the life and identity of communities throughout Ireland. All arts organisations funded by the Arts Council are managed by voluntary boards, which bring expertise and leadership that are highly valued by the arts community. The total budget for Arts Participation, YPCE and Small Festivals in 2008 was over €7 million.

- *Ensure that arts venues are adequately funded to facilitate activities and to maximise community use and accessibility for all.*

*Progress to date:*

The Department of Arts, Sport and Tourism provides the bulk of capital funding for building and refurbishing arts facilities, mainly in the not for profit sector, while the Arts Council provides the ongoing revenue funding for many of the facilities. To date this capital funding has been delivered through the ACCESS scheme (Arts and Culture Capital Enhancement Support Scheme) and facilities that have been funded include integrated arts centres, theatres and galleries, as well as arts studios and creative and performance spaces. The Department of Arts, Sport and Tourism, working with local authorities, is currently supporting the development of an audit of arts facilities throughout the country.

The ACCESS I & II and other capital programmes provided for in the National Development Plan continue to provide capital funding for arts venues throughout the country, with the aim of creating a top class arts infrastructure nationwide for the benefit of all citizens. These facilities conform to spatial and artistic strategies, while guaranteeing optimal access to the arts for all. A total of almost €86m has been granted to 120 projects across the country under the ACCESS schemes. Eighty projects were allocated funding of €42.5m under the ACCESS II scheme and many of these projects are under construction, while the great majority of the 40 projects grant aided under ACCESS I are now fully operational.

In addition to the ACCESS schemes over €66m has been invested in Other Capital Projects many of which have now been completed or are nearing completion, such as Wexford Opera House €26m, Comhaltas Ceoltóirí Éireann €17m, the Gaiety Theatre €7.8m, the Irish Chamber

Orchestra €2.6m and many other smaller projects throughout the country that are ongoing at present.

Revenue support for arts venues is provided through the Arts Council. Every county now has at least 1 arts centre. Subvention from the Arts Council to 62 venues in 2008 was at a level of €8,385,000. These venues range from the largest capacity, Cork Opera House — 1100 seats, to the New Theatre in Dublin — 75 seats.

#### *Arts and Investment*

We will:

- *Encourage partnerships between local authorities, central government, relevant local community groups and the Arts Council with a view to funding arts locally.*

#### *Progress to date:*

The Arts Council has worked well to develop the arts at a local level. It has worked strategically with local authorities for 23 years in developing the arts at local level and the focus was on embedding arts expertise at the heart of the local authority service. Each of the 34 local authorities in Ireland employs a full-time Arts Officer. In many instances local authorities lead in providing a broader Arts Service, employing several specialist arts staff in addition to the Arts Officer.

In 2007 local authorities spent in excess of €36m on the arts, demonstrating the huge commitment that is being made at local level to arts development. Under a provision of the Arts Act 2003, local authorities are required to prepare and implement plans for the development of the arts within their functional areas, and in so doing to take account of government policies on the arts. Many local authorities had already established a track record in planning for the arts and, in several cases, are now on their third such strategy. Local authorities now offer leadership in areas such as youth arts, inter-generational arts, traditional arts, festivals, arts in health and arts in education and new multi-agency partnerships are emerging at local level. In most cases, guided by Strategic Policy Committees with a Cultural remit, local authorities now plan in a strategic and considered fashion for the development of the arts at local level, aided importantly, as the result of extensive public consultation and are consequently firmly rooted in local strengths and needs.

Culture Ireland is increasing international opportunities for Irish artists and arts organisations, enabling more than 1,000 Irish arts events to take place in 60 countries across five continents since its creation in 2005 as a strategic vehicle to promote Ireland as a world leader in arts and culture. Priority locations for these events include global centres of culture and business (e.g. more than 80 projects in New York), developing centres of culture and business (e.g. over 50 projects in China), centres of the global Irish diaspora (more than 500 projects in the US, Britain, Canada and Australia) and key international showcases (e.g. Edinburgh Festival, Venice Biennale). These priorities enable Culture Ireland to add maximum value to the Government's international political and economic objectives. CI-promoted Irish arts events also regularly gain high-profile coverage in key global print and broadcast media, reaching audiences of tens of millions and creating new international opportunities for Irish artists.

Ireland's position as a world leader in theatre is borne out by the award-winning success of Irish productions in Culture Ireland's annual showcase at the Edinburgh Festival Fringe, the largest and most competitive arts festival in the world. 2008 has been the most successful yet, with double Fringe Firsts for the Abbey's *Terminus* by Mark O'Rowe and Druid's *New Electric*

[Deputy Martin Cullen.]

*Ballroom* by Enda Walsh, and a Herald Angel award for Enda Walsh. The New York Times acclaimed the *New Electric Ballroom* as the outstanding show of the Festival. The career-changing impact is also demonstrated by last year's Fringe First winner, Druid's *The Walworth Farce*, whose Edinburgh success has since led to major tours to top venues in New York and London.

- *Develop a new policy to create and sustain employment in the arts, particularly arts employment that can market, operate and develop our local arts infrastructure*

*Progress to date:*

The Department of Arts, Sport and Tourism supports the provision of new arts facilities and maintenance of existing facilities around the country, through the Arts and Culture Capital Enhancement Support Scheme (ACCESS) and other capital projects. Some €152m has been provided in capital funding for this purpose nationwide and much employment has been created as a result. In addition the Arts Council provides revenue funding for arts venues around the country and this includes funds to employ arts managers, curators etc. Funding to the Arts Council has increased significantly in recent years increasing by 71% since 2002 from €47.67m to €81.62m in 2008.

- *Provide new tax and other incentives aimed at making cultural and educational philanthropy more attractive and to help those working in the arts to make a decent living. In recognition that higher economic growth can benefit the arts we will encourage the full participation of the private and corporate sector in supporting the development of our arts infrastructure, and arts programmes and services*

*Progress to date:*

The Department is currently exploring opportunities for the arts and culture community to engage more with business and promote arts as a socially aware investment.

- *Continue to support the development of traditional arts*

*Progress to date:*

The Arts Council introduced a new policy for the traditional arts in May 2005. In line with this policy, the Arts Council is implementing a three year Traditional Arts Initiative from 2005-2008. The initiative is intended to prioritise the traditional arts for a fixed period, in order to realise the ambition of fully mainstreaming the traditional arts within the Council's activities. It is designed to stabilise existing key players and consolidate a basic infrastructure for the traditional arts while allowing scope for new ideas, projects and partnerships to emerge. The Arts Council recently announced the extension of its DEIS funding scheme for the traditional arts. The Department has provided almost €17m in funding in recent years towards the capital development plan of Comhaltas Ceoltoiri Eireann.

- *Create a new combined Cultural Visa and Work Permit that simplifies and speeds up entry by incoming artists and groups to Ireland.*

*Progress to date:*

Discussions have commenced with the other relevant Departments in this area — Department of Justice, Equality & Law Reform and Department of Enterprise, Trade & Employment.

- *Ensure that dynamic incentives remain available to the film and television sector and develop bi-lateral agreements to maximise the potential of Section 481.*

*Progress to date:*

Section 481 was extended until the end of 2012 and the absolute maximum that can be raised in respect of any one film was raised from €35m to €50m in the 2008 Finance Act.

A bi-lateral film cooperation agreement was signed with New Zealand in October 2007 and negotiations are nearly complete in respect of a similar agreement with South Africa. The final arrangements for the signing of cooperation agreements with Luxembourg and Germany are currently being made.

The Irish Film Board has been requested to examine future options for bi-lateral film cooperation agreements.

- *Continue the examination of fiscal incentives to encourage investment in our indigenous film industry*

*Progress to date:*

In May 2007, with this Department's overview, the D/Finance commissioned Indecon International Economic Consultants to undertake a review of the case for improvement in respect of the Section 481 scheme, in conjunction with this Department and the Irish Film Board. Indecon's terms of reference were to identify a structured, and innovative way forward to develop and consolidate the Irish film industry, taking account of the serious international competition issues now apparent and to feed into the preparation for the Finance Bill 2008. Indecon completed their report in September 2007 and their recommendations were included in the 2008 Finance Act — Section 481 was extended until the end of 2012 and the absolute maximum that can be raised in respect of any one film was raised from €35m to €50m.

*The Agencies*

We will:

- *Provide multi-annual funding to the Arts Council that identifies key areas for development, either for organisations, or key strategies in the Arts.*

*Progress to date:*

The funding of the Arts Council, as with all Government Departments and State agencies, is a matter for consideration under the annual budget and Estimates' process. In doing so, the Government must balance competing demands from every part of our economy and society.

By any standards however, the Arts Council has seen dramatic increases in its funding allocation in recent years, increasing by over 72% from €47.67 million in 2002 to €81.62 million this year. These are significant amounts of taxpayers' money in any context and have effectively transformed the arts, by facilitating increased access to and participation in the full spectrum of art forms throughout the country. The Government's sustained commitment to the arts is evidenced by these substantial increases in funding.

[Deputy Martin Cullen.]

- *Ensure that the increased level of Arts activity is sustained and developed*

*Progress to date:*

Government Policy on the Arts is set out in the Programme for Government and is elaborated further in the Department's Statement of Strategy 2008 — 2010 and the arts plan 2008. The Government's objective is to support national economic and societal progress by enriching the quality of life of the people of Ireland, by facilitating the promotion and sustainable development of the arts and culture. To accomplish this the Government seeks to create an environment that enables arts and culture, including the Cultural Institutions, to flourish, through the provision of an appropriate legislative, policy and resource framework. The Government is committed to implementing a range of initiatives for the Arts, which will see participation, broaden and deepen in the next five years. This will be achieved through encouraging and supporting increased participation in the arts, investment in the arts sector, focussing on arts and education and ensuring that the Arts Council, the Film Board, Culture Ireland and all the national cultural institutions are appropriately resourced.

It is the Government's responsibility to ensure that the arts and culture are well funded and placed at the centre of policy making in Ireland. To this end funding for the Arts and Culture sector has increased significantly in recent years. For example funding to the Arts Council has increased by 71% since 2002 from €47.67m to €81.62m in 2008. Funding for the Arts and Culture, which includes the Arts Council, the Film Board, Culture Ireland, the National Cultural Institutions and the capital arts infrastructure programme ACCESS (Arts and Culture Capital Enhancement Support Scheme) and the National Gallery is over €220m in 2008.

#### *National Cultural Institutions*

We will ensure that our cultural institutions are developed to their highest potential by capital investment in storage, presentation, and digitisation of our national treasures.

To ensure this we will:

- *Begin a programme to digitise all State papers.*
- *Digitise the national collections.*
- *Progress to date:*

The 1901/1911 census is being digitised and the Dublin records are now available online *free gratis* on the National Archives website. Other digitisation projects are being looked at in the National Archives. Other projects include digitisation of the Hayes series, and a project to digitise 100,000+ glass plate photographs. An extended programme of digitisation of the collections of the National Cultural Institutions, to come on stream in 2010 is provided for in the National Development Plan. A Best Practice Model for Digitisation in Ireland, will be prepared and should allow a rational and cohesive approach to all new digitisation projects.

- *Establish a Museum of Irish Literature in Parnell Square.*

*Progress to date:*

No. 20/21 Parnell Square (previously the National Ballroom, located between the Hugh Lane Gallery and the Dublin Writers' Museum) has been identified for cultural use by Dublin City

Council, in consultation with the Department of Arts, Sport and Tourism. A Steering Committee, chaired by the Department has been established. It has been agreed to conduct a Scoping Study into the project and the Committee is finalising the Terms of Reference for that Study. Dublin City Council commissioned preliminary costings for the refurbishment of the building for a Museum of Irish Literature which were in the order of €23m — €29m. Funding is not provided for this project in NDP.

- *Place the National Theatre, the Irish Museum of Modern Art and the National Concert Hall on a statutory footing.*

*Progress to date:*

The placement of the National Theatre, the Irish Museum of Modern Art (IMMA) and the National Concert Hall on a statutory footing has been overtaken by the decision of the Government to investigate the possible merger of IMMA, the National Gallery of Ireland and the Crawford Gallery Cork. This is being considered by the Department of Arts, Sport and Tourism at present in conjunction with the institutions concerned.

- *Complete the construction of (i) a new National Theatre and (ii) a new National Concert Hall.*

*Progress to date:*

*National Theatre* — An interagency steering committee was established to oversee the project. The committee is chaired by the Department and comprises representatives of the National Development Finance Agency, the Office of Public Works, the Abbey Theatre and Dublin Docklands Development Authority. A project team, chaired by the Office of Public Works and comprising representatives of the same agencies as the steering group, has also been established and is overseeing the executive and procedural arrangements for holding the international design competition and advancing the PPP process. The Office of Public Works has asked the Royal Institute of the Architects of Ireland to organise the competition. The competition regulations are currently nearing finalisation. The technical documentation for the competition must be very carefully specified, in particular the detailed accommodation brief for the new theatre. Work on this is nearing completion.

A jury for the international design competition was appointed late last year.

In the meantime, the Office of Public Works is also working on drafting output specifications in collaboration with the Department, Abbey Theatre and National Development Finance Authority. Technical, legal, insurance and financial advisers have been appointed to guide and advise the interagency and project teams in the procurement of this project. A theatre consultant and acoustic consultant have also been appointed. Furthermore, a process auditor is in place in accordance with Department of Finance guidelines.

*Progress to date:*

*National Concert Hall*

The notice of the PPP was published and expressions of interest sought in the Official Journal of the EU on 29th May 2008. The procurement phase is being managed by the NDFA as agents of the Department, under the guidance of an Interagency Steering Committee. Expressions of



[Deputy Martin Cullen.]

interest have been evaluated and a shortlist of consortia has been decided. The competitive dialogue process began earlier this month.

*Complete (i) Phases II and III of the National Museum and Collins Barracks and (ii) complete Phases II and III of the National Gallery.*

*Progress to date:*

*(i) National Museum: Natural History Museum and Collins Barracks*

The provision of the new Centre Block building at the National Museum Collins Barracks and major up-grade of the Natural History Museum (included in NDP) are progressing. The proposed Centre Block at Collins Barracks will include major new exhibition galleries on two themes viz. The World Culture Gallery will display the Museum's extensive ethnographical collections and the History of Ireland Gallery will trace the major economic, social and artistic developments in Ireland from the mid-17th century onwards. It will also include a facility to exhibit the Asgard sailing ship which is undergoing conservation work at present. Construction work is scheduled to commence in February 2009. The Collins Barracks project is on target. A contractor for site investigations has been selected and will liaise with the provider of archaeology services for the site.

The National Museum has been provided with additional resources to assist in the decant of the Natural History Museum which is required prior to major works being undertaken and a suitable storage facility for the decant has been identified.

*(ii) National Gallery*

*Progress to date:*

The Office of Public Works has developed a Master Development Plan for the National Gallery of Ireland which has been approved, in principle by the Department and the Board of Governors and Guardians of the National Gallery. It will build on investment in the National Gallery Millennium Wing and will enhance the facilities at the Gallery. This plan is currently being progressed to the Planning Stage by the Office of Public Works.

- *Establish a National Sports Museum.*

*Progress to date:*

The National Museum has had initial discussions with sporting organisations on the availability of memorabilia, in the context of the establishment of a National Sports Museum. The Department of Arts, Sport and Tourism and the National Museum have held discussions regarding how to carry this project forward and the Museum are to prepare detailed proposals on housing the Sports Museum in Collins Barracks.

- *Roll out ACCESS II.*

*Progress to date:*

The first ACCESS scheme (2001-2004) was very successful with over 40 projects nationwide receiving funding of €43m. The second round of ACCESS (2007-2009) was announced in April 2007 and a total of 67 projects were offered capital funding of €32m. The primary focus of ACCESS II is the refurbishment and enhancement of existing arts and culture facilities with

70% of the funds available for refurbishment/enhancement projects. 30% of the funding was granted to new build projects in strategic locations. Demand for funding under ACCESS II was extremely high (155 projects in all, seeking funding of the order of €200m) and in May 2008 a further €10.5m was announced for projects on the reserve list.

Funding of €81m in total is available for the ACCESS programme over the life of the National Development Plan, 2008 to 2013. Approximately €60m of this is already committed under ACCESS I and II.

The timing of the launch of the next round of ACCESS, to be called the Arts Capital Programme has yet to be decided.

#### *Commemorations*

In 2008 the Department funded the following major commemorative programmes

- Hugh Lane Gallery Centenary
- Bicentenary of publication of Moores Melodies
- Bicentenary of birth of William Balfe, Composer.
- 80th Anniversary of foundation of Gate Theatre and 20th Anniversary of staging of “Godot”.
- Percy French Festival
- Flight of the Earls events

#### **Sports Funding.**

1140. **Deputy Finian McGrath** asked the Minister for Arts, Sport and Tourism if he will assist in the case of a school (details supplied) in Dublin 9. [29510/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** The Sports Capital Programme, which is administered by my Department, allocates funding to sporting and community organisations and, in certain circumstances to schools and colleges, throughout the country. It is the main vehicle for development of sports facilities at local, regional and national level throughout the country. Under the Programme priority is given to the needs of disadvantaged areas in the provision of sports facilities.

Primary and post-primary schools wishing to be considered for funding under the Programme may apply for funding jointly with local sports clubs or community groups and must meet other conditions including a requirement that the local community will have significant access to the proposed facility, at least 30 hours a week throughout the year, when it is not being used by the school itself. Any sports facility proposed for funding by a sporting organisation and which would be located within school grounds would have to meet these same conditions.

Applications from primary and post-primary schools and colleges on their own are not considered under the Programme. Responsibility for the provision of sports facilities in schools and colleges is a matter in the first instance for my colleague the Minister for Education and Science.

#### **Departmental Transport.**

1141. **Deputy Fergus O’Dowd** asked the Minister for Arts, Sport and Tourism the number,

[Deputy Fergus O'Dowd.]

type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by his Department for each of the past three years; and if he will make a statement on the matter. [29546/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** There were no vehicles acquired by this Department over the last three years either through purchasing or leasing. The vehicles used by Ministers in the Department over that period were acquired by the Department of Justice, Equality and Law Reform.

#### **Sports Funding.**

1142. **Deputy Finian McGrath** asked the Minister for Arts, Sport and Tourism if he will support a matter in relation to a club (details supplied) in Dublin 5. [29691/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** Letters have issued to each of this year's unsuccessful applicants, including the one in question, setting out the reasons why they were not awarded a grant. As that letter pointed out, given the level of demand for funding and the amount of funding available under the Programme, it is not possible for my Department to allocate grants to every applicant. In this particular instance, the club did not meet a number of the basic qualifying conditions of the Programme including evidence of title. In addition the feasibility study submitted did not meet the requirements set out in the Programme's published guidelines, terms and conditions.

#### **Consultancy Contracts.**

1143. **Deputy Leo Varadkar** asked the Minister for Arts, Sport and Tourism if a company (details supplied) has been awarded contracts by his Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if he will make a statement on the matter. [29705/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** Since its establishment in June 2002, the Department, including the National Archives, has not awarded any contract to the company in question.

In respect of the agencies under the aegis of the Department the placing of contracts is a matter for the agencies themselves.

#### **Sports Funding.**

1144. **Deputy Michael D'Arcy** asked the Minister for Arts, Sport and Tourism the reason a group (details supplied) were not awarded a grant under the Sports Capital Programme for 2008; and if he will make a statement on the matter. [29725/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** Letters have issued to each of this year's unsuccessful applicants, including the one in question, setting out the reasons why they were not awarded a grant. As that letter pointed out, given the level of demand for funding and the amount of funding available under the Programme, it is not possible for my Department to allocate grants to every applicant. In this instance, the club did not meet a qualifying condition of the Programme in that the proof of title provided was not sufficient.

1145. **Deputy Finian McGrath** asked the Minister for Arts, Sport and Tourism if he will support a club (details supplied) in Dublin 5. [29733/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** Letters have issued to each of this year's unsuccessful applicants, including the one in question, setting out the reasons why they were not awarded a grant. As that letter pointed out, given the level of demand for funding and the amount of funding available under the Programme, it is not possible for my Department to allocate grants to every applicant. In this instance, the club did not meet two of the qualifying conditions of the Programme in that the proof of title provided and the feasibility study submitted were not sufficient.

1146. **Deputy Finian McGrath** asked the Minister for Arts, Sport and Tourism the position regarding the rejection of an application for a sports certificate grant by a club (details supplied) in Dublin 3; and the reason grant aid was refused. [29974/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** 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. Applications for funding under the 2008 programme were invited through advertisements in the Press 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 were evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I announced this year's grant allocations on 29 July last and a list of grant allocations is available on the Department's website at [www.arts-sport-tourism.gov.ie](http://www.arts-sport-tourism.gov.ie).

The Department did not receive an application from the club in question. However an application was received from Dublin City Council to develop facilities that would be used by the club in question.

Letters issued to each of this year's unsuccessful applicants, including to Dublin City Council, setting out the reasons why they were not awarded a grant. As that letter pointed out, given the level of demand for funding and the amount of funding available under the programme, it is unfortunately not possible for my Department to allocate grants to every applicant. In this instance, while the application was valid the applicant did not achieve a high enough score to secure a grant.

#### **Departmental Staff.**

1147. **Deputy Leo Varadkar** asked the Minister for Arts, Sport and Tourism the number of staff sent from his Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if he will make a statement on the matter. [29987/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** No member of staff of the Department attended the conference referred to by the Deputy. The attendance by staff of the agencies under the aegis of the Department at conferences is a day to day matter for the bodies themselves.

#### **Data Protection.**

1148. **Deputy John O'Mahony** asked the Minister for Arts, Sport and Tourism the procedures in place to ensure that personal data stored by his Department is secure. [30124/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** The IT Network of the Department is part of the Government Virtual Private Network (VPN) and, as such, is initially protected against intrusion by the VPN firewall. Beyond this level, the network is also protected

[Deputy Martin Cullen.]

by the Department's own firewall system. The traffic that is allowed through the firewall is further filtered for so-called 'spam' and the traffic that is subsequently allowed through that process is filtered for viruses and for content. No breaches of the firewall security systems in place have been made to date.

A Virtual Private Network also controls remote access to the Department's network, while internal access to the Department's network is controlled by username and password authentication. There is a further layer of password security for users using email on the network.

The Department is also rolling out data encryption software to enhance the security that already exists on its portable devices such as laptops.

1149. **Deputy John O'Mahony** asked the Minister for Arts, Sport and Tourism the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from his Department in 2007 and to date in 2008; and if he will make a statement on the matter. [30139/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** Since the beginning of 2007 to date, two blackberry communication devices have been lost. Neither of the devices in question held sensitive or personal information and both devices were remotely disabled following the loss. In the same period, one stand alone desktop computer was stolen.

Neither sensitive nor personal information is stored by default on desktop or portable data devices in the Department and officials are requested not to save any such information onto the devices. This information is stored only on the Department's IT network, to which access is controlled by password protection and by firewall security systems.

The National Archives, an institution which is also part of my Department, has not had any laptops, mobile devices or memory keys lost or stolen during the period in question. Correspondingly, no sensitive data has been lost.

### **Sports Funding.**

1150. **Deputy Seán Ó Fearghaíl** asked the Minister for Arts, Sport and Tourism the date on which grant aid was approved for a sporting organisation (details supplied) in County Kildare; the reason payment has not been made to this organisation in respect of works that have been fully completed; and if he will make a statement on the matter. [30211/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** Under the Sports Capital Programme, which is administered by the Department, funding is allocated to sporting and community organisations at local, regional and national level throughout the country. The aim of the Programme is to maximise participation in sport through the provision of modern high quality, safe, well-designed and sustainable facilities and sports equipment. The provision of such facilities allows for increased numbers to participate in sport.

A grant of €227,500, including a top-up of €52,500 from RAPID, was provisionally allocated to the club in question under the 2006 Sports Capital Programme. The letter notifying the club of the provisional allocation issued on 16 June 2006. The grant allocation was subject to the terms and conditions of the Programme, which included the execution of a deed of covenant and charge.

A deed of covenant and charge provides, inter alia, for a refund of the grant in the event of the facility not continuing to be used for the purpose for which the grant was allocated. The Department's legal adviser, the Chief State Solicitor's Office — CSSO — deals with the gran-

tee's solicitor in executing this deed. I understand that the CSSO recently received documentation regarding the case from the solicitors representing the organisation dated 10 September. The documentation submitted has been examined by the CSSO, who last week wrote to the grantee's solicitor requesting further documentation to execute the deed. As soon as the Deed of Covenant and charge is in place payment of the grant will be made in accordance with the terms and conditions of the programme.

### **Sports Capital Programme.**

1151. **Deputy Jack Wall** asked the Minister for Arts, Sport and Tourism if he has decided upon a date for applications for sports capital funding for 2009; the plans he has to change the application form; and if he will make a statement on the matter. [30250/08]

1156. **Deputy Ciarán Lynch** asked the Minister for Arts, Sport and Tourism the closing date for applications in respect of grants under the sports capital programme to be paid out in 2009; the likely date for the provisional allocation of grants in 2009; when these dates fell in each year since the inception of the scheme; and if he will make a statement on the matter. [30503/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** I propose to take Questions Nos. 1151 and 1156 together.

Applications for funding under the 2008 Programme were invited through advertisements in the Press on 13 and 14 of January 2008 and the deadline for receipt of applications was 29 February for paper-based applications and 7 March for online applications. A list of grant allocations is available on the Department's website at [www.arts-sport-tourism.gov.ie](http://www.arts-sport-tourism.gov.ie).

The date of the next round of the Programme has not yet been decided. While the contents of application form and the guidelines, terms and conditions are reviewed after each iteration of the Programme, no decision has been taken at this stage regarding revisions.

Since the establishment of the Department, the Sports Capital Programme allocations for local, regional and national projects have been announced on the dates set out in the table.

Year	Date of Announcement
2002	29 March 2002
2003	25 July (local) & 29 August (regional and national) 2003
2004	7 May (local) & 10 August (regional and national) 2004
2005	21 July 2005
2006	6 June (local) & 12 July (regional and national) 2006
2007	5 April 2007
2008	29 July 2008

### **Departmental Advertising.**

1152. **Deputy John Deasy** asked the Minister for Arts, Sport and Tourism the amount spent on advertising in the Irish language by his Department and by agencies under the aegis of his Department since the enactment of the Official Languages Act 2003; and if he will make a statement on the matter. [30387/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** Since the enactment of the Official Languages Act 2003, the Department, excluding The National Archives which forms part of the Department but is designated as a separate public body under the 2003 Act, has



[Deputy Martin Cullen.]

expended approximately €163,000 on advertising in the Irish language. The National Archives has expended approximately €52,400 on advertising in the Irish language in the same period.

These figure sums are an approximation only, as, inter alia, advertising is frequently commissioned on a bilingual basis rather than in the Irish language only, so the constituent cost of advertising in Irish must necessarily be an approximation.

In respect of the agencies under the aegis of my Department, the commissioning of advertising is a matter for the agencies themselves.

### **Swimming Pool Projects.**

1153. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Arts, Sport and Tourism if the local authority swimming pool programme grant will be re-launched in 2008; the expected date for the re-launch; the funding allocated for the programme; if applications from towns such as Carrickmacross, County Monaghan will be considered favourably for the grant; and if he will make a statement on the matter. [30403/08]

1167. **Deputy Seán Sherlock** asked the Minister for Arts, Sport and Tourism when the swimming pool programme will be re-opened; and if he will make a statement on the matter. [31211/08]

1168. **Deputy Emmet Stagg** asked the Minister for Arts, Sport and Tourism when he will announce a new round of grants under the local authority swimming pool programme. [31271/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** I propose to take Questions Nos. 1153, 1167 and 1168 together.

A sum of €184m has been provided in the National Development Plan 2007-2013 for supporting existing projects in the current round of the Local Authority Swimming Pool Programme and for new projects to be selected following the launch of a new round of the Programme. The current round of the Programme, which closed in July 2000, has made noteworthy progress over the last 8 years when consideration is given to the lead in time in the development of pool projects. Under the round, 36 projects have been completed and opened to the public, 9 other pools, which have been allocated funding, are under construction throughout the country and another 12 are at various stages of development. A total of €123.9m has been spent over the last 8 years under the Programme and a total of €20 million is provided for this year.

A Value for Money and Policy Review Report of the Local Authority Swimming Pool Programme was carried out by the Department to examine, among other things, how the Programme has worked to date, and what changes, are required to ensure its effective and efficient delivery. Arrangements are currently being made to publish the report. Given the current budgetary constraints, it is not intended to launch a new Programme at this time. However, the recommendations in the Value for Money & Policy Review Report will be considered in any new round of the Programme. When a new round of the Programme is launched it will be open to all Local Authorities, including Monaghan County Council on behalf of Carrickmacross, to submit an application under the terms that will apply.

### **Sports Funding.**

1154. **Deputy Michael Ring** asked the Minister for Arts, Sport and Tourism the position regarding an application (details supplied) in County Mayo under the sports capital programme 2008. [30439/08]

1162. **Deputy Michael Ring** asked the Minister for Arts, Sport and Tourism when a grant was allocated to an organisation (details supplied); the conditions that were attached to the grant; and if a copy of the approval letter will be provided to this Deputy. [30702/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** I propose to take Questions Nos. 1154 and 1162 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. Applications for funding under the 2008 programme were invited through advertisements in the Press 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 were evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. A list of provisional grant allocations is available on the Department's website at [www.arts-sport-tourism.gov.ie](http://www.arts-sport-tourism.gov.ie).

The organisation in question applied under the 2008 programme towards completion of all interior works to the clubhouse. The application was accompanied by quotations for these purposes and accordingly a letter issued from the Department on 7 August last informing the organisation in question of the allocation of €50,000 under the 2008 programme towards the interior of the clubhouse. Eligible works include toilets, changing rooms and storage, electrical and plumbing works, fire doors, flooring and painting. All allocations are subject to compliance with the guidelines, terms and conditions of the programme which are published on the Department's website at [www.arts-sport-tourism.gov.ie](http://www.arts-sport-tourism.gov.ie).

#### **Sports Capital Programme.**

1155. **Deputy Michael Ring** asked the Minister for Arts, Sport and Tourism the number of applications he has received under the sports capital programme in County Mayo; and if he will provide a list of the applicants giving details of which applications were successful in being allocated funding. [30461/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** 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. Applications for funding under the 2008 programme were invited through advertisements in the Press 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 were evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. A list of the 59 organisations based in Mayo that made an application under the Sports Capital Programme in 2008 is set out below. A list of all grant allocations, including those to organisations in Mayo, is available on the Department's website at [www.arts-sport-tourism.gov.ie](http://www.arts-sport-tourism.gov.ie).

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#### Sports Capital Programme 2008

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Eagle Boxing Club  
 Lower Achill Community Development Co Ltd.  
 Bangor Hibs FC Ltd  
 Ballyglass Association Football and Social club Ltd  
 Connacht GAA Council — Provincial Centre of Excellence, Ballyhaunis  
 Fahy Community Development Ltd

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[Deputy Martin Cullen.]

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Sports Capital Programme 2008

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Mayo Shore Fishing Club  
Ballyhaunis Rugby Football Club  
An Sportlann (Ballinrobe) Ltd. T/A Lakeside sport and fitness club  
Castlebar golf club  
Ballinrobe Community school/ Ballinrobe GAA club  
Neale GAA club  
Active Retirement club Swinford  
Westport United Soccer LTD  
Claremorris Athletic and Sports Club LTD.  
Kiltimagh GAA club  
Swinford GAA Club  
Annagh / Ballyhaunis boxing club  
Mayo County Council/ Ballyhaunis Abbey Trust Limited  
Hollymount GAA Club  
James Stephens Hurling Club Ballina  
Ardnaree Boxing Club  
Bofield Community Group  
Ardagh GAA club  
St Patricks GAA Club  
Breaffy GAA club  
Ballyhaunis GAA club  
Kiltimagh/Knock Utd soccer club ltd  
Gráinne Uaile sub aqua club  
Lacken Sports and Recreation Association Ltd  
Connacht Branch (Golfing Union of Ireland)  
Coiste Cumann Gael Chontae Mhaigh Eo — McHale Park  
Easter Gaels GAA Club  
Knockmore/Rathduff ESD Co. Ltd  
Swinford Amenities Development Limited  
Ballina Athletic Club  
Parke Keellogues Crimlin GAA Club  
Kilmovee Community Housing Ltd  
Westport Athletics Club  
Moygownagh GAA & Community  
All Stars Boxing Club Ballinrobe  
Manulla Sporting Club  
Glenans Irish Sailing Club  
Ballina Town Soccer Club  
Kilmurry Sport and Social Centre  
Tooreen Hurling Club  
The Aghamore Comm. Dev. Company Ltd.  
Sean Duffy Community Centre  
Ardnaree Sarsfields GAA Club  
Carrowholly Community Sports Field Ltd.  
Claremorris AFC  
Ballina Golf Club/Special Olympics  
Mayo Association Football League

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## Sports Capital Programme 2008

Burrishoole G.A.A. Club  
 Ballina Rugby Football Club  
 Shrute/Glencorrib Community Sportsfield  
 Achill Outdoor Education Centre  
 Claremorris G.A.A Club  
 Mayo County Council — Claremorris Swimming Pool

*Question No. 1156 answered with Question No. 1151.*

### Sports Funding.

1157. **Deputy Pat Breen** asked the Minister for Arts, Sport and Tourism the funding allocated to all clubs and organisations in County Clare for the years, 2005, 2006, 2007 and 2008; the cost of administering the allocation for each of the above years; if all moneys allocated were subsequently drawn down by the various clubs and organisations; if not, the procedure in place for such cases; and if he will make a statement on the matter. [30535/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** The Department allocates grants under a number of headings. Details of grants allocated to all counties under the sports capital programme are available on the Department's website at <http://www.arts-sport-tourism.gov.ie/>. Apart from the regular allocations announced under the formal sports capital programme, in December 2005 a further series of allocations to noteworthy projects on a regional scale were announced which included an additional €200,000 to the Ennis Town Council Lees Road Project. Details of arts grants to organisations in Clare in the years in question are set out in a table below.

It is not possible to disaggregate the cost of administering grant programmes to the level requested. Not all of the grants provisionally allocated to organisations in County Clare in those years have been drawn down. All grants are allocated subject to terms and conditions including a provision whereby the Department can fully or partially withdraw grants in the absence of satisfactory progress being made by the grantee, for any reason, in drawing down the grant.

Project Name	Year(s) grant awarded	Grant awarded
		€
Aras an Oidhreacht, Spanish Point	2007	113,843
Lisdoonvarna Theatre	2006	1,270,000
Michael Cusack Centre, Carron	2007	250,000
Sweeney Memorial Library, Kilkee	2007	500,000
Total		2,133,843

### Departmental Agencies.

1158. **Deputy Thomas P. Broughan** asked the Minister for Arts, Sport and Tourism the remuneration package of each of the CEOs of all State agencies reporting to his Department including pay, pension and ancillary benefits; and if he will make a statement on the matter. [30601/08]

1160. **Deputy Joan Burton** asked the Minister for Arts, Sport and Tourism the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of his Department; and if he will make a statement on the matter. [30606/08]

1166. **Deputy Leo Varadkar** asked the Minister for Arts, Sport and Tourism the bonuses, merit awards and other payments above the basic salary they have approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which they made the decision to approve such awards; and if he will make a statement on the matter. [31187/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** I propose to take Questions Nos. 1158, 1160 and 1166 together.

The details of the remuneration packages of the Chief Executive Officers (CEOs), or equivalents, of the agencies under the aegis of the Department are as set out in tabular form below.

In addition, the Department of Arts Sport and Tourism and the Northern Ireland Department of Enterprise, Trade and Investment are sponsor Departments for Tourism Ireland. The remuneration and other conditions and terms of service of the CEO of Tourism Ireland are determined by the Board of the Company, with the approval of the North-South Ministerial Council and the respective Finance Ministers.

In respect of the agencies under the aegis of the Department whose remuneration includes bonuses, decisions to award payments in any instance are not made by me as Minister for Arts, Sport and Tourism but, rather, by the boards of the agencies concerned, subject to the terms and criteria contained in the associated remuneration schemes agreed with the CEOs or equivalents, being met.

Agency	CEO/Equivalent	Salary (per annum)	Pension	Car	Bonus/Performance Pay	Other
Arts Council	Director	Civil Service Principal Officer Grade 1 Scale	Yes	No	No	No
Bord na gCon	CEO	Salary Range of €124,664 to €155,833	Yes	Yes	Yes (Up to 25% of Basic Salary)	No
Chester Beatty Library	Director	Civil Service Principal Officer Grade 1 Scale	Yes	No	No	No
Crawford Art Gallery <sup>1</sup>	Director	Civil Service Assistant Principal Scale	Yes	No	No	No
Culture Ireland <sup>2</sup>	CEO	Civil Service Principal Officer Standard Scale	Yes	No	No	No
Fáilte Ireland	CEO	€169,091	Yes	Yes	Yes (Up to 20% of Basic Salary)	No
Horse Racing Ireland	CEO	Salary Range of €165,889 to €207,362	Yes	Yes	Yes (Up to 35% of Basic Salary)	No
Irish Film Board	CEO	Civil Service Principal Officer Grade 1 Scale	Yes	No	Yes (Up to 20% of Basic Salary)	Accommodation Allowance
Irish Museum of Modern Art	Director	Civil Service Principal Officer Grade 1 Scale	Yes	Use of Pool Car	No	No
Irish Sports Council	CEO	Civil Service Principal Officer Grade 1 Scale	Yes	No	Yes (Up to 20% of Basic Salary)	No
National Concert Hall	Director	Civil Service Principal Officer Grade 1 Scale	Yes	No	Yes (Up to 20% of Basic Salary)	No
National Gallery of Ireland	Director	Civil Service Principal Officer Grade 1 Scale	Yes	Use of Pool Car	No	No
National Library of Ireland	Director	Civil Service Principal Officer Grade 1 Scale	Yes	No	No	No
National Museum of Ireland	Director	Civil Service Principal Officer Grade 1 Scale	Yes	No	No	No
National Sports Campus Development Authority	CEO	€140,632	No	No	Yes (Up to 20% of Basic Salary)	No

<sup>1</sup> The salary of the Director of the Crawford Art Gallery Cork is paid by the Vocational Education Committee but is recouped from my Department.

<sup>2</sup> Culture Ireland is a non-statutory agency of the Department.

<sup>3</sup> It is a condition of the Director's contract that he resides at Kilmainham in accommodation provided by the Office of Public Works, but rent is paid in respect of this accommodation.



[Deputy Martin Cullen.]

### **Sport and Recreational Development.**

1159. **Deputy Joan Burton** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the acute shortage of football pitches for local clubs in the Swords area of north County Dublin; if he proposes measures to address this shortage in the immediate future; if, in particular, his attention has been further drawn to the challenges faced by a club (details supplied) with respect to the lack of facilities; and if he will make a statement on the matter. [30603/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** My Department has no direct role in the provision of land for local sports facilities. Under the sports capital programme, which is administered by the Department of Arts, Sport and Tourism, funding is allocated to assist voluntary and community organisations, national governing bodies (NGBs) of sport, VECs and local authorities to develop high quality, safe, well-designed and sustainable facilities in appropriate locations and to provide appropriate equipment to help maximise participation in sport and physical recreation.

The programme does not provide grants towards the purchase of land, sites or premises. Many of the organisations and sports clubs in the Dublin area that have made application under the programme are based on lands made available by local authorities and the organisation in question should in the first instance raise the issue of the availability of pitches in its local area with the appropriate county council.

*Question No. 1160 answered with Question No. 1158.*

### **Departmental Staff.**

1161. **Deputy Joan Burton** asked the Minister for Arts, Sport and Tourism the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of him and each Minister of State within his Department; and if he will make a statement on the matter. [30621/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** At present the staffing of my private office is as follows: 1 Private Secretary at Higher Executive Officer level 3 Executive Officers 1 Clerical Officer All of these are full time established civil servants.

The staffing of my constituency office is as follows:

- 1 Personal Assistant remunerated at Higher Executive Officer level
- 1 Constituency Assistant remunerated at Higher Executive Officer level
- 1 Personal Secretary
- 1 Staff Officer
- 1 Clerical Officer

My Personal Secretary, Personal Assistant and Constituency Assistant are political appointees. The Staff Officer and Clerical Officer are full time established civil servants.

The cost of the Private Office in the Department in 2007, inclusive of salaries, overtime and expenses, was €362,000 and the cost of the Constituency Office was €215,000.

It is estimated that the cost of the Private Office in 2008 will be €375,000 and the Constituency Office €280,000.

Minister of State Mr Martin Mansergh T.D. does not have private or constituency office facilities at the Department of Arts, Sport and Tourism. There was no Minister of State in the Department in 2007.

*Question No. 1162 answered with Question No. 1154.*

### **Hare Coursing.**

1163. **Deputy Paul Gogarty** asked the Minister for Arts, Sport and Tourism the powers available to him in terms of the monitoring and licensing of hare coursing events; the funding provided directly to hare coursing in 2007; and if he will make a statement on the matter. [31092/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** The Irish Coursing Club, which is the controlling authority for the breeding and coursing of greyhounds, does not receive funding for coursing from my Department or Bord na gCon.

My Department oversees a Monitoring Committee on coursing. This committee comprises of a veterinary inspector, representatives of the National Parks and Wildlife Service, now part of the Department of the Environment, Heritage and Local Government, and the Irish Coursing Club. The veterinary inspector attends 10-15% of all coursing meetings on behalf of the Department while officers of the National Parks and Wildlife Service also attend coursing meetings. The Monitoring Committee meets annually — usually in advance of the start of the coursing season and considers any issues arising from the previous season including reports received from the veterinary inspector and the officers of the National Parks and Wildlife Service in respect of the previous years coursing meetings.

### **Departmental Staff.**

1164. **Deputy Lucinda Creighton** asked the Minister for Arts, Sport and Tourism the number of civil service staff dealing with constituency matters in his office; the number of civil service staff dealing with constituency matters in the offices of Junior Ministers within his Department; and the cost in salaries for these staff per annum. [31123/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** There are currently 2 civil service staff dealing with constituency matters in my office. The breakdown is as follows: 1 Staff Officer; 1 Clerical Officer. All these staff are paid at the appropriate civil service payscales for these grades.

Minister of State Mr Martin Mansergh T.D. does not have constituency facilities at the Department of Arts, Sport and Tourism.

### **Swimming Pool Projects.**

1165. **Deputy Dinny McGinley** asked the Minister for Arts, Sport and Tourism the position regarding the provision of a public swimming pool in Ballybofey/Stranorlar area of County Donegal; if a site has been identified; if tenders have been sought; if funding has been allocated; when it is expected that work will commence on this project; and if he will make a statement on the matter. [31144/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** Under the Local Authority Swimming Pool Programme there are four principal stages in a swimming pool project which are: Feasibility Study/Preliminary Report; Contract Documents; Tender and Construction. My Department approved the Preliminary Report for the Ballybofey / Stranorlar Swimming Pool Project in May 2007, allowing Donegal County Council to move on to the next stage which is the preparation of Contract Documents. I understand from Donegal County Council that the Contract Documents will be submitted to my Department for approval in October 2008.

*Question No. 1166 answered with Question No. 1158.*

*Questions Nos. 1167 and 1168 answered with Question No. 1153.*

### **Consultancy Contracts.**

1169. **Deputy Arthur Morgan** asked the Minister for Arts, Sport and Tourism the amount that was spent by his Department on consultants in 2007 and to date in 2008. [31641/08]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** The amount spent by the Department on consultants in 2007 was €244,483 while the amount spent by the Department on consultants to date in 2008 is €148,122.

### **Leader Programmes.**

1170. **Deputy Michael Creed** asked the Minister for Community, Rural and Gaeltacht Affairs the expenditure by his Department on rural development and Leader programmes; the way this money has been allocated; and if he will make a statement on the matter. [29273/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** Under the LEADER Programmes 2000–2006, total funding of almost €170m has been invested in rural development in Ireland. This funding was allocated to 38 Local Action Groups contracted to deliver the Programmes.

My Department's commitment to investment in rural Ireland will continue over the coming years through the LEADER element (Axes 3 & 4) of the Rural Development Programme 2007–2013. This Programme will provide €425m to improve quality of life in rural areas and facilitate the diversification of the rural economy and, as before, it will be delivered by Local Action Groups through the LEADER bottom-up approach to rural development.

The Deputy may be aware that the process for selecting Local Action Groups to deliver the LEADER elements of the Rural Development Programme 2007-2013 is now at an advanced stage and I expect to announce the award of contracts and the allocation of funding in October.

In addition, a total of more than €240m has been invested under rural development programmes such as CLÁR, the Rural Social Scheme (RSS), Rural Recreation, and the Western Investment Fund (WIF) during the period 2002 to 2007. In excess of €83m has been allocated to these programmes for 2008 as follows:

- CLÁR — €21.183m
- RSS — €50.323m
- Rural recreation and rural development schemes — €8.608m
- WIF — €4m.

### **Decentralisation Programme.**

1171. **Deputy John O'Mahony** asked the Minister for Community, Rural and Gaeltacht Affairs the progress that has been made on the decentralisation of offices for his Department to Charlestown, County Mayo; when the contract for the purchase of land will be signed; and if he will make a statement on the matter. [31071/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** As the Deputy will be aware a total of 140 staff will decentralise with the Department of Community, Rural and Gaeltacht Affairs to Charlestown, Co. Mayo under the Decentralisation Programme. Of this 140 staff, a total of 101 have already relocated to an interim location in Tubbercurry, Co. Sligo.

In relation to the acquisition of a site at Charlestown, terms have been agreed on a suitable site for the Department in Charlestown, Co. Mayo and the contract for the purchase of the site is currently being processed by the Chief State Solicitors Office and when the contract has been agreed approval will be sought from the Department of Finance in relation to progressing the matter.

The Deputy will be aware, however, that all decisions in relation to decentralisation have been deferred, pending a review by the Government in September, of reports from the Decentralisation Implementation Group and the Heads of Government Departments.

### **Community Development.**

1172. **Deputy Tom Sheahan** asked the Minister for Community, Rural and Gaeltacht Affairs when he will allocate funding to Kerry County Council under the CLÁR scheme to improve local roads in rural areas throughout Kerry; and if he will make a statement on the matter. [29299/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I wish to advise the Deputy that on 30 July 2008 I announced a provisional allocation of €591,489.46 under the CLÁR/Department of Transport Roads Co-Funded Non National Roads Measure for Kerry County Council. This amount has recently been approved to Kerry County Council.

Each Local Authority received a pro rata allocation from the fund available. There is no scope to increase this amount. There will be no LIS allocation this year under the CLÁR Programme.

### **Departmental Offices.**

1173. **Deputy Joe Costello** asked the Minister for Community, Rural and Gaeltacht Affairs the breakdown of the costings for the refurbishment of a building (details supplied) in Dublin 7; the work that will be carried out to the building funded under the national drugs strategy; and if he will make a statement on the matter. [29440/08]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy John Curran):** In March 2008, my Department approved funding of €860,988 towards the cost of refurbishing the building in question in Manor Street, Dublin 7 under the National Drugs Strategy's Premises Initiative. This followed an application from the North Inner City Local Drugs Task Force for funding to accommodate the transfer of the Gateway Rehabilitation Project from its previous accommodation in Arran Quay to Manor Street. The move to the new premises will allow Gateway to significantly expand the range of services provided by it.

[Deputy John Curran.]

In addition, Dublin City Council, as owners of the building, is contributing €200,000 for the requisite work to the basement, ground and first floors of the building.

Details of the work to be carried out on the building and the costings involved are set out in the attached schedule.

I understand that the refurbishment works are on-going at present.

42 Manor Street, Dublin 7

Work Required	€
Preliminaries, Insurance, Scaffolding etc.	150,000
Structural work to floors and walls, roof repairs	190,000
Repair and Re-Instatement of all Joinery	135,000
New Partition screens etc.	55,000
Electrical, Plumbing, Heating, Telecom, Alarms	140,000
Work to meet Fire Officers Requirements	90,000
Plasterwork	80,000
Sanitary, Tiling, Glazing	40,000
Painting & Decorating	55,000
Total estimated cost	935,000
VAT	126,225
Total agreed cost	1,060,988
<i>Funding:</i>	
Dept of Community, Rural & Gaeltacht Affairs	860,988
Dublin City Council	200,000

### Departmental Transport.

1174. **Deputy Fergus O'Dowd** asked the Minister for Community, Rural and Gaeltacht Affairs the number, type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by his Department for each of the past three years; and if he will make a statement on the matter. [29548/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I can confirm to the Deputy that my Department has not acquired, purchased or leased any vehicles in the past three years.

### Departmental Agencies.

1175. **Deputy Aengus Ó Snodaigh** asked the Minister for Community, Rural and Gaeltacht Affairs the State agencies related to his Department. [29566/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** Details of the public bodies funded by, or within the ambit of my Department are:

- An Coimisinéir Teanga
- The Board of the Commissioners of Charitable Donations & Bequests for Ireland
- The Dormant Accounts Board

- National Advisory Committee on Drugs
- National Drugs Strategy Team
- Pobal
- Údarás na Gaeltachta
- Western Development Commission.

My Department also provides funding for the following North/South Implementation Bodies jointly with the Department of Culture Arts and Leisure in Northern Ireland:

- An Foras Teanga — which is comprised Foras na Gaeilge and Tha Boord o Ulstèr-Scotch
- Waterways Ireland.

### **Leader Programmes.**

1176. **Deputy Pat Breen** asked the Minister for Community, Rural and Gaeltacht Affairs if funding will be allocated to a project (details supplied) in County Clare; and if he will make a statement on the matter. [29695/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** The Deputy may be aware that the process for selecting Local Action Groups to deliver Axes 3 & 4 (LEADER elements) of the Rural Development Programme 2007-2013 is currently underway. This process is now at an advanced stage and I expect to announce the award of contracts and the allocation of funding in October.

As with any application or tender process, it would not be appropriate to comment further until the selection process has been completed and contracts awarded to the successful applicants.

### **Consultancy Contracts.**

1177. **Deputy Leo Varadkar** asked the Minister for Community, Rural and Gaeltacht Affairs if a company (details supplied) has been awarded contracts by his Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if he will make a statement on the matter. [29707/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** The Department of Community, Rural and Gaeltacht Affairs was established in June 2002. Since that date my Department has no record of awarding any contract to the company referred to by the Deputy. In addition, I am advised that no contract has been awarded by any of the agencies under the ambit of my Department.

### **Grant Payments.**

1178. **Deputy Pat Breen** asked the Minister for Community, Rural and Gaeltacht Affairs when an application will be processed for a centre (details supplied) in County Clare; and if he will make a statement on the matter. [29720/08]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy John Curran):** An application from this Group in respect of the Scheme of Community Support for Older People was received in my Department on 20th May 2008. The application was incomplete in a number of respects and required further information to be provided to establish



[Deputy John Curran.]

(i) the eligibility of a number of older people seeking alarm systems and (ii) that the Group complied with the terms and conditions of the Scheme.

My Department received all outstanding information on 16th September 2008 and the application is now being processed. I expect to receive a recommendation in relation to this application in early October.

### **Foclóir na Nua-Ghaeilge.**

1179. **Deputy Brian Hayes** asked the Minister for Community, Rural and Gaeltacht Affairs the way the Irish-Irish dictionary project is proceeding; if the project has been established; when it will be completed; and if he will make a statement on the matter. [29832/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I am assuming that the Deputy is referring to a project to produce an historical Irish-Irish dictionary, Foclóir na Nua-Ghaeilge, which is proceeding under the auspices of the Royal Irish Academy. In this regard I should say that my Department has provided annual funding from 2005 to the Irish Royal Academy to enable the project to continue. I understand from the Academy that this is a long-term research project and that it is not possible at this stage to identify a definitive completion date. However a number of milestones have been achieved to date including the publication in 2004 of “Corpas na Gaeilge, 1600-1882, the Irish language Corpus” in CD-ROM format, which contains an archive of the 705 extant printed texts for that period. Work has been proceeding since then on the production of a similar archive — of necessity, much larger — for the period 1882-2000.

### **Departmental Staff.**

1180. **Deputy Leo Varadkar** asked the Minister for Community, Rural and Gaeltacht Affairs the number of staff sent from his Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if he will make a statement on the matter. [29989/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I am advised that no staff from my Department or from agencies under the remit of my Department attended the conference referred to by the Deputy.

### **Data Protection.**

1181. **Deputy John O'Mahony** asked the Minister for Community, Rural and Gaeltacht Affairs the procedures in place to ensure personal data stored by his Department is secure. [30126/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I can confirm to the Deputy that all electronic personal files are maintained through the Human Resources Management System (Peoplesoft), which is maintained centrally by the Department of Finance. Access to this system within my Department is granted to HR staff only. This is limited by User Profiles, sign-on and passwords which have an expiry date. In addition, users are locked out after three unsuccessful attempts.

The personal files in paper format are held in locked cabinets in the Personnel Units which can only be accessed by HR staff. Salaries files are maintained in a similar fashion, with HR staff having limited access to certain areas of the electronic salary system (Corepay). These are also password protected.

All data protection requirements are met in relation to personal data held by the Department, and the Department is registered with the Data Protection Commission.

Access to the Department's computer system is password restricted and access to data is defined by each user's role. Users are only granted access to applications relevant to their function. Audit trails are enabled on all applications.

1182. **Deputy John O'Mahony** asked the Minister for Community, Rural and Gaeltacht Affairs the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from his Department in 2007 and to date in 2008; and if he will make a statement on the matter. [30141/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I am informed that no laptop computers, data storage devices or USB memory sticks were lost or stolen from my Department in either 2007 or to date in 2008.

#### **Departmental Programmes.**

1183. **Deputy Denis Naughten** asked the Minister for Community, Rural and Gaeltacht Affairs, further to Parliamentary Question No. 255 of 28 May 2008, if the tenders have been advertised; if the contract for an organisation (details supplied) in County Roscommon has been extended; and if he will make a statement on the matter. [30179/08]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy John Curran):** Question 255 of 28 May 2008 dealt with contracts for support agencies under the Community Development Programme. Support agencies were contracted to provide supports to community development projects, which, in turn deliver the programme under contract to my Department. Expressions of interest for revised supports for the Programme were called for on the e-tenders website on 16 June 2008, with a closing date of 17 July 2008. A number of expressions of interest were received and my Department is considering how best to proceed.

The organisation to which the Deputy refers in his question is a community development project with a contract that is due to expire on 31 December 2008. My Department is currently involved in a contract renewal process with this and other community development projects.

1184. **Deputy Pádraic McCormack** asked the Minister for Community, Rural and Gaeltacht Affairs the ferry companies that received subsidised contracts for services to the Aran Islands in 2007. [30272/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** My Department paid the following monies in respect of subsidised ferry services to the Aran Islands in 2007.

Ferry Company	Islands	Amount
		€
Island Ferries Teo.	Inis Oírr/Inis Meáin	640,083.40
Island Ferries Teo.	Árainn	10,816.68
Lasta Mara Teo.	Árainn; Inis Meáin & Inis Oírr	949,750
		1,600,650.08

### Departmental Advertising.

1185. **Deputy John Deasy** asked the Minister for Community, Rural and Gaeltacht Affairs the amount spent on advertising in the Irish language by his Department and by agencies under the aegis of his Department since the enactment of the Official Languages Act 2003; and if he will make a statement on the matter. [30389/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I refer the Deputy to my replies to Question No. 466 of 10 February 2004 and Question No. 347 of 28th February 2006 regarding expenditure on advertising by my Department during the period 2002 to 2005.

The accounting system used by my Department does not record the language of advertisements and accordingly it is not possible to give a breakdown of the amount spent on departmental advertising in the Irish language. I might make the point to the Deputy that no Regulations in relation to advertising in the two official languages have been made to date under the Official Languages Act. Such advertising in Irish as has been placed by my Department and other Departments and public bodies has been undertaken as a matter of good customer service and good practice, rather than on foot of a new statutory obligation since enactment of the Official Languages Act in 2003.

Brindley Advertising holds the Government contract for advertising in the print media (mainly for statutory and official notifications). The Department has made the following payments to Brindley Advertising:

- 2006 — €309,806.21
- 2007 — €173,308.45
- 2008 to date — €422,421.54

In addition, the Department has made the following payments: To the Public Appointment Service in relation to advertising of posts:

- 2005 — € 2,037.45,
- 2006 — €34,581.87,
- 2007 — €16,059.05,
- 2008 to date — € 4,435.24;

To the Golden Pages in relation to the entries in the telephone directories:

- 2004 — €24,393.60
- 2005 — €21,431.52
- 2006 — €22,070.40
- 2007 — €23,131.76
- 2008 to date — €24,103.20.

The information requested by the Deputy in relation to bodies under the aegis of my Department is provided in the following table below.

Name of Agency	2003	2004	2005	2006	2007	2008 to date
	€	€	€	€	€	€
Údarás na Gaeltachta	51,865.25	39,742.23	50,291.36	57,799.61	96,709.06	53,840.93
Foras na Gaeilge	153,367.07	162,936.73	513,023.91	189,713.50	155,951.39	84,793.85
Ulster-Scots Agency	nil	nil	nil	nil	nil	nil
Waterways Ireland	1,460.00	7,920.50	3,470.40	7,342.00	7,698.84	583.44
Western Development Commission	nil	nil	532.40	nil	1,427.80	544.50
An Coimisinéir Teanga	nil	7,606.95	83,545.85	66,651.00	85,280.00	32,116.00
Pobal	8,762.10	9,056.12	42,197.69	11,216.70	3,528.36	5,258.02
National Advisory Committee on Drugs	nil	nil	nil	2156.22	nil	nil
Commissioners of Charitable Donations and Bequests	nil	nil	nil	nil	nil	nil
National Drugs Strategy Team	nil	nil	nil	nil	nil	nil

### Community Development.

1186. **Deputy Róisín Shortall** asked the Minister for Community, Rural and Gaeltacht Affairs the funding provided to local partnership bodies in 2008 in order to allow them to extend their catchment areas. [30511/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** The Local Development and Social Inclusion Programme (LDSIP) aims to counter disadvantage and promote equality and social and economic inclusion through the provision of funding and support to local Partnerships and Community Partnerships.

To date in 2008, a sum of €1,365,115 has been approved to Partnerships to further assist in a programme of expansion to extend their catchment areas.

### Dormant Accounts Fund.

1187. **Deputy Tony Gregory** asked the Minister for Community, Rural and Gaeltacht Affairs if he has received an application from an association (details supplied) requesting a grant from the dormant accounts fund in respect of work to assist older people in the community; and, if so, his views on this application. [30516/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** Disbursements from the Dormant Accounts Fund are designed to assist three broad categories of persons — those socially or economically disadvantaged; those who are educationally disadvantaged and persons with a disability.

At present, there are eight Government Departments involved as lead departments in the disbursement of grants from the Dormant Accounts Fund. The Department of Health and Children is the lead Department with regard to funding and management of the Older Persons Initiatives.

### Departmental Agencies.

1188. **Deputy Joan Burton** asked the Minister for Community, Rural and Gaeltacht Affairs the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of his Department; and if he will make a statement on the matter. [30608/08]

1191. **Deputy Leo Varadkar** asked the Minister for Community, Rural and Gaeltacht Affairs the bonuses, merit awards and other payments above the basic salary they have approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which they made the decision to approve such awards; and if he will make a statement on the matter. [31189/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I propose to take Questions Nos. 1188 and 1191 together.

The details requested by the Deputy in relation to the total payroll and the total financial package of the Chief Executive Officers of public bodies that receive core funding funded from my Department's Group of Votes are set out in the attached table.

For completeness information in relation to Pobal is also provided.

With the exception of Waterways Ireland, I have no function in the operation of bonus schemes. In the latter case, the Chief Executive received a bonus of £7,500 sterling in 2005 and £8,000 sterling in 2006 on the basis of satisfactory performance in the achievement of agreed personal targets in accordance with the terms of the scheme that applied to the post. No performance bonus has been agreed as yet in respect of 2007 and 2008.

Name of Agency	Chief Executive Officer or Equivalents	Current pay and emoluments	Basic Salary	Performance bonus	Other bonuses	Pension Entitlements
Údarás na Gaeltachta	Chief Executive	€155,042 (This includes €7,752 paid by the CEO as a pension contribution to the superannuation scheme operated by an tÚdarás, which is a defined benefit pension scheme).		A bonus scheme under which an annual bonus of up to 20% of salary may be paid is also in operation. Awards made are a matter for the Board of Údarás	N/a	Pension scheme operated by Údarás na Gaeltachta
Foras na Gaeilge	Chief Executive	€119,271		A bonus scheme provides for an annual bonus of up to 10% salary, subject to performance.	N/a	North South Bodies Pension scheme
Ulster-Scots Agency	Chief Executive	£50,796 Stg		A bonus scheme provides for an annual bonus of up to 10% salary, subject to performance.	N/a	North South Bodies Pension Scheme
Waterways Ireland	Chief Executive	£91,436 Stg		A bonus scheme provides for an annual bonus of up to 10% salary, subject to performance. £7,500 — 2005 €8,000 — 2006	N/a	North South Bodies pension scheme
Western Development Commission	Chief Executive	€101,675	comprising AP (higher) PPC and Higher Duty Allowance for PO (higher) NPPC	No bonus scheme in operation	N/a	Equivalent to Civil Service Pension Scheme for AP
An Coimisinéir Teanga	Coimisinéir	€128,535*		No bonus scheme in operation	N/a	No pension scheme in operation
Pobal	Chief Executive	€138,683		No bonus scheme in operation	N/a	Employer contribution of 10% of salary to defined contribution pension scheme.

\*This is an independent statutory office and not an agency of the Department of Community, Rural and Gaeltacht Affairs.



### Departmental Staff.

1189. **Deputy Joan Burton** asked the Minister for Community, Rural and Gaeltacht Affairs the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of him and each Minister of State within his Department; and if he will make a statement on the matter. [30623/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** The current staffing in my private and constituency offices are:

Minister's Private Office	Civil Servants	Political Appointees
	1 Private Secretary (Higher Executive Officer Level) 1 Executive Officer 7 Clerical Officers	1 Media Advisor 1 Special Advisor

Minister's Constituency Office	Civil Servants	Political Appointees
	1 Executive Officer 2 Clerical Officers	1 Personal Assistant 1 Personal Secretary

The current staffing in Minister of State's private and constituency offices are:

Minister of State's Private Office	Civil Servants	Political Appointees
	1 Private Secretary (Executive Officer Level) 4 Clerical Officers	— —

Minister of State's Constituency Office	Civil Servants	Political Appointees
	2 Clerical Officers	2 Personal Assistants (Worksharing) 1 Personal Secretary

The Staffing for the Office of Minister of State for Integration is a matter for the Department of Justice, Equality and Law Reform.

The costs for 2007 and 2008 in my private and constituency offices are:

Minister's Private Office	Salary and overtime	*Expenses
	€	€
2007	451,562	14,791
01/01/2008 to 31/12/2008	502,742	10,493

Minister's Constituency Office	Salary and overtime	*Expenses
	€	€
2007	195,949	42
01/01/2008 to 31/12/2008	194,268	75

The costs for 2007 and 2008 for the Minister of State's private and constituency offices are:

Minister of State Carey's Private Office	Salary and overtime	Expenses
	€	€
2007	166,638	578
01/01/2008 to 12/05/2008	70,755	2,081

Minister of State Carey's Constituency Office	Salary and overtime	Expenses
	€	€
2007	138,585	143
01/01/2008 to 07/05/2008	46,419	15
01/01/2008 to 12/05/2008 Civil Servants	19,979	—

Minister of State Curran's Private Office	Salary and overtime	* Expenses
	€	€
2008		
13/05/2008 to 31/12/2008	118,332	173

\* Expenses relating to 2008 are up to a current date.

1190. **Deputy Lucinda Creighton** asked the Minister for Community, Rural and Gaeltacht Affairs the number of Civil Service staff dealing with constituency matters in his office; the number of Civil Service staff dealing with constituency matters in the offices of junior Ministers in his Department; and the cost in salaries for these staff per annum. [31125/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** The number of civil service staff dealing with constituency matters in my office and the cost in salaries for these staff per annum is:

Number of Civil Servants	Salary costs per annum
3	€106,886

The number of civil service staff dealing with constituency matters in my Minister of State's office and the cost in salaries for these staff per annum is:

Number of Civil Servants	Salary costs per annum
1.8	€57,713

[Deputy Éamon Ó Cuív.]

The staffing for the Office of the Minister of State for Integration is a matter for the Department of Justice, Equality and Law Reform.

*Question No. 1191 answered with Question No. 1188.*

### **Leader Programmes.**

1192. **Deputy Martin Ferris** asked the Minister for Community, Rural and Gaeltacht Affairs if an application for Leader funding has been made by a group (details supplied) in County Kerry; and when a decision will be made on the application. [31207/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** In accordance with the LEADER bottom-up approach to rural development, applications for funding under Axes 3 & 4 (LEADER elements) of the Rural Development Programme 2007-2013 are not processed by my Department, but rather by the individual Local Action Groups contracted to deliver the LEADER elements of the Programme on the Department's behalf. Each Local Action Group is the decision-making authority in relation to approving and funding actions falling within its business plan, though funding may only be awarded in accordance with EU regulatory requirements and within detailed operating rules governing the implementation of the Programme.

The Deputy may be aware that the process for selecting Local Action Groups to deliver the LEADER elements of the Rural Development Programme 2007-2013 is now at an advanced stage and I expect to announce the award of contracts and the allocation of funding in October. In this context, I anticipate that the Programme will be open to applications to the Local Action Groups for funding shortly thereafter.

### **Acht na dTeangacha Oifigiúla 2003.**

1193. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an bhfuil sé i gceist aige aon leasú a thabhairt chun cinn chun a chinntiú go dtiocfaidh fógraíocht ó Ranna Stáit srl. faoi réim choinníollacha Acht na dTeangacha Oifigiúla 2003. [31368/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I dtús báire ba mhaith liom a mhíniú don Teachta nach bhfuil aon ghá le leasú a dhéanamh ar Acht na dTeangacha Oifigiúla 2003 chun a chinntiú go dtiocfaidh fógraíocht faoin Acht ó tharla go bhfuil fógraíocht clúdaithe chéanna féin faoi alt 9(1).

Mar is eol don Teachta, tá dréacht-Rialacháin faoin Alt sin Alt 9(1) foilsithe agam le tamall anuas. Bhí deis agam na dréacht-Rialacháin a phlé arís leis an gComhchoiste Oireachtais um Ghnóthaí Ealaíona, Spóirt, Turasóireachta, Pobail, Tuaithe agus Gaeltachta ar an 18ú Meitheamh 2008 agus don uair dheireanach ar an 2 Iúil 2008. Ghlac an Comhchoiste leis na leasuithe a bhí molta agus tá i gceist agam na Rialacháin a dhéanamh go h-an-luath.

Clúdaíonn na dréacht-Rialacháin sin stáiseanóireacht, comharthaí agus fógraí béil réamh-thaifeadta. Tá cinneadh déanta agam nach mbeadh fógraíocht san áireamh iontu ag an bpointe seo mar nach bhfuilim sásta go bhfuil an obair bhaile atá riachtanach déanta go fóill. Sa chomhthéacs sin leag mé plé-pháipéar mar gheall ar fhógraíocht faoi bhráid baill an Chomhchoiste Oireachtais ar 2 Iúil 2008. Leag an plé-pháipéar amach roinnt roghanna maidir leis an cur chuige a d'fhéadfadh a bheith ann maidir le fógraíocht. Mar a thug mé le fios an lá sin is plé pháipéar atá anseo a d'eisigh mé d'aon ghnó le díospóireacht a spreagadh mar go bhfuil cinntí le déanamh maidir leis na roghanna éagsúla a luaitear ann. Tá súil agam go mbeidh deis agam

dul ós comhair an Comhchoiste arís réasúnta lua chun tuilleadh plé a dhéanamh ar an ábhar fíor thábhachtach seo. A luaithe agus a bheidh an plé sin thart déanfar measúnú ar an mbealach agus an cur chuige is fearr agus is éifeachtaí chun fógraíocht a chlúdach faoi Rialacháin a dhéanfaí faoi Alt 9(1). Is féidir liom a dheimhniú arís áfach go bhfuil i gceist agam rialacháin a dhéanamh maidir le fógraíocht amach anseo.

1194. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón bPost, agus aontaithe aige leis. [31369/08]

1195. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Chomhar Cultúra Éireann, agus aontaithe aige leis. [31370/08]

1196. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Ghrúpa Aer Lingus cpt, agus aontaithe aige leis. [31371/08]

1197. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón mBord Altranais, agus aontaithe aige leis. [31372/08]

1198. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón mBord Bia, agus aontaithe aige leis. [31373/08]

1199. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón mBord Pleanála, agus aontaithe aige leis. [31374/08]

1200. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Aer Rianta cpt, agus aontaithe aige leis. [31375/08]

1201. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón mBord Glas, agus aontaithe aige leis. [31376/08]

1202. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón mBord Uchtála, agus aontaithe aige leis. [31377/08]

1203. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón gComhairle Leabharlanna, agus aontaithe aige léi. [31378/08]

1204. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó FÁS, agus aontaithe aige leis. [31379/08]

1205. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón Údarás um Ard-Oideachas, agus aontaithe aige leis. [31380/08]

1206. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón nGníomhaireacht um Sheirbhís Phearsanta Thar Lear, agus aontaithe aige léi. [31381/08]

1207. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó na Boird Chomhpháirtíochta Limistéir, agus aontaithe aige leo. [31382/08]

1208. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Arramara Teoranta, agus aontaithe aige leis. [31383/08]

1209. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhith-Thaighde Éireann, agus aontaithe aige leis. [31384/08]

1210. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhord Fáilte Éireann, agus aontaithe aige leis. [31385/08]

1211. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhord Gáis Éireann, agus aontaithe aige leis. [31386/08]

1212. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Area Development Management Limited, agus aontaithe aige leis, agus cathain a bheidh an teideal Gaeilge mar ainm oifigiúil ar an gcomhlacht stáit seo de réir an ghnáthchleachtais sa Stát go dtí seo. [31387/08]

1213. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó na Boird Chomhpháirtíochta Limistéir, agus aontaithe aige leo. [31388/08]

1214. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhord Iascaigh Mhara, agus aontaithe aige leis [féach 2332]. [31389/08]

1215. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhord Iascaigh Mhara, agus aontaithe aige leis. [31390/08]

1216. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhord na gCon, agus aontaithe aige leis. [31391/08]

1217. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhord na Móna, agus aontaithe aige leis. [31392/08]

1218. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhord na Radharcmhastóirí, agus aontaithe aige leis. [31393/08]

1219. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhord Scannán na hÉireann, agus aontaithe aige leis. [31394/08]

1220. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Choimisiún Craolacháin na hÉireann, agus aontaithe aige leis. [31395/08]

1221. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón gCoimisiún um Ghearáin Chraolacháin, agus aontaithe aige leis. [31396/08]

1222. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhus Átha Cliath, agus aontaithe aige leis. [31397/08]

1223. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhus Éireann, agus aontaithe aige leis. [31398/08]

1224. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón gComhairle um Oideachas, Earcaíocht agus Oilíúint, agus aontaithe aige léi. [31399/08]

1225. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón bPríomh-Bhord Iascaigh agus ó na Boird Iascaigh Réigiúnacha, agus aontaithe aige leo. [31400/08]

1226. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón mBanc Ceannais agus ó Údarás Seirbhísí Airgeadais na hÉireann, agus aontaithe aige leo. [31401/08]

1227. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Leabharlann Chester Beatty, agus aontaithe aige léi. [31402/08]

1228. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Choillte Teoranta, agus aontaithe aige leis. [31403/08]

1229. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Choiste an Asgard, agus aontaithe aige leis. [31404/08]



1230. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Chomhairle na Nimheanna, agus aontaithe aige léi. [31405/08]

1231. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Chomhairle na nOspidéal, agus aontaithe aige léi. [31406/08]

1232. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Chomhar — An Chomhpháirtíocht Náisiúnta Forbartha Inmharthana, agus aontaithe aige leis. [31407/08]

1233. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón gCoimisiún um Rialáil Eitlíochta, agus aontaithe aige leis. [31408/08]

1234. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón gCoimisiún um Rialáil Cumarsáide, agus aontaithe aige leis. [31409/08]

1235. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón gCoimisiún um Rialáil Fuinnimh, agus aontaithe aige leis. [31410/08]

1236. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Chóras Iompair Éireann, agus aontaithe aige leis. [31411/08]

1237. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó na Boird Fiontar Contae, agus aontaithe aige leo. [31412/08]

1238. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Chomhairle Cheardaíochta na hÉireann, agus aontaithe aige léi. [31413/08]

1239. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón nGníomhaireacht um Thoirchis Ghéarchéime, agus aontaithe aige léi. [31414/08]

1240. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón gCoimisiúnéir Cosanta Sonraí, agus aontaithe aige leis. [31415/08]

1241. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón gComhairle Fiaclóireachta, agus aontaithe aige léi. [31416/08]

1242. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Chláraitheoirí Ceantair Póstaí arna gceapadh faoi théarmaí alt 57 den Marriages (Ireland) Act 1844, agus aontaithe aige leo. [31417/08]

1243. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón mBord Árachais Sláinte Shaorálaigh, agus aontaithe aige leis. [31418/08]

1244. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Choimisiún Forbartha an Iarthair, agus aontaithe aige leis. [31419/08]

1245. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Comhairle Sláinte na mBan, agus aontaithe aige léi. [31420/08]

1246. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhord Ceaintín na bhFórsaí Cosanta, agus aontaithe aige leis. [31421/08]

1247. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhord an Lárionaid Cóireála Drugaí, agus aontaithe aige leis. [31422/08]

1248. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhord Ospidéal Déidliachta Bhaile Átha Cliath, agus aontaithe aige leis. [31423/08]

1249. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Údarás Forbartha Dugthailte Bhaile Átha Cliath, agus aontaithe aige leis. [31424/08]

1250. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Institiúid Ard-Léinn Bhaile Átha Cliath, agus aontaithe aige léi. [31425/08]

1251. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Oifig Iompair Bhaile Átha Cliath, agus aontaithe aige léi. [31426/08]

1252. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón Institiúid Taighde Eacnamaíochta agus Sóisialta, agus aontaithe aige léi. [31427/08]

1253. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Bhord Soláthair an Leictreachais, agus aontaithe aige leis. [31428/08]

1254. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón mBord Comhairleach Fuinnimh, agus aontaithe aige leis. [31429/08]

1255. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Fhiontraíocht Éireann, agus aontaithe aige léi. [31430/08]

1256. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Chomhairle na Seirbhísí Dóiteáin, agus aontaithe aige léi. [31431/08]

1257. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Údarás Sábháilteachta Bia na hÉireann, agus aontaithe aige leis. [31432/08]

1258. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Fhorfás, agus aontaithe aige leis. [31433/08]

1259. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Chomhairle na nDámhachtainí Breisoideachais agus Oiliúna, agus aontaithe aige léi. [31434/08]

1260. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón mBord Seirbhísí Liachta Ginearálta (Iocaíochtaí), agus aontaithe aige leis. [31435/08]

1261. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón bPríomh-Oifig Chlárúcháin, agus aontaithe aige léi. [31436/08]

1262. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó na hÚdaráis Chuain de réir an Achta Cuanta 1946, agus aontaithe aige leo. [31437/08]

1263. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó na hÚdaráis Chuain de réir an Achta Cuanta 1946, agus aontaithe aige leo. [31438/08]

1264. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ó Chuideachtaí Cuain dá dtagraítear in alt 7 den Acht Cuanta 1996, agus aontaithe aige leo. [31439/08]

1265. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón Údarás Sláinte agus Sábháilteachta, agus aontaithe aige leis. [31440/08]

1266. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón mBord Taighde Sláinte, agus aontaithe aige leis. [31441/08]

1267. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cathain a bheidh scéim faoi Acht na dTeangacha Oifigiúla 2003 á lorg aige ón nGníomhaireacht um Fhostóirí Seirbhíse Sláinte, agus aontaithe aige léi. [31442/08]

1268. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gael-tachta cad iad na heagrais nua atá tar éis teacht faoi scáth Acht na dTeangacha Oifigiúla 2003 ó ritheadh an tAcht in 2003. [31443/08]

1269. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cad é staid na scéimeanna teanga faoi Acht na dTeangacha Oifigiúla 2003 a bhí le bheith aontaithe idir é féin agus na Ranna Stáit agus na hoifigí stáit seo a leanas (sonraí tugtha), ar aontaíodh na scéimeanna, an bhfuil siad ag feidhmiú nó cén chúis atá leis an moill leo. [31444/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** Tógfaidh mé Ceisteanna Uimh 1194 go dtí uimh 1269 le chéile.

Ní miste a chur in iúl don Teachta go bhfuil gach eolas mar gheall ar na comhlachtaí a bhfuil iarrtha orthu scéimeanna teanga a aontú go dtí seo ar fáil ar shuíomh idirlín an Choimisinéara Teanga, [www.coimisineir.ie](http://www.coimisineir.ie).

Tá 83 scéim teanga, a chlúdaíonn 151 comhlacht poiblí ar fad, daingnithe agam agus foilsithe ó tháinig an tAcht i bhfeidhm. Tá na scéimeanna sin uile ar fáil ar shuíomh idirlín an Choimisinéara Teanga chomh maith. Sa bhreis ar sin, tá 33 scéim nua teanga eile, a chlúdaíonn 59 comhlacht poiblí, á n-ullmhú don chéad uair faoi láthair ag na gcomhlachtaí sin. Chomh maith le sin, tá fógraí faoi alt 15 den Acht eisithe agam chuig 22 comhlacht poiblí eile, a dtiocfaidh deireadh le tréimhsí ama a gcéad scéimeanna teanga i mbliana, ag iarraidh orthu athbhreithniú a dhéanamh ar fheidhmiú a scéime agus dréacht-scéim nua a ullmhú agus a thíolacadh chugamsa le daingniú. Fágann sé sin go bhfuil oifigigh mo Roinne ag plé le breis agus 50 scéim teanga faoi láthair. Ag tógáil san áireamh an dul chun cinn a dhéanfar i rith na bliana seo maidir leis na 50 dréacht-scéim teanga sin, tá i gceist agam cinneadh a dhéanamh amach anseo maidir le líon agus sonraí na gcomhlachtaí poiblí a n-iarrfar orthu a gcéad dréacht-scéim a ullmhú agus a sheoladh chugam le daingniú sna tréimhsí amach romhainn. Fógrófar ainmneacha na gcomhlachtaí poiblí sin nuair a dhéanfar cinneadh ina leith sin ó am go ham.

Tá na heagrais nua atá tar éis teacht faoi scáth Acht na dTeangacha Oifigiúla 2003 ó ritheadh an tAcht in 2003 forordaithe sna Rialacháin um Acht na dTeangacha Oifigiúla 2003 (Comhlachtaí Poiblí) 2006 (I.R. Uimh. 150 de 2006). Ní mhiste dom a lua go bhfuil roinnt eagraíochtaí nach bhfuil ann níos mó luaite ag an Teachta ina chuid Ceisteanna — tá sonraí faoi seo ar fáil chomh maith sna Rialacháin céanna. Is 'Pobal' an teideal atá anois ar an gcomhlacht a bhí ainmnithe mar Area Development Management roimhe seo.

Maidir le Ceist Uimh —, tá scéim aontaithe agam leis an gcuid is mó de na comhlachtaí a luann an Teachta agus tá said ag feidhmiú faoi láthair. Ní thuigim, mar sin, dearcadh atá á léiriú ag an Teachta sa Cheist ach ní fheicim gur féidir níos mó a rá ar thaifead an Tí i gcomhthéacs Ceiste atá curtha síos ar bhonn 'sonraí tugtha'.

### **Consultancy Contracts.**

1270. **Deputy Arthur Morgan** asked the Minister for Community, Rural and Gaeltacht Affairs the amount that was spent by his Department on consultants in 2007 and to date in 2008. [31643/08]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** My Department has made available on its website details regarding consultancies (excepting those of minor value, i.e., less than €5,000 excluding VAT) from June 2002 up to the end of August 2008.

The relevant link, which will take the Deputy directly to these details, including the information sought by him, in relation to expenditure by my Department is: [www.pobail.ie/en/CorporateSupportServices/Finance/Consultancies](http://www.pobail.ie/en/CorporateSupportServices/Finance/Consultancies).

[Deputy Éamon Ó Cuív.]

For ease of reference, the database shows €1,014,351 paid in 2007 and €488,332 paid up to the end of August 2008.

### **Social Welfare Benefits.**

1271. **Deputy Joe Costello** asked the Minister for Social and Family Affairs the number of people who have been overpaid in social welfare as a result of misunderstandings regarding the number of part time hours that they are entitled to work. [29569/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department does not categorise overpayments by reference to full time or part time working. Therefore the information requested by the deputy is not available.

### **Pension Provisions.**

1272. **Deputy Seán Barrett** asked the Minister for Social and Family Affairs the plans she has to review the State pension and living alone allowance with a view to addressing the issue of poverty among older people living alone by taking account of cost of living price increases and spiralling fuel costs; and if she will make a statement on the matter. [29673/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** This Government has shown an unparalleled commitment to improving the State pension. The rate of contributory pension has increased from €147.30 per week in 2002 to more than €223 per week in 2008 and the non-contributory pension has increased from €134 per week in 2002 to €212 per week this year. Together with improvements in other schemes, these increases have helped to reduce the number of older people experiencing consistent poverty to 2%.

The Department of Social and Family Affairs is responsive to fuel poverty issues by supplementing households through basic social welfare payments and a number of social welfare programmes to assist with heating costs, specifically the national fuel allowance scheme and electricity and gas allowances under the household benefits package. These schemes have been improved significantly in recent years.

For example, the fuel allowance of €18 per week (€21.90 in designated smokeless areas) is now payable for 30 weeks and benefits over 290,000 people at an aggregate cost of €170 million this year. Electricity and gas allowances under the household benefits package, are payable throughout the year to over 350,000 pensioners, people with disabilities, and carer households towards their heating, light and cooking costs. There is also a special heating needs facility available through the supplementary welfare allowance scheme to assist people in certain circumstances with specific heating needs due to infirmity or a particular medical condition. Any changes to State pension rates or the living alone allowance have to be considered in a budgetary context.

### **National Carers' Strategy.**

1273. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if she has received correspondence from the Carer's Association regarding the Government's National Agreement Towards 2016 to develop a national carer's strategy; her plans to address same in the short, medium and long term; and if she will make a statement on the matter. [30377/08]

1356. **Deputy David Stanton** asked the Minister for Social and Family Affairs if work has been completed on the National Carers Strategy; when he will publish same; and if she will make a statement on the matter. [31286/08]



**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1273 and 1356 together.

The development of a National Carers' Strategy is a key Government commitment in both the national partnership agreement, Towards 2016, and the Agreed Programme for Government. A working group, chaired by the Department of An Taoiseach, is working on developing the strategy. My Department provides the secretariat to the working group which also includes representatives of the Departments of Finance, Health and Children and Enterprise, Trade and Employment as well as FÁS and the Health Service Executive.

Developing the strategy involves consultation with other government departments and bodies not represented on the working group. The Department has met with a wide range of organisations including the Equality Authority, Combat Poverty Agency, Citizen's Information Board, the National Council on Ageing and Older People, the Office of the Revenue Commissioners, the Department of Environment, Heritage and Local Government and the National Disability Authority. A request for submissions from the public was published in regional newspapers in early March. The closing date for submissions was Friday 18 April 2008. There was a good response from individuals and organisations and the submissions received are being examined.

Towards 2016 commits the Department to hosting an annual consultation meeting of carer representative groups and relevant departments and agencies. Such a meeting was held on 23 January 2008. Representatives of 12 groups and 9 government departments and bodies attended. The theme was the National Carers' Strategy and groups were given an opportunity to comment on the draft terms of reference and to raise other issues considered relevant in the context of the strategy.

I was very pleased to launch the report *Listening to Carers: Report on a Nationwide Carer Consultation*, produced by the Carers Association in partnership with Caring for Carers Ireland and Care Alliance on 30th of June this year. The issues raised in this report are currently being considered as part of the development of the strategy. In addition to the correspondence I have received from the Carers Association direct, the issues raised in this report are currently being considered as part of the development of the strategy. In addition to the correspondence I have received from the Carers Association directly, I have also received representations from a number of colleagues on behalf of the organisation.

The commitment to the development of a National Carers' Strategy also includes a commitment to appropriate consultation with the social partners. An update in relation to the strategy was provided to the social partners plenary session in February. The first of two consultation meetings with the social partners was held on 8 May 2008. Key issues raised were recognition for carers and their work, access to suitable health services, income support, training, gender issues and balancing employment and care. It is intended to publish the strategy later this year.

### **Social Welfare Benefits.**

1274. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs when a back to school clothing and footwear allowance will be awarded to persons (details supplied) in County Kildare; and if she will make a statement on the matter. [30480/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Back to School Clothing and Footwear Allowance (BSCFA) Scheme is administered on behalf of the Department by the Community Welfare division of the Health Service Executive (HSE). Applications for the allowance may be made between the beginning of June and the end of September each year.



[Deputy Mary Hanafin.]

The Dublin/ Mid Leinster area of the HSE has advised that a payment for BSCFA was issued to the household concerned on 8th September 2008.

1275. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the reason rent support has not been awarded to a person (details supplied) in Dublin 15; and if she will make a statement on the matter. [30770/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Rent supplement is administered on behalf of the Department by the community welfare division of the Health Service Executive (HSE), as part of the supplementary welfare allowance scheme.

The Executive has advised that the person concerned has been awarded rent supplement from 1 September 2008 and that payment will issue as soon as possible.

1276. **Deputy Mary Upton** asked the Minister for Social and Family Affairs the number of applications for rent allowance which have been rejected in 2008; if she will categorise the reason for refusal and provide the numbers for each in tabular form; and if she will make a statement on the matter. [30777/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The supplementary welfare allowance scheme (SWA), which includes rent supplement, is administered on behalf of the Department by the Community Welfare division of the Health Service Executive (HSE).

The scheme is delivered locally by Community Welfare Officers (CWOs). The CWO interviews the claimant when they first present to enquire about their possible entitlement for rent supplement. Claim details are recorded only in cases where it is established that rent supplement is payable. Statistics are not held on the number of people refused rent supplement.

1277. **Deputy Mary O'Rourke** asked the Minister for Social and Family Affairs if she will review the case of a person (details supplied) in County Westmeath. [29280/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Under the supplementary welfare allowance scheme, which is administered on behalf of the Department by the community welfare division of the Health Service Executive, an exceptional needs payment (ENP) may be made to help meet an essential, once-off cost which the applicant is unable to meet out of his/her own resources. There is no automatic entitlement to this payment. Each application is determined by the Executive based on the particular circumstances of the case.

The Midlands area of the HSE has advised that the person concerned made an application for an exceptional needs payment which was refused as the executive did not consider it an 'exceptional need' in her particular circumstances. It is open to the person concerned to contact the Community Welfare Officer in the local health centre if she wishes to have her case reviewed.

#### **Departmental Transport.**

1278. **Deputy Fergus O'Dowd** asked the Minister for Social and Family Affairs the number, type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by her Department for each of the past three years; and if she will make a statement on the matter. [29557/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department does not purchase or lease any vehicles. The acquisition of the Ministerial fleet is a function of the Department of Justice, Equality and Law Reform.

### Departmental Staff.

1279. **Deputy Michael Creed** asked the Minister for Social and Family Affairs the staffing consequences within her Department, and in particular in local employment exchanges, due to rising unemployment figures and backlogs and delays which are emerging in dealing with individual claims; and if she will make a statement on the matter. [29575/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department delivers a front-line service through a network of 61 Local Offices and 64 Branch Offices countrywide. The main services provided from these offices include jobseekers payment, one-parent family payment and an information service.

The staffing levels in Local Offices are reviewed from time to time. Following on the most recent reviews as a consequence of the increasing Live Register, an additional 31 posts have been allocated to some 15 offices. This will not give rise to any curtailment of services in other areas of the Department.

In the past few years the Department has coped with increasing demands arising from significant changes to the social welfare code and in the numbers of persons accessing services. Operational procedures and the organisation of work continue to be reviewed and restructured to maximise the benefits of technology and new developments in processing techniques and business information.

The department monitors the fluctuations in the live register on an ongoing basis in order to address any customer service issues.

### Social Insurance.

1280. **Deputy Finian McGrath** asked the Minister for Social and Family Affairs if she will advise on a query in respect of a person (details supplied). [29648/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** This question relates to whether or not the National Social Security Systems of the EU have been unified and/or harmonised. The social security rights of people living and working in the EU are co-ordinated by EU Regulations 1408/71 and 574/72. The Regulations co-ordinate social security systems and are designed to ensure that people are not disadvantaged by moving within the EU to take up work. This is achieved primarily by setting out rules as to which State's social security system a person will pay contributions when, for example, s/he moves from one Member State to another to take up work, or where s/he lives in one State and works in another. In addition, the Regulations also set out rules as to which State will pay benefit in the event of the usual contingencies arising, e.g. sickness, unemployment, old-age etc.

The general rule is that a person is insured in the State in which s/he works. Equally, the state of employment has, in general, responsibility for paying benefits when, for example, a person becomes injured or ill. The Regulations also provide that when entitlement to benefit is being examined account must be taken of insurance paid in any other Member State where the person worked.

These Regulations do not harmonise but co-ordinate the social security schemes of EU Member States, i.e. they do not replace the different national social security systems by a single European scheme. Therefore Member States are free to determine the details of their own social security systems, including which benefits shall be provided, the conditions of eligibility and the value of these benefits, as long as they adhere to the basic principle of equality of treatment and non-discrimination.

### **Pension Provisions.**

1281. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs if her attention has been drawn to the fact that under social welfare rules persons who were self-employed in 1988 can have their pension eligibility calculated based on the yearly average of contributions calculated since 1988, but persons who entered self-employment after that date do not receive the benefit of this concession; and her views on changing this rule which unfairly excludes some people from pension eligibility such as in a case of a person (details supplied) in Dublin 5. [29658/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** In order to qualify for a state pension contributory a person must satisfy a number of qualifying conditions which include commencing insurable employment at least 10 years before pension age, payment of a minimum of 260 qualifying contributions and achieving a yearly average of at least 10 qualifying contributions, paid or credited, over their working life. To determine the yearly average a person's contribution record is averaged from 1953, or from the year of starting insurable employment, if later, to the end of the tax year before reaching pension age. The person concerned achieved a yearly average of just 6 on her record and, accordingly, her claim was rejected.

Self-employed people become compulsorily insured for social welfare benefits in April 1988. A concession was made to those who commenced paying insurance at that time which allowed any previous social insurance record they may have had to be disregarded when eligibility for pension was being assessed. Self-employed people who commenced paying contributions after April 1988 are treated the same as other contributors. It is accepted that the average contributions test can have an impact on pension entitlements, particularly where a person has a significant gap in their overall record. The issue is discussed in the Green Paper on pensions and the possibility of making reforms to the system will be considered in the development of the framework for future pensions policy which the Government has indicated will be finalised and announced by the end of the year.

### **Social Welfare Benefits.**

1282. **Deputy Pat Breen** asked the Minister for Social and Family Affairs if she has plans to increase the fuel allowance; and if she will make a statement on the matter. [29678/08]

1294. **Deputy Denis Naughten** asked the Minister for Social and Family Affairs the plans she has to extend the number of weeks for which the fuel allowance is paid, in view of the changes in average temperatures in spring and autumn; and if she will make a statement on the matter. [30172/08]

1299. **Deputy Arthur Morgan** asked the Minister for Social and Family Affairs the plans she has to increase the fuel allowance for those in receipt of disability allowance in particular for those suffering from immune deficiency in view of the increase in fuel allowance for senior citizens. [30290/08]

1338. **Deputy Michael Ring** asked the Minister for Social and Family Affairs if she will increase the fuel allowance payment and extend it to all year round; the estimated costing for this; and if she will make a statement on the matter. [30730/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1282, 1294, 1299 and 1338 together.

The Department's role is to assist social welfare recipients with heating costs, both through their basic payments and through the household benefits package with fuel, electricity and gas allowances. These schemes have been improved significantly in recent years.

The national fuel allowance scheme assists householders on long-term social welfare or health service executive (HSE) payments with meeting the cost of their heating needs during the winter season. The allowance represents a contribution towards a person's normal heating expenses. It is not intended to meet those costs in full. Fuel allowance is now payable for 30 weeks and benefits over 290,000 people at an aggregate cost of €170 million this year. The payment rate is now €18 per week or €21.90 for recipients living in designated smokeless areas. This represents a doubling of the standard rate of payment since 2005. Fuel allowance is payable at the same rate across all welfare schemes and I have no plans to introduce different fuel allowance payment rates to differentiate between people based on their primary payment type.

Electricity and gas allowances under the household benefits package, are payable throughout the year to over 355,000 pensioners, people with disabilities, and carer households towards their heating, light and cooking costs at an estimated overall scheme cost of €159m in 2008. The electricity allowance covers standing charges plus VAT and up to 2,400 units of electricity in each billing period, increased from 1,800 units in January 2007. The gas allowance covers an equivalent amount.

The supplementary welfare allowance scheme can also be used to assist people in certain circumstances with specific heating needs due to infirmity or a particular medical condition. Anyone seeking a special heating supplement, or a person such as a public health nurse acting on their behalf, should contact the local Community Welfare Officer to have their situation assessed.

Fuel allowance is incorporated into a person's weekly social welfare payment. Government policy in recent years has focused on significantly increasing primary social welfare rates to ensure that people on social welfare can meet their basic living costs, including heating, throughout the year and achieve an improvement in quality of life. This is a more costly approach than increasing fuel allowance as the increase is paid for the full year and not just for the 30 weeks of the winter heating season. Social welfare rates have increased at a significantly greater rate than price inflation in recent years. Since December 2001, overall inflation has increased by over 27% while energy product prices have increased by almost 74%. However, increases in social welfare payments (including fuel allowance) have been between 71% and 88% in the same period.

Improvements to the fuel allowance scheme, such as an increase in the rate of payment or an extension of the duration of the fuel season, would have considerable cost implications. Paying fuel allowance for a full 52 weeks of the year at current payment rates would cost an additional €123m, bringing total annual expenditure to some €300m.. Any changes to the scheme will be considered in a budgetary context and in the light of resources available for improvements in social welfare payments generally

### **Data Protection.**

1283. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs the circumstances that led to the loss of files containing sensitive personal information regarding social welfare recipients; the protocols that were in place governing the handling of such data; the way it came about that these protocols did not protect against this incident; and if she will make a statement on the matter. [29679/08]

1355. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the reason in respect of the laptop stolen from the office of the Comptroller and Auditor General containing information provided by her Department, such information was required by the Comptroller and Auditor General's office; the measures which her Department had put in place to ensure that information provided to other Government bodies and agencies was adequately protected; if those measures have subsequently been modified or changed; the date her Department was made aware of the robbery of this laptop; and if she will make a statement on the matter. [31238/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1283 and 1355 together.

This Department provides an office in Oisín House, Pearse Street, Dublin 2 for exclusive use by officials of the Comptroller and Auditor General. On 12 April 2007, an officer of the Comptroller and Auditor General (C&AG) reported, to the Department's Facilities Management Unit, that a laptop computer had gone missing from the room. A search of the building and a review of CCTV footage did not provide any further information. The loss of the laptop was reported to the C&AG Head Office and the Garda.

On 1 August, 2008, some 16 months after the laptop went missing, the Office of the C&AG informed the Department that the missing laptop contained a number of files used in connection with the audit of the Social Insurance Fund for 2004 and 2005. These files contained some 380,000 individual personal customer records.

The information had been provided by the Department to the Office of the C&AG on foot of authorised requests from that Office in line with established protocols. These officials were provided with access to the file on the Department's internal ICT network where the data was stored in an encoded format. They subsequently transferred the data to the laptop in question. While the laptop was password-protected, the data was not encrypted. The Department has been engaged in a programme of continuous development and deployment of measures to enhance data security. Since this incident came to light, the Department has further reviewed and enhanced its protocols in relation to the transfer of data to third parties, including the Office of the C&AG. All bulk data is now transferred in an encrypted format, in accordance with the Department's 'External Party Electronic Data Transfer Policy'.

#### **Consultancy Contracts.**

1284. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs if a company (details supplied) has been awarded contracts by her Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if she will make a statement on the matter. [29716/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** No contracts have been awarded to the company concerned by the Department or by any of its agencies since 2000.

#### **Departmental Agencies.**

1285. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs her intentions towards the Combat Poverty Agency; and the reason she countenanced its abolition. [29768/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Government decided, in June 2007, that a review of the Combat Poverty Agency should be undertaken by the Department, in association with other relevant government departments. The terms of reference for



the review required: the examination of the role of the Combat Poverty Agency in light of the emergence, since its establishment, of comprehensive strategies and institutional arrangements for social inclusion; bringing forward proposals, for enhancement and/or rationalisation; and making recommendations to the Minister for Social and Family Affairs.

A copy of the complete terms of reference is set out below. The review was overseen by a Steering Committee chaired by Mr. Niall Callan, former Secretary General of the Department of the Environment, Heritage and Local Government and comprised senior officials from the department, other relevant departments and the Combat Poverty Agency.

The review was recently completed and the report is now under consideration by officials of the department. It is my intention to bring forward proposals to the Government on the future of the Agency in the near future.

## *TERMS OF REFERENCE*

### *Introduction and background*

The Government has decided that a review of the future of the Combat Poverty Agency will be undertaken by the Department of Social and Family Affairs in association with other relevant departments (Government Decision; of 6 June 2007).

The Review of the Combat Poverty Agency will be undertaken as part of the Value for Money and Policy Review Initiative 2006-2008 of the Department of Social and Family Affairs. The context for the review relates to the structures established in recent years to progress the achievement of the Government's social inclusion strategies viz. the National Action Plan for Social Inclusion 2007 -2016, the social partnership agreement Towards 2016 and the social inclusion chapter in the National Development Plan Transforming Ireland 2007-13.

In this regard, the monitoring, research and evaluation, consultation and advisory roles of a number of national structures and offices, including the NESDO and its constituent agencies, the NESD and the NESF, are relevant to the review. A key question for the review relates to the extent to which there are overlaps or duplication in the remits of these bodies and the Agency and the consequences this poses for coherence in the implementation of Government policy and for cost to the Exchequer. The review of the Irish Public Service by the OECD is also relevant. The context for that review specifically refers to the effectiveness of Government structures for tackling horizontal issues such as 'poverty reduction, as well as the structures for addressing broader issues, the systems for policy development, implementation evaluation and feedback and the connectivity between them and the Government.

The terms of reference proposed for the review of the Combat Poverty Agency are: to examine the role of the Combat Poverty Agency (CPA) as set out in the Combat Poverty Agency Act, 1986; to examine the work programmes and operations of the CPA in the context of efficiency and effectiveness and overall value for money; to have regard to the social and economic developments that have taken place in recent years and the resultant changes that have come about in the institutional structures for the formulation of Government policy; including the development of social inclusion responsibilities within and across Government departments and state agencies, organisations and expert bodies with remits in research, information and advice to Government and new mechanisms for consultation, monitoring and participation in the development and implementation of social inclusion strategies. These include social partnership structures, Government programmes with corporate (social partnership) arrangements, and the provision made for regular consultation with groups established to represent people experiencing poverty and social exclusion and identify where services, programmes or functions duplicate, overlap or complement the Agency's role, and where pertinent,



[Deputy Mary Hanafin.]

any gaps in institutional arrangements for advancing the Government's social inclusion strategies. The review will report on the ongoing validity of the remit which is exercised by the Agency in these areas and bring forward proposals for enhancing the delivery of services/functions, including rationalisation as appropriate that will include recommendations as to the body or organisational arrangement most suitable for their delivery. It will identify and bring forward proposals which would contribute to the progression of Government social inclusion strategies and make recommendations to the Minister for the future of the Combat Poverty Agency and its functions.

#### **Social Welfare Benefits.**

1286. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the position in relation to an application for social welfare payment in the case of a persons (details supplied) in County Kildare; and if she will make a statement on the matter. [29906/08]

1343. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the position regarding an application for social welfare payment in the case of person s(details supplied) in County Kildare; and if she will make a statement on the matter. [30809/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1286 and 1343 together.

I am advised by the Social Welfare Appeals Office that appeals from the persons concerned were received on 17th September 2008 and will shortly be referred to an Appeals Officer for consideration. The Social Welfare Appeals Office is an office of the Department that is independently responsible for determining appeals against decisions on social welfare entitlements.

#### **Departmental Staff.**

1287. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the number of staff sent from her Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if she will make a statement on the matter. [29998/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The conference in question was not attended by any members of staff of the Department or the agencies under the aegis of the Department.

#### **Social Welfare Benefits.**

1288. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the number in receipt of rental allowance who are Irish nationals, UK nationals, other EU or EEA and non-EEA nationals; and if she will make a statement on the matter. [30042/08]

1289. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the number in receipt of supplementary welfare allowance who are Irish nationals, UK nationals, other EU or EEA and non-EEA nationals; and if she will make a statement on the matter. [30043/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1288 and 1289 together.

Set out below are two tables showing the number of recipients of rent supplement and basic weekly supplementary welfare allowance broken down by nationality. Some 8,000 people receive both payments. These cases are included in both tables.

Recipients' nationality is not known in 4% of basic weekly supplementary welfare allowance cases or in 6% of rent supplement case.

Basic Weekly Supplementary Welfare Allowance Recipients by Nationality

Nationality	Recipients
Ireland	20,595
UK	1,741
EEA other than Ireland or UK	3,565
Non-EEA	6,951
Recorded as 'Other'	1,505
Total	34,357

Rent Supplement Recipients by Nationality

Nationality	Recipients
Ireland	41,344
UK	4,465
EEA other than Ireland or UK	7,243
Non-EEA	9,465
Recorded as 'Other'	4,165
Total	66,682

1290. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the number in receipt of one-parent family payment who are Irish nationals, UK nationals, other EU or EEA and non-EEA nationals; and if she will make a statement on the matter. [30044/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I set out below a table showing the number of recipients of One-parent Family Payment broken down by nationality.

One-parent Family Payment Recipients by Nationality/EEA Status

Country / EEA	Recipients
Ireland	67,177
UK	4,014
Other EEA States	2,908
Non-EEA States	3,276
Coded as 'Other'	8,688
Total	86,063

*Note:* Ireland and UK totals are not included within the Other EEA State totals.

**Data Protection.**

1291. **Deputy John O'Mahony** asked the Minister for Social and Family Affairs the procedures in place to ensure that personal data stored by her Department is secure. [30135/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department of Social & Family Affairs administers some fifty schemes and makes payments to one million people each week. There is also a considerable level of interaction between its staff and the public and with their representatives. In any given year, these interactions include: 1.9 million applications processed; 6.5 million telephone calls; 68 million payments; 360,000 assignments conducted by our investigators.

Because of the nature, scale and diversity of its work, the Department is heavily reliant on ICT and holds detailed information about its customers. The Department takes its responsibilities to safeguard this data extremely seriously. A dedicated unit oversees business information protection across the Department and it has developed and communicated policies and procedures covering the use of systems and data. This unit also investigates any alleged breaches that arise.

The Department maintains a central repository of client information. This information is stored on the Department's Central Records system that holds a record, or data set, in respect of each customer. The information maintained can be broadly categorised into customer identity, PRSI contribution history and summary claim activity information. There are some 6.8 million data sets on this database in respect of current and previous customers. More detailed data relating to particular transactions in relation to these customers are held separately on scheme payment system.

The data is generated by Departmental staff or agents entering information onto its internal computer systems and also by receipt of data from external agencies (e.g. the General Register Office for births). Staff and agents who need access to this data to carry out their duties are granted access in accordance with departmental policies and procedures, including the use of password protection. The data is made available over a secure network through bespoke application interfaces. These interfaces control the level and type of access an approved member of staff can have to the data. Authorisation to use an application is subject to a business case approved by local management. All changes made to a client data set are logged and subject to on-going audit. All electronic data is stored in the Department's primary computer site. The site itself has rigorous control procedures and site perimeter protection. There are arrangements in place for inter-site back-up of data. Security arrangements, including encryption, are in place to cover the necessary transfer of data to other agencies for service delivery purposes.

Our systems are subject to standard physical security measures. Industry standard security protocols, such as password protection and security software, are deployed to protect all departmentally-supplied devices and preserve the confidentiality of data. Every effort is made by the Department to ensure that personal customer data is used solely for business purposes and that it is not compromised in any way. Over the last number of years, the Department has continuously strengthened security and data protection protocols. Policies and procedures governing the use of systems and data have been developed and communicated to the staff. These policies and procedures are under constant review, and are updated as appropriate. Staff are regularly reminded of their obligations under data protection and security policies and of the penalties applicable in respect of any breach of these policies.

1292. **Deputy John O'Mahony** asked the Minister for Social and Family Affairs the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from her Department in 2007 and to date in 2008; and if she will make a statement on the matter. [30150/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The following data devices, issued by the Department, were reported stolen or lost in the years in question: 2007 — One laptop (house break-in); 2008 — Two Laptops (1 house break-in, 1 office break-in).

In addition, a laptop belonging to the office of the Comptroller and Auditor General was reported missing from the Department's office in Oisín House in April 2007. Laptops can be used to access centrally stored client information through a secure remote log-in. No client data is retained on the laptops after the remote session ceases. Similarly, the Department's e-mail system retains its data in a central location although it can be accessed through a secure remote log-in.

It is now Departmental policy to password protect all laptops. All new laptops issued are encrypted and existing laptops are being recalled for encryption. The Department is also engaged in implementing a policy to restrict usage of USB memory devices. Members of staff who need such devices will be issued with encrypted devices and future usage will be restricted to these.

### **Social Insurance.**

1293. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs if target time limits for the processing of applications in respect of a refund of social insurance payments have been set in which a person is not liable to payment; and if problems have arisen with lengthy turnaround times in issuing such payments. [30155/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Refunds of Pay Related Social Insurance (PRSI) are made to employers and employees where contributions have been paid in error. Most refunds arise as a result of people paying at the incorrect rate and relate mainly to the following: persons whose class of insurance changes, following an insurability decision; persons earning either over or under the statutory earnings threshold or ceiling; employees over 66 years who continue to pay the full PRSI rate, separated persons who make enforceable maintenance payments; employees paying Class A contributions who are in receipt of Maternity Benefit and/or Illness Benefit payments, Medical cardholders, recipients of Widow's Pension, Deserted Wife's Benefit, One Parent Family Payments, and those with EU equivalents who are not liable to pay the Health Contribution; persons who enter insurable employment after the age of 56 and who have no entitlement to a State Pension (Contributory).

The volume of applications for refunds of PRSI has increased dramatically in recent years. In the last four years the number of applications has increased by almost 400% and this has inevitably given rise to a backlog of up to 6 months in processing refund applications. Last year refunds totalling €16.5 million were paid to more than 10,500 applicants.

The Department endeavours to process applications for refunds of PRSI as efficiently as possible. In order to ensure that applications are dealt with in a fair and equitable manner, they are processed in chronological order.

*Question No. 1294 answered with Question No. 1282.*

### **Pension Provisions.**

1295. **Deputy Denis Naughten** asked the Minister for Social and Family Affairs the steps she will take to facilitate women who ceased employment due to the marriage rule to avail of contributory pensions; and if she will make a statement on the matter. [30195/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Government is anxious to ensure that as many people as possible can be accommodated within the social welfare pensions system, with due regard being paid to the contributory principle underlying entitlement to contributory payments and, in the case of non-contributory payments, the need to

[Deputy Mary Hanafin.]

ensure that resources are directed to those who are most in need. Over the last 10 years, means tests have been improved and qualifying conditions for contributory payments made easier.

Many women in both the private and the public sector left employment on marriage because they were required to or because that was the societal norm at the time. Civil servants who left the workforce through the operation of the marriage bar were not insured for social welfare pension purposes. Accordingly, the loss of pension rights in their case relates more to their occupational position rather than social welfare pension entitlements.

That said, the Green Paper on Pensions, includes a full discussion on the social welfare pension position of women who had to resign due to the marriage bar. Decisions in relation to those who are not at present receiving support through the social welfare system, including those who had to leave employment on marriage, will be considered in that context. It is expected that the policy framework will be finalised by the end of the year.

### **Social Welfare Benefits.**

1296. **Deputy Denis Naughten** asked the Minister for Social and Family Affairs the plans she has to introduce a system in which persons entitled to free travel who can not avail of public transport for hospital appointments could obtain a refund for the cost of taxis; and if she will make a statement on the matter. [30205/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The free travel scheme is available to all people living in the State aged 66 years or over. All carers in receipt of carer's allowance and carers of people in receipt of constant attendance or prescribed relative's allowance, regardless of their age, receive a free travel pass. It is also available to people under age 66 who are in receipt of certain disability type welfare payments, such as disability allowance, invalidity pension and blind person's pension.

The scheme provides free travel on the main public and private transport services for those eligible under the scheme. These include road, rail and ferry services provided by companies such as Bus Átha Cliath, Bus Éireann and Iarnród Éireann, as well as Luas and services provided by over 90 private transport operators.

I am aware of the difficulties that some free travel pass holders have in accessing public transport and my officials have discussed this issue with the Commission for Taxi Regulation. Various alternatives to the existing system, including the use of vouchers, have been examined. A study, *A Review of the Free Schemes*, published in 2000 by the Policy Institute, Trinity College Dublin, concluded that a voucher type system, which would be open to a wide range of transport providers including taxis and hackneys, would be extremely difficult to administer, open to abuse and unlikely to be sufficient to afford an acceptable amount of travel. This position remains unchanged.

The issue of access to public transport in rural areas is being addressed at present through the Rural Transport Programme, which is being managed by Pobal, on behalf of my colleague the Minister for Transport. My Department is contributing €1.5 million to the initiative this year to ensure that free travel pass holders continue to have access to community based transport services.

### **Departmental Offices.**

1297. **Deputy Joanna Tuffy** asked the Minister for Social and Family Affairs the plans she has to locate a social welfare office in Lucan, County Dublin; and if she will make a statement on the matter. [30207/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Office of Public Works (OPW) has responsibility for the acquisition and maintenance of office accommodation for the Department. The Department together with the OPW and South Dublin County Council, is exploring the possibility of having a Local Office in Adamstown as part of the planned new Civic Centre.

### **Social Welfare Benefits.**

1298. **Deputy Jack Wall** asked the Minister for Social and Family Affairs if sufferers of thyroid disorder/disease qualify for disability allowance; and if she will make a statement on the matter. [30236/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** A person suffering from thyroid disorder/disease may qualify for disability allowance depending on the circumstances of their particular case. Disability allowance is a social assistance payment made to people whose employment capacity is substantially restricted because of a disability and whose income falls below certain limits. Entitlement to the allowance is subject to the person satisfying both a means test and the medical eligibility criteria that apply and these are prescribed in legislation.

The medical criteria which must be satisfied in order to qualify for Disability Allowance are the person must be suffering from an injury, disease, congenital deformity or physical or mental illness or defect which has continued or may reasonably be expected to continue for a period of at least a year, and as a result of the condition the person is substantially handicapped in undertaking work which would otherwise be suitable having regard to the person's age, experience and qualifications. When a person makes a claim for disability allowance an opinion regarding their medical condition is firstly provided by the person's own general practitioner. Where required, a second opinion is provided by a medical assessor employed by the Department. In certain instances medical examinations will be undertaken. The medical assessor will have available to him or her the initial medical diagnosis supplemented, where appropriate, by relevant specialist and other reports. Any information provided by the claimant is also taken into account.

Medical Assessors carry out medical assessments of clients in order to provide an independent medical opinion with regard to eligibility on medical grounds to various illness and disability-related benefits/allowances for the guidance of Deciding Officers. Under the provisions of the Social Welfare Acts, questions concerning claims for benefit are decided by Deciding Officers. However in relation to whether the medical criteria are satisfied they obtain the opinion of a medical assessor.

*Question No. 1299 answered with Question No. 1282.*

1300. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if she will offer rent support to a person (details supplied) in Dublin 24; and if she will make a statement on the matter. [30310/08]

1301. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if she will offer rent support in the case of a person (details supplied) in Dublin 24; and if she will make a statement on the matter. [30311/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1300 and 1301 together.

Rent supplement is administered on behalf of the Department by the community welfare division of the Health Service Executive (HSE), as part of the supplementary welfare allowance scheme. The HSE has advised that it has no record of an application for rent supplement from



[Deputy Mary Hanafin.]

either of the persons concerned. They should contact the community welfare services directly in order to make an application for rent supplement.

### **Departmental Advertising.**

1302. **Deputy John Deasy** asked the Minister for Social and Family Affairs the amount spent on advertising in the Irish language by her Department and by agencies under the aegis of her Department since the enactment of the Official Languages Act 2003; and if she will make a statement on the matter. [30398/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The amount spent on advertising in the Irish language by the Department under its aegis since 2003 was

- €4,090 in 2003
- €19,317 in 2004
- €10,585 in 2005
- €44,104 in 2006
- €61,308 in 2007
- €39,030 in 2008 to date

The Citizens Information Board incurred spending of €4043 in 2006, 2007 and 2008. The Family Support Agency spent €327 in 2006, €432 in 2007 and €395 in 2008 to date. Other agencies did not incur spending on advertising in the Irish language.

### **Decentralisation Programme.**

1303. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs the position regarding the plans for the decentralisation of posts from her Department to Carrickmacross and Monaghan; and if she will make a statement on the matter. [30404/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Under the programme of decentralisation, 85 posts in the Department are due to be relocated to Carrickmacross and in excess of 90 applications have been received to date to move there. As you are aware, the Government decided on 8th July last that further expenditure on the acquisition of accommodation for decentralisation would be paused pending the detailed consideration by Government of reports from the Decentralisation Implementation Group and the Implementation Group of Secretaries General. I expect that such consideration by the Government will take place in the near future.

### **Social Welfare Benefits.**

1304. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs the number of people in County Monaghan in receipt of jobseekers benefit and allowance in September 2008; the corresponding figure for September 2007; and if she will make a statement on the matter. [30405/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** According to the Department's records, there were 1,600 people in receipt of Jobseeker's Benefit and 1,380 approximately in receipt of Jobseeker's Allowance in the four Social Welfare Local Offices in County Monaghan at 19th September 2008. Corresponding figures are not available for the same week in 2007 but on 28th September 2007, there were 784 on Jobseeker's Benefit and 946 on Job-

seeker's Allowance. This represents an increase of 816 in the number receiving Jobseeker's Benefit and 435 in the number in receipt of Jobseeker's Allowance.

The figures reflect the substantial rise in the national Live Register during the past 12 months. The Department, through its Employment Support Services and in conjunction with other agencies, continues to assist persons on the Live Register to make the transition to work, education or relevant training. Under the National Employment Plan, people who are approaching 3 months on the Live Register are identified by the Department and referred to FÁS for interview with a view to job placement or offer of training. A significant measure available to unemployed people is the Department's Back to Work Allowance scheme which allows them to retain part of their social welfare payment for a period when they take up employment or self-employment.

Other measures include the Back to Education Allowance scheme, the Technical Assistance and Training grants and the PRSI Exemption Scheme. In addition, the Activation and Family Support Programme and the Second Chance Education Opportunities Scheme offer supports to social welfare customers and other disadvantaged persons to assist them in improving their employability and personal and family situations.

1305. **Deputy Michael Ring** asked the Minister for Social and Family Affairs if a person (details supplied) in County Mayo will be approved for an invalidity pension. [30420/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I am advised by the Social Welfare Appeals Office that an appeal from the person concerned was received by that Office on 28 July 2008. The case has been referred to an Appeals Officer for consideration.

The Social Welfare Appeals Office is an office of this Department that is independently responsible for determining appeals against decisions on social welfare entitlements.

1306. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when a non-contributory pension appeal by a person (details supplied) in County Mayo will be finalised. [30421/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I am advised by the Social Welfare Appeals Office that, in accordance with the statutory requirements, the relevant Departmental papers and comments of the Department have been sought in this case. On receipt of these the case will be referred to an Appeals Officer for early consideration.

#### **Social Welfare Code.**

1307. **Deputy Michael Ring** asked the Minister for Social and Family Affairs her plans to reconsider the time frame for the carers benefit in order to allow persons to continue receiving the payment for as long as the care recipient needs full time care and beyond the current restriction of two years for each person being cared for; and if she will make a statement on the matter. [30433/08]

1348. **Deputy Michael Creed** asked the Minister for Social and Family Affairs his views on extending entitlements under the social welfare code for persons providing care for elderly family relatives who are deemed in need of full-time medical care to continue for the period of time whilst the relative requires ongoing care; and if she will make a statement on the matter. [30901/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1307 and 1348 together.

[Deputy Mary Hanafin.]

Supporting and recognising carers in our society is, and has been, a priority of the Government since 1997. Over that period, weekly payment rates to carers have greatly increased, qualifying conditions for carer's allowance have significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit and the respite care grant have been introduced and extended.

The carer's benefit scheme is specifically intended to support people who must leave the workforce temporarily to care for someone who is in need of full-time care and attention. In Budget 2006 the duration of carer's benefit was extended from 15 to 24 months in respect of each person being cared for. The duration for which people can avail of the associated carer's leave scheme was similarly extended in 2006. It is considered that employers would experience difficulties in preserving employee's rights for a longer period.

If the need for income support still exists after carer's benefit has expired, it is of course, open to the carer to apply for carer's allowance. Payment of carer's allowance continues for as long as the person continues to satisfy all of the qualifying conditions. In addition, a respite care grant will be paid each year, even after payment of carer's benefit has ceased, for as long as the person satisfies the full-time care and other qualifying conditions.

#### **Data Protection.**

1308. **Deputy Michael Ring** asked the Minister for Social and Family Affairs the plans she has to pay compensation to persons affected by the loss of the laptop containing their personal and social welfare payment information as recognition of the anxiety and concern that this loss has caused; and if she will make a statement on the matter. [30442/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The laptop belonging to the Office of the Comptroller and Auditor General (C&AG) was reported missing in April, 2007. On 1st of August, 2008, some 16 months after the laptop went missing, the Office of the C&AG informed the Department that the missing laptop contained a number of files used in connection with the audit of the Social Insurance Fund for 2004 and 2005.

Since being notified of the contents of the laptop on 1 August, 2008, the Department has taken all reasonable steps to minimise any anxiety which may have been caused to its customers. The Department contacted the Gardáí, various other Government Departments and agencies and payment institutions. To date there is no indication of any systematic misuse of the information contained on the laptop in the seventeen months since the theft occurred. Information notices were placed in the press and all of the customers concerned were contacted in writing. In addition, a 'freephone' help desk was established in order to deal with customer enquiries, offer advice and allay concerns.

While the Department deeply regrets the loss of this information, there is no evidence of any injury, loss or damage having been suffered by any of our customers arising from the theft of the laptop which might give rise to consideration of compensation.

#### **Social Welfare Benefits.**

1309. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be awarded jobseekers allowance. [30453/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The person concerned applied for jobseekers allowance on 1 April 2008. By decision dated 12 June 2008 he was awarded jobseekers allowance at a reduced rate as his means exceeded the limit for the full rate. He has appealed this decision. I am advised by the Social Welfare Appeals Office that the case has been referred to an Appeals Officer for consideration.

The Social Welfare Appeals Office is an office of the Department that is independently responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Appeals.**

1310. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when half rate carer's allowance appeal will be finalised for a person (details supplied) in County Mayo. [30457/08]

1350. **Deputy Michael Ring** asked the Minister for Social and Family Affairs the outcome of an appeal relating to a carer's allowance refusal for a person (details supplied) in County Mayo. [31161/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1310 and 1350 together.

I am advised by the Social Welfare Appeals Office that the appeal from the person concerned has been referred to an Appeals Officer who proposes to hold an oral hearing. He will be informed when arrangements have been made.

### **Social Welfare Benefits.**

1311. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if unemployment benefit will be awarded to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [30477/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The person concerned applied for job seekers benefit from 29th April '08 and their claim was refused. They have appealed this decision and I am advised by the Social Welfare Appeals Office that an appeal from the person concerned was received by that Office on 10/7/08. The case has been referred to an Appeals Officer for consideration. The Social Welfare Appeals Office is an office of this Department that is independently responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Appeals.**

1312. **Deputy Jack Wall** asked the Minister for Social and Family Affairs if a person (details supplied) in County Kildare is entitled to a refund or arrears in relation to their disability allowance payment; and if she will make a statement on the matter. [30496/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The person concerned is receiving disability allowance since July 1995. The weekly rate of disability allowance payment depends on the amount of weekly means assessed. Under the legislative provisions that apply to disability allowance all income which the claimant has, subject to certain exceptions, is assessable as means. Income derived from private pensions is not included in these exceptions, and is accordingly assessed in full as means for the purposes of disability allowance.

The means of the person concerned were reviewed in June 2008 in order to establish her current entitlement to disability allowance. She was assessed with weekly means of €131.00 based on her private pension and consequently her rate of disability allowance was reduced to €67.80 from 2 July 2008. A letter issued to her on 24 June 2008 notifying her of this decision and of her right of appeal to the Social Welfare Appeals Office. She lodged an appeal with the SWAO on 17 September 2008.

### **Departmental Funding.**

1313. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the funding avail-

[Deputy Jack Wall.]

able to persons who suffered property as well as personal losses due to the recent floods; if so, the mechanism available to persons to apply; and if she will make a statement on the matter. [30497/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The supplementary welfare allowance (SWA) scheme, which is administered by the Community Welfare Division of the Health Service Executive (HSE), is designed to provide immediate and flexible assistance for those in need who do not qualify for payment under other State schemes.

Under the legislation governing the scheme, the HSE may make a single payment to meet an exceptional need to people on social welfare or health board payments. This is a once-off payment to meet an unforeseen or special need that cannot be met from a person's basic income. Assistance in the form of an Urgent Needs Payment (UNP) can be also made to persons who would not normally be entitled to SWA, to assist, for example in cases of flood damage with immediate needs, such as food, clothing, fuel, household goods and shelter. Assistance can be provided to people affected in cash or in kind.

Over the past few months, flooding has been experienced in a number of areas of the country. The Department's role in response to the recent flooding primarily involves supporting the community welfare service in the provision of ENP and UNP funding in the short term and other supports where applicable to cater for the long term effects of the flooding. Any support given relates to damage to a person's home or loss of essential items. It does not extend to business or commercial losses.

Local community welfare officers are available to provide assistance on an individual basis where that is warranted. If any person is experiencing hardship as a result of the recent flooding, they should contact their local community welfare officer in the first instance.

#### **Pension Provisions.**

1314. **Deputy Michael Ring** asked the Minister for Social and Family Affairs the position in relation to her recent announcement regarding the eligibility of people who work with their spouses in a partnership for a contributory State pension; the way in which people apply for same; the stages from application to approval; the way in which they prove they were working with their spouses; the date from which they can claim partnership status; the number of people involved; and the cost of making such a provision. [30509/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Spouses working for self-employed contributors are specifically excepted from social insurance contributions. However, spouses who are actively engaged in a commercial partnership, including the operation of a farm, as opposed to simply being the joint owners of a property, are treated as individual self-employed contributors and are thus liable to social insurance contributions.

On foot of a Programme for Government commitment an information leaflet, 'Working with your spouse: how it affects your social welfare contributions and entitlements', has been developed between the Department of Social & Family Affairs and the Revenue Commissioners to set out the social welfare and tax implications of families co-working in a shared business. It was published on the 25 th of June, 2008.

The leaflet clarifies that spouses who operate in a commercial partnership may be brought into the social insurance system, subject to certain criteria. In this way, both spouses incur a liability to pay self-employed PRSI and build up entitlement towards a contributory state pension and other Social Welfare benefits. Retrospective liability to pay self-employed PRSI can, depending on the circumstances of each case, be incurred from 1988, when self-employed PRSI was introduced. Application for benefits would take place in the usual way, following any



approval of an application for commercial partnership status and the payment of any resulting PRSI liabilities.

The Department of Social and Family Affairs and the Revenue Commissioners use the following factors to decide if a partnership normally exist there is a written partnership agreement (a written agreement is not required by law, however); each partner writes cheques on the business accounts in their own right; there is a joint business account; it is apparent to those doing business with the partnership that a partnership exists; business accounts and activities are in joint names of the partners; each partner makes a significant contribution to the running of the business; the business is owned jointly by the partnership; the profits and losses of the partnership are shared by each partner; the business stationery reflects the existence of a partnership.

An applicant should meet some of these general criteria if they are claiming to be in a partnership with their spouse. If they cannot do this, they will be deemed not to be in a business partnership. It is not possible to estimate the number of people, and resulting costs, who may apply for commercial partnership status as a result of this publication. However, the leaflet will be of interest to significant numbers of couples operating farms and other small business enterprises. Persons interested in applying for partnership status should firstly study a copy of the leaflet, available from the Information Section of the Department or at [www.welfare.ie](http://www.welfare.ie), which sets out the application procedure in detail.

### **Social Welfare Benefits.**

1315. **Deputy Catherine Byrne** asked the Minister for Social and Family Affairs the reason a person (details supplied) in Dublin 10 has had their rent supplement reduced; if it is due to this person undertaking a course to try and improve their future prospects and become independent of social welfare payments; if her attention has been drawn to the fact that this person and their family are experiencing financial difficulties due to this payment being reduced; and if she will make a statement on the matter. [30519/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Rent supplement is administered on behalf of the Department by the community welfare division of the Health Service Executive (HSE), as part of the supplementary welfare allowance scheme. Rent supplement is normally calculated to ensure that a person, after the payment of rent, has an income equal to the rate of SWA appropriate to their family circumstances less a minimum contribution, currently €13, which recipients are required to pay from their own resources. Many recipients pay more than €13 because recipients are also required, subject to income disregards, to contribute any additional assessable means that they have over and above the appropriate basic SWA rate towards their accommodation costs. The rent supplement recipient was in receipt of disability allowance while her spouse was originally in receipt of supplementary welfare allowance (SWA). Their total income at that time was equivalent to the SWA rate appropriate to their family size and they were required to pay €13 towards their rent. However, when her spouse was awarded jobseekers allowance the couples combined income exceeded the rate of SWA appropriate to their family size, by €66.50. They were then required to pay €79.50 towards their rent and their entitlement to rent supplement was reduced accordingly. However, their overall income, after their rent is paid remains the same.

In cases where additional income is derived from part-time employment or training allowances, the first €75 per week is disregarded in full and 25% of any further additional income above €75 per week is also disregarded. These arrangements also apply to people who take up full-time employment provided they are eligible for the rental accommodation scheme. This ensures that people who take up a training course offer, for example with FÁS where an additional training allowance may be payable, are financially better off for having done so. If



[Deputy Mary Hanafin.]

the person concerned is not satisfied with the decision of the HSE, it is open to her to lodge an appeal against the decision.

1316. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs if he will report on the term “abandon” or “abandonment” in view of the condition that a qualifying child must be abandoned in terms of guardian’s payment; if the term is defined in legislation; and if she will make a statement on the matter. [30548/08]

1317. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs if her attention has been drawn to the fact that there is no social welfare or foster care payment available to the guardian of children who are left in their care by a sole surviving parent who has been incarcerated; if this was the intended effect of the change in the legislation in 2005; and if she will ensure that contact is made with the Department of Health and Children to address this anomaly. [30550/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1316 and 1317 together.

The Guardian’s payment schemes allow for the provision of a weekly allowance to a guardian of a child who has either been orphaned or whose parents have abandoned and failed to provide for the child.

Section 2 (1) of the Social Welfare Consolidation Act, 2005 defines an orphan as a qualified child both of whose parents are dead, or one of whose parents is dead or unknown or has abandoned and failed to provide for the child, as the case may be, and whose other parent is unknown, or has abandoned and failed to provide for the child, where that child is not residing with a parent, adoptive parent or step-parent.

All claims for Guardian’s payment are decided by a Deciding Officer appointed by the Minister under Section 299 of the Social Welfare (Consolidation) Act, 2005. Prior to decision, claims are referred to a Social Welfare Inspector in order to establish if the conditions of entitlement are fulfilled. The Social Welfare Inspector completes a report on all relevant issues and this report is then referred to the Deciding Officer to make a decision on the claim.

A parent’s committal to prison alone is not considered sufficient qualifying criteria to satisfy the legislative definition of orphan. However, the incarceration of a parent is one of the factors which is considered in determining if the legislative provision relating to abandonment and failure to provide is satisfied. Where a child whose parent/s have been incarcerated is cared for by another person for the period of that incarceration and their carer is in receipt of a social welfare payment, an increase for a qualified child may be payable for each child.

A Foster Care Allowance is paid by the HSE in respect of a child who is in the care of the State. The legislative change in 2005 was solely to ensure that two state payments, Foster Care and Guardians Payment, were not being made in respect of the same child.

### **Pension Provisions.**

1318. **Deputy Tom Hayes** asked the Minister for Social and Family Affairs the progress made following the recommendations by the Irish Human Rights Commission regarding a special pension for the self employed; if the committee of experts has completed its review of the matter in the context of its annual report on compliance with the European Code of Social Security submitted by his Department; and if she will make a statement on the matter. [30552/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** As the Deputy is aware, the views of the ILO Committee of Experts, which examines annual national reports on compliance

with the European Code of Social Security on behalf of the Council of Europe, were sought on the conclusions of the IHRC report, and in particular whether the provisions of the Code require the payment of a pension in the circumstances of the case in question, regardless of how few contributions have been paid by the person involved.

The ILO Committee completed its report on compliance with the Code earlier this year and submitted its conclusions for consideration to the Committee of Ministers. The Committee of Ministers accepted the recommendations in the ILO report and confirmed that Ireland was in conformity with the Code on this issue. The Committee published its decision on the 21st May 2008 and the Department notified the IHRC of the result.

### **Social Welfare Appeals.**

1319. **Deputy Michael Ring** asked the Minister for Social and Family Affairs the outcome of an appeal in respect of a person (details supplied) in County Mayo regarding the refusal of an application for jobseeker's allowance. [30560/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I am advised by the Social Welfare Appeals Office that, in accordance with the statutory requirements, the relevant Departmental papers and comments of the Department have been sought in this case. On receipt of these the case will be referred to an Appeals Officer for early consideration.

1320. **Deputy Michael Ring** asked the Minister for Social and Family Affairs the outcome of an appeal in respect of a person (details supplied) in County Mayo. [30563/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I am advised by the Social Welfare Appeals Office that, in accordance with the statutory requirements, the relevant Departmental papers and comments of the Department have been sought in this case. On receipt of these the case will be referred to an Appeals Officer for early consideration.

1321. **Deputy Michael Ring** asked the Minister for Social and Family Affairs the outcome of an appeal in respect of a person (details supplied) in County Mayo. [30565/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I am advised by the Social Welfare Appeals Office that, in accordance with the statutory requirements, the relevant Departmental papers and comments of the Department have been sought in this case. On receipt of these the case will be referred to an Appeals Officer for early consideration.

### **Social Welfare Benefits.**

1322. **Deputy Michael Ring** asked the Minister for Social and Family Affairs if a person (details supplied) in County Mayo will be approved and granted disability allowance. [30566/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Disability Allowance is a weekly Allowance paid to people with a specified disability who are aged over 16 and under 66. The disability must be expected to last for at least one year and the allowance is subject to both medical assessment and a means test. The person concerned made an application for Disability Allowance on 31st July 2008. The application was referred to a Social Welfare Inspector to determine his means. The Inspector interviewed him on 8 September 2008 and subsequently wrote to him requesting details from him in relation to farm expenses.

The person concerned has provided medical evidence in support of his application. This will be reviewed by one of the Department's Medical Assessors shortly. A final decision will be given on his entitlement to disability allowance upon receipt of the Social Welfare Inspector and Medical Assessor's reports. He will be notified directly of the outcome.

### Social Welfare Code.

1323. **Deputy Michael Ring** asked the Minister for Social and Family Affairs her views on making changes to the eligibility criteria for disability allowance, specifically a situation when a person qualifies for disability allowance on health grounds but do not on the means aspect; and her further views on allowing these people to partake on FÁS schemes in view of the therapeutic value of such schemes. [30567/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Disability Allowance is a weekly payment made to persons with a disability whose employment capacity is substantially restricted by reason of their disability and whose means are insufficient to meet their own needs and those of their dependents. My Department has implemented a considerable number of changes to the Disability Allowance scheme since it was introduced in 1996, notably in relation to the progressive easing of the means test.

The purpose of the Disability Allowance means test is to ensure that people who have insufficient PRSI contributions to qualify for benefit, receive an assistance-based payment while ensuring that resources are targeted at those most in need. Thus social protection of the population in general is provided through a combination of insurance-based payments and payments targeted at need.

Recipients of Disability Allowance may avail of opportunities to take up vocational training and qualify for a training allowance from FÁS in lieu of Disability Allowance. Where relevant, they will continue to qualify for secondary benefits such as the Household Benefits Package, Free Travel and Rent or Mortgage Interest Supplement. In the event that are unable to continue attending the training course, they revert automatically to receipt of Disability Allowance.

More generally, the conditions governing access to FÁS training courses are a matter for FÁS itself and for the Department of Enterprise, Trade and Employment. I understand, however, that access to FÁS training courses for people with disabilities are not confined to people in receipt of a social welfare payment.

1324. **Deputy Michael Ring** asked the Minister for Social and Family Affairs her plans to amend the qualifying criteria in respect of disability allowance; and her further to award part payment of disability allowance to persons slightly in excess of the level of the means test. [30568/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Disability Allowance is a weekly payment made to persons with a disability whose employment capacity is substantially restricted by reason of their disability and whose means are insufficient to meet their own needs and those of their dependents. My Department has implemented a considerable number of changes to the Disability Allowance scheme since it was introduced in 1996, notably in relation to the progressive easing of the means test.

The purpose of the Disability Allowance means test is to ensure that people who have insufficient PRSI contributions to qualify for benefit, receive an assistance-based payment while ensuring that resources are targeted at those most in need. Thus social protection of the population in general is provided through a combination of insurance-based payments and payments targeted at need.

### Social Welfare Benefits.

1325. **Deputy Brian Hayes** asked the Minister for Social and Family Affairs the amount that was given to applicants under the mortgage allowance scheme as operated by community welfare officers around the country in each month over the past 12 months; if there has been an appreciative rise in the number of claimants for this support scheme in view of the recent

rise in unemployment and the rise in interest rates; and if she will make a statement on the matter. [30571/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The supplementary welfare allowance scheme (SWA) provides for a weekly or monthly supplement to be paid in respect of mortgage interest to any person in the State whose means are insufficient to meet their needs. Mortgage interest supplement provides short-term income support to eligible people who are unable to meet their mortgage interest repayments in respect of a house which is their sole place of residence. The supplement assists with the interest portion of the mortgage repayments only. Attached is a table showing the expenditure on mortgage interest supplements by month for the past 12 months. The total number of recipients of mortgage interest supplement has increased from 3,424 at the end of 2006 to 4,111 at the end of 2007. There has been a further increase in 2008 to 6,191 at the 12 September 2008.

Overall, I am satisfied that the mortgage interest supplement schemes provide an adequate short-term “safety net” within the overall social welfare system to ensure that people do not suffer hardship due to loss of employment. Nonetheless I intend to keep the scheme under review to ensure that it meets the objective of catering for those who require assistance on a short-term basis. Developments in relation to current year expenditure are being closely monitored in the context of the Government’s framework for reporting on public expenditure. Expenditure on Mortgage Interest Supplement by month for the last 12 months

Month	Expenditure <sup>(1)</sup>
	€000
September 2007	1,080
October 2007	1,245
November 2007	1,237
December 2007	1,375
January 2008	1,380
February 2008	1,494
March 2008	1,606
April 2008	1,769
May 2008	1,885
June 2008	1,857
July 2008	2,342
August 2008	2,358

<sup>(1)</sup> Provisional.

### Departmental Agencies.

1326. **Deputy Joan Burton** asked the Minister for Social and Family Affairs the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of her Department; and if she will make a statement on the matter. [30617/08]

1354. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the bonuses, merit awards and other payments above the basic salary they have approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which they made the decision to approve such awards; and if she will make a statement on the matter. [31198/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1326 and 1354 together.

The State Agencies currently operating under the aegis of my Department are the Pensions Board, the Citizens Information Board, the Family Support Agency and the Combat Poverty Agency. In addition the Pensions Ombudsman also comes under the remit of my Department. The Chief Executive of the Pensions Board is on an annual salary of € 150,712 and is a member of the Board's Superannuation Scheme. The salary range for the Chief Executive of the Citizens Information Board is €110,889 to €133,654. The salary of the new Chief Executive is being finalised and he is a member of the Board's Superannuation Scheme. The Chief Executive of the Family Support Agency is on an annual salary of €120,190. He is currently on secondment from the Health Service Executive (HSE) and he remains a member of the HSE Superannuation Scheme.

The salary for the post of Director in the Combat Poverty Agency is linked to the Principal Officer Higher Scale in the civil service and would normally include membership of the Agency's Superannuation Scheme. The position is currently being filled on an acting basis. The Acting Director is on a salary of €73,800 per annum, which takes account of public service pensions already in payment. The Acting Director is not a member of the Agency's Superannuation Scheme.

Schemes of performance-related pay can apply to the Chief Executive Officers of non-commercial State sponsored bodies. All of the above post holders are eligible to be considered for a performance related bonus payment of up to a maximum of 20% of basic salary. Decisions regarding the level of payments to be awarded in individual cases is the responsibility of the Board of the body concerned. The Pensions Ombudsman is on an annual salary of €136,581. He is a member of the Model Pension Scheme for State Sponsored Bodies. All are entitled to standard travel and subsistence allowances and recoupment of other vouched expenses incurred wholly, properly and exclusively in the performance of their duties. Such expenses are administered by the Agencies.

Details of the level of fees payable to the Board of the Agencies under the aegis of the Department are set out in the tabular statement. Fees payable to Board members of the Agencies under the aegis of the Department of Social and Family Affairs for the period 2005 — 2008 are as shown below:

Year	Agency	Chair	Board Member
		€	€
2005	Pensions Board	10,158	6,349
	Citizens Information Board	7,618	5,078
	Family Support Agency	7,618	5,078
	Combat Poverty Agency	7,618	5,078
2006 to date	Pensions Board	14,000	9,000
	Citizens Information Board	10,500	7,000
	Family Support Agency	10,500	7,000
	Combat Poverty Agency	10,500	7,000

#### **Departmental Staff.**

1327. **Deputy Joan Burton** asked the Minister for Social and Family Affairs the number of staff broken down by grade, the number of such staff who are full time civil servants, the



number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of her and each Minister of State within her Department; and if she will make a statement on the matter. [30632/08]

1349. **Deputy Lucinda Creighton** asked the Minister for Social and Family Affairs the number of civil service staff dealing with constituency matters in her office; the number of civil service staff dealing with constituency matters in the offices of Junior Ministers within her Department; and the cost in salaries for these staff per annum. [31134/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1327 and 1349 together.

There are currently 8 staff in the Ministers office and 5 staff in the constituency office, as detailed below. Only 2 of these, my Policy Adviser and Personal Assistant, are non-civil servants. There are no staff assigned to a Minister of State in my Department. In total, including the Press Officer mentioned below, there are 14 staff between both offices.

I have also appointed, on a contract basis for my term of office, a civil servant, Ms Geraldine Butler, as a Press Officer. She is currently on a salary of €73,610. This officer is on call on a seven day per week basis and is not entitled to overtime. The total amount claimed by her in expenses to date is €110.69.

The Deputies may be interested to know that, as detailed below, there were nearly three times as many Ministerial staff in this Department in 1996. At that time, there were 17 staff in the Minister De Rossa's office, 3 of whom were non-civil servants. Minister De Rossa also had a policy unit with 6 staff, 5 of whom were non-civil servants. No such unit has been put in place by any Minister since 1997. The Department also had a Minister of State in 1996, Bernard Durkan TD, who had 13 staff. The total staffing, therefore, was 36 in 1996, compared with 14 now. The total number of non-civil servants was 12 at that time, compared with 2 at present.

The details of the current staffing, that in 1996 and that in 2007 are below.

#### *Minister's Office*

##### *Civil Servants*

1 Press Officer on a salary of €73,610

1 Private Secretary on the Higher Executive Officer pay scale (€46,558 to €59,097), with a private secretary allowance of €20,182 per annum.

1 Executive Officer on a pay scale of €30,566 to €48,504

Three Clerical Officers on a pay scale of €22,609 to €36,667

Two Clerical officers on a pay scale of €23,801 to €38,593 (these staff pay a class A PRSI contribution).

The total cost of overtime and expenses incurred to date in 2008 for these officers is €995.40 and €199.20 respectively.

##### *Non-civil servants*

1 Policy Adviser, Averil Power, paid on the Principal Officer scale, with a current salary of €97,109 per annum. This officer is on call on a seven day per week basis and is not entitled to overtime. No expenses have been incurred by this person to date.



[Deputy Mary Hanafin.]

*Constituency Office*

*Civil servants*

1 Executive Officer on a pay scale of €32,179 to €51,0541

Clerical Officer on a pay scale of €22,609 to €36,6672

Clerical officers on a pay scale of €23,801 to €38,593 (these staff pay a class A PRSI contribution)

*Non-civil servants*

1 Personal Assistant, Mr. Peter O'Brien, currently being paid €55,030 per annum. To date in 2008, no overtime or expenses have been paid to the staff in my constituency office. However, it is estimated that overtime costs in the region of €7,500 will arise during 2008.

*1996 STAFFING Minister's Office (including constituency office)*

*Civil Servants*

1 Programme Manager

1 Private Secretary

3 Executive Officers

7 Clerical Officers

2 Clerical Assistants/ Typists

*Non Civil Servants*

1 Special Adviser

1 Personal Assistant

1 Personal Secretary

*Policy Unit*

*Civil Servants*

1 Principal Officer level

*Non Civil Servants*

1 Senior Research Assistant

1 Research Assistant

2 Research Assistants (Part-time)

1 Administrative Assistant

*Minister of State's Office*

*Civil Servants*

1 Private Secretary

2 Staff Officers

3 Clerical Officers

3 Clerical Assistants/ Typists

*Non Civil Servants*

1 Personal Secretary

1 Personal Assistant

2 Civilian Drivers

*2007 STAFFING*

*Minister's Office*

*Civil Servants*

1 Private Secretary on the Higher Executive Officer pay scale (€46,646 to €59,213), with a private secretary allowance of €19,690 per annum. 1 Executive Officer on a pay scale of €29,093 to €46,167

One Clerical Officer on a higher scale of €23,086 to €36,546 (salary adjusted to take account of work-sharing)

Three Clerical Officers on a pay scale of €22,057 to €35,772

Two Clerical officers on a pay scale of €23,221 to €37,651

*Constituency Office*

*Civil Servants*

1 Executive Officer on a pay scale of €30,628 to €48,594

1 Clerical Officer on a pay scale of €23,221 to €37,651

*Non Civil Servants*

1 Personal Assistant on a pay scale of €44,646 to €59,213

1 Constituency Assistant on a pay scale of €44,646 to €59,213

In addition to these staff, Minister Cullen also had a press adviser in 2007, who was paid on a pay scale of €82,016 to €95,363.

Overtime payments in 2007 amounted to €19,500.22

No expenses were paid to any of these staff in 2007.

#### **Social Welfare Benefits.**

1328. **Deputy Arthur Morgan** asked the Minister for Social and Family Affairs the annual cost of child benefit. [30654/08]

1329. **Deputy Arthur Morgan** asked the Minister for Social and Family Affairs if calculations have been undertaken to establish the annual pay out of child benefit if it were only granted to children in households earning less than €100,000 per annum. [30656/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1328 and 1329 together.

Child benefit is estimated to cost almost €2.5 billion in 2008. The Department has not undertaken any costings of the implications of introducing an earnings threshold for child benefit purposes.

1330. **Deputy Arthur Morgan** asked the Minister for Social and Family Affairs the estimated annual cost of increasing the jobseeker's benefit by €20 per week and €30 per week respectively. [30657/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The estimated annual cost of increasing jobseeker's benefit by €20 per week is €130.8 million in a full year and the cost of increasing jobseeker's benefit by €30 per week is €196.2 million in a full year.

1331. **Deputy Arthur Morgan** asked the Minister for Social and Family Affairs the number of years back PRSI is taken into account before a person can qualify for unemployment benefit. [30658/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Jobseeker's benefit is an insurance based scheme. There are two main contribution conditions that have to be satisfied in order to qualify for payment. A person must have at least 52 reckonable contributions paid between the date of entry into insurable employment and the date the claim is made. Only contributions payable at Classes A, H and P (or the equivalent rates before April 1979) are reckonable for this purpose.

In addition to having the 52 reckonable contributions paid, a person must also have at least 39 reckonable contributions paid or credited in the Governing Contribution Year, or have at least 26 reckonable contributions paid in both the Governing Contribution Year (GCY) and the year immediately preceding the GCY. The Governing Contribution Year (GCY) is the second last complete contribution year before the benefit year in which the claim is made. The current Governing Contribution Year is 2006 for jobseekers benefit claims made in 2008.

1332. **Deputy Mary O'Rourke** asked the Minister for Social and Family Affairs if she will review the case of a person (details supplied) in County Westmeath who has been refused mortgage help. [30680/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The supplementary welfare allowance scheme, which includes mortgage interest supplement, is administered on behalf of the Department by the community welfare division of the Health Service Executive. A mortgage interest supplement provides short-term income support to eligible people who are unable to meet their mortgage interest repayments in respect of a house which is their sole place of residence.

The Health Service Executive has advised that the position remains unchanged from that advised in my reply to Parliamentary Question No. 567 on 17th June 2008. One of the conditions for receipt of mortgage interest supplement is that the claimant must have been in a position to meet the mortgage repayments when the loan agreement was entered into. The Executive has advised that the person concerned was refused mortgage interest supplement as his current financial circumstances are the same as when the loan agreement was entered into.

The Executive has further advised that the person concerned appealed the decision to the HSE Appeals Office and the refusal was upheld. It is open to him to lodge an appeal against the decision to the Social Welfare Appeals Office.

1333. **Deputy Mary O'Rourke** asked the Minister for Social and Family Affairs if she will review the case of a person (details supplied) in County Westmeath who has been told it is an aspiration of her Department that lone parents will not be penalised by taking up training leading to a job opportunity; but in this case, the rent subsidy of their house has been severely cut. [30682/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Rent supplement is administered on behalf of the Department by the community welfare division of the Health Service Executive (HSE), as part of the supplementary welfare allowance scheme. Rent supplement is normally calculated to ensure that a person, after the payment of rent, has an income equal to the rate of SWA appropriate to their family circumstances less a minimum contribution, currently €13, which recipients are required to pay from their own resources. Many recipients pay more than €13 because recipients are also required, subject to income disregards, to contribute any additional assessable means that they have over and above the appropriate basic SWA rate towards their accommodation costs.

The first €75 of additional income, that is, income above the standard rate of supplementary welfare allowance appropriate to a person's circumstances, is disregarded for rent supplement purposes, with any additional income above €75 assessed at 75%. This measure ensures that people have a financial incentive to take up education or training opportunities. The person concerned is in receipt of one-parent family payment (OFP) and a FÁS training allowance. Prior to participation in FÁS training course she contributed €13 towards her rent. Her income has increased by €177.80 and €100.70 of that income was disregarded when reviewing her entitlement to rent supplement. Consequently she now contributes an additional €77.10 towards her rent but she is still €100.70 better off, per week, as a result of participating in the FÁS training course. If she is not satisfied with the decision of the Executive, it is open to her to lodge an appeal against the decision.

### **Registration of Births.**

1334. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the circumstances under which a father's name on a birth certificate may be altered or deleted and the procedure for doing so. [30687/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** An tArd Chlaráitheoir (Registrar General) is the person with statutory responsibility for the administration of the civil registration system in Ireland, including civil marriages. I have made enquiries with an tArd Chlaráitheoir and the position is as follows. There are two provisions that allow for the removal of the particulars of a man named as father of a child in an entry in the register of births and, if appropriate, the amendment of the entry by the addition of the biological father's particulars.

Section 65 of the Civil Registration Act, 2004 allows the Registrar General to hold an enquiry in order to examine any entry and to determine whether the entry is correct and complete and, if it is not, to cause the correction or completion of the entry. The Registrar General will consider all submissions and evidence put before him in the course of an enquiry under section 65 as to the parentage of a child. In order to remove or amend the father's particulars, proofs of the paternity of the child to whom the entry relates are required, such as DNA or other paternity analysis from a reliable laboratory. It is important that the samples sent for analysis should be taken by a registered medical practitioner or other qualified person who can certify that the samples were taken from the named individuals concerned: Tests where the chain of control of the samples cannot be independently verified cannot be accepted as conclusive evidence.

In addition, statutory declarations from the mother, the man named as father in the entry and (if applicable), the biological father are required.

Under section 35 of the Status of Children Act, 1987, it is open to a person (or, if the person is a minor, to a person acting as the child's next friend) to apply for a declaration of parentage.

[Deputy Mary Hanafin.]

Such declarations may be granted by a judge of the Circuit Family Law Court and are binding upon the State. A Superintendent Registrar, if furnished with a certified copy of a declaration of parentage and a statutory declaration from a qualified informant, may correct an error of fact relating to the parentage of a child in an entry in the register of births under the provisions of section 63 of the Civil Registration Act 2004.

### **Social Welfare Benefits.**

1335. **Deputy Michael Ring** asked the Minister for Social and Family Affairs if a person (details supplied) in County Mayo will be approved and granted jobseeker's allowance. [30715/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The person concerned applied for a jobseeker's allowance payment on 16 June 2008. Her claim is currently with a Social Welfare Inspector for assessment of her means. Despite requests, she has not yet provided to the Inspector, full details of her parental income in respect of her fathers holding of land or her mothers insurable employment. She was invited to attend the Inspector's office on 12 September to discuss her claim, but she failed to attend. When enquiries are completed the claim will be forwarded to the Social Welfare Local Office for decision and she will be notified of the outcome.

Under Social Welfare legislation decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

### **Departmental Offices.**

1336. **Deputy Michael Ring** asked the Minister for Social and Family Affairs her plans in relation to an office (details supplied) in County Mayo to upgrade or renovate this facility; if her attention has been drawn to the conditions of that building; and if she will make a statement on the matter. [30725/08]

1337. **Deputy Michael Ring** asked the Minister for Social and Family Affairs if a building (details supplied) in County Mayo has been surveyed from a health and safety point of view; the findings of the survey; the works proposed as a result of it; if this property has been deemed a health and safety risk from its employees; and if she will make a statement on the matter. [30726/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1336 and 1337 together.

The Office of Public Works (OPW) has responsibility for the procurement and maintenance of all my Department's office accommodation. It is currently examining the possibility of relocating the Ballina Local Office to space within Government Buildings, Ballina on an interim basis. In addition, the feasibility of redeveloping the former Garda Station site as a social welfare local office in Ballina is under review.

A health and safety statement and risk assessment are in place for this office. No unacceptable health and safety risks to staff have been identified in this context.

*Question No. 1338 answered with Question No. 1282.*

### Social Welfare Benefits.

1339. **Deputy Michael Ring** asked the Minister for Social and Family Affairs if she will amend the qualifying criteria for the respite care grant in order to include carers who provided care for part or nearly all of the twelve months up to the first Thursday in June 2008; and if she will make provision to allow for the payment of a partial or pro-rata grant. [30732/08]

1340. **Deputy Michael Ring** asked the Minister for Social and Family Affairs her plans to issue a respite care grant to a person (details supplied) in County Mayo in view of the fact that the care only ceased six to seven days prior to the first Thursday in June 2008. [30733/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 1339 and 1340 together.

Supporting and recognising carers in our society is, and has been, a priority of the Government since 1997. Over that period, weekly payment rates to carers have greatly increased, qualifying conditions for carer's allowance have significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit and the respite care grant have been introduced and extended.

From June 2005, the annual respite care grant was extended to all carers who are providing full-time care to a person who needs such care, regardless of their income. A carer who is caring for two or more people is entitled to a full grant for each of the care recipients. The rate of the grant increased to €1,700 per year from June 2008.

In order to qualify for the respite care grant, the applicant must be providing, or likely to provide, full-time care and attention to a person who needs such care for a period of six months and be providing that care on the specified date in June of the relevant year. There are no provisions to allow for payment of a partial grant where a person provides care for part of the year, excluding the June date. Unfortunately, the person concerned did not satisfy the condition regarding the payment date and, therefore, no respite care grant is payable in this case. While, all payments to carers will continue to be kept under review there are no plans at present to introduce a pro rata respite care grant.

1341. **Deputy Michael Ring** asked the Minister for Social and Family Affairs the way in which the rate of jobseekers allowance was calculated in respect of a person (details supplied) in County Mayo in view of the fact that they no means from self-employment. [30737/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Under Social Welfare legislation decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These officers are statutorily appointed and I have no role in regard to making such decisions. No decision has been made in relation to the amount of jobseeker's allowance that may be payable in this case. The person concerned applied for a jobseeker's benefit payment on 21 July 2008. He was awarded jobseeker's benefit at the weekly rate of €222.00 from 21 July 2008. He may be entitled to jobseeker's allowance at a higher rate and accordingly he was invited to apply for the allowance. That claim is currently with a Social Welfare Inspector for investigation. On completion of enquiries the claim will be forwarded to the Social Welfare Local Office for decision and he will be notified of the outcome.

1342. **Deputy Jack Wall** asked the Minister for Social and Family Affairs if she has plans to re-introduce the pre-retirement allowance; if she has plans to introduce a similar payment; and if she will make a statement on the matter. [30799/08]



**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The pre-retirement allowance (PRETA) was discontinued for new applicants from 4th July, 2007, while people who had already been receiving this allowance can continue to receive it as long as they satisfy the conditions for payment. People who would have been eligible for PRETA can continue to receive the jobseekers allowance, which is paid at the same rate as PRETA.

Given the need to ensure the sustainability of the social welfare system in the light of the demographic challenges that lie ahead, the system is being reformed to encourage and facilitate people to continue to work up to pension age, and if they so choose beyond that age. These reforms are in line with the process of modernising social protection systems taking place internationally. In the circumstances, I have no plans to re-introduce this allowance.

*Question No. 1343 answered with Question No. 1286.*

### **Family Support Services.**

1344. **Deputy Pat Rabbitte** asked the Minister for Social and Family Affairs if funding is available from her Department for an organisation (details supplied) in Dublin 24 who provide advice on all aspects of family breakdown including legal rights, taxation and social welfare entitlements; and if she will make a statement on the matter. [30817/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The organisation concerned applied for a grant under the 2008 Scheme of Grants for Marriage, Child and Bereavement Counselling Services administered by the Family Support Agency. The remit of the grant scheme is very specific and provides only for the payment of grants to voluntary organisations providing one or more of the following: Marriage Preparation Courses, Marriage Counselling, Child Counselling in relation to parental separation, Bereavement Counselling/Support on the death of a family member. The application was rejected as the services the group wished to provide i.e. an in-house counselling service for unmarried and separated fathers did not come within the remit of the scheme. The group was informed of the decision and the reason on 7 th August 2008. The Department does not have any other funding streams from which monies could be made available.

### **Social Welfare Benefits.**

1345. **Deputy Paul Kehoe** asked the Minister for Social and Family Affairs the waiting period for processing of applications for jobseekers allowance and jobseekers benefit; and if she will make a statement on the matter. [30848/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department is committed to providing a quality customer service to all its customers. This includes ensuring that applications are processed and that decisions on entitlement are issued as expeditiously as possible having regard to the eligibility conditions which apply. These conditions vary between the two jobseeker schemes and involve, among other things, the need to establish the person's social insurance record, establish the person's identity or their place of habitual residence and to assess means where appropriate. In some cases delays arise where the person fails to supply all pertinent information in support of their application. The average processing time for applications processed in August was 3 weeks for jobseekers benefit claims and 5 weeks for jobseekers allowance claims.

The overall performance in any individual office in processing claims can be adversely affected by a wide variety of factors; including increased inflow of claims, staff vacancies and the duration of such vacancies and the turnover of staff in the office. Since the beginning of

year there has been a significant increase in the number of claims for a jobseeker payment and the Department has taken a number of measures to deal with the increased workload. These measures include the allocation of additional posts to local offices, extending the contracts of some temporary staff and sanctioning overtime. At a local level work is prioritised to deal with claim processing. These measures will be kept under review.

1346. **Deputy Paul Kehoe** asked the Minister for Social and Family Affairs the waiting period for the processing of applications for carer's allowance and carer's benefit; and if she will make a statement on the matter. [30849/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The average time for deciding a claim for carer's allowance is currently 15.6 weeks. Entitlement to carer's allowance is based on an applicant satisfying medical, means and residency conditions. In determining entitlement to the allowance there are, in certain cases, unavoidable time lags involved in making the necessary investigations and enquiries to enable accurate decisions to be made. Delays can also arise if people applying for the allowance are not in a position to supply all the necessary information in support of their claim. Many applicants for carer's allowance are already in receipt of another social welfare payment while their claim is being processed. The number of claims for carers allowance submitted in 2007 was 18,000 compared to 10,700 in 2006, an increase of 68%. A total of 13,900 new applications for Carer's Allowance have been received this year to date (week end 12 September 2008). The large increase in applications received is mainly due to the introduction of the half rate carer's allowance payment which came into effect from 27 September 2007. Entitlement to carer's benefit is based on an applicant satisfying medical, employment and PRSI contribution conditions.

The average time for deciding an application for carer's benefit is currently 8 weeks. During 2007 the average time to decide a claim was 12 weeks. The number of claims for Carer's Benefit submitted in 2007 was 2,403 compared to 2,221 in 2006. A total of 1,728 new applications have been received this year to date (week end 12th September 2008).

#### **Family Support Services.**

1347. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs if she will report on the pilot scheme currently operating for lone parents including any evaluation carried out into the project; and if she will make a statement on the matter. [30888/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Government discussion paper, Proposals for Supporting Lone Parents, put forward proposals to tackle obstacles to employment for lone parents and other low income families. Under the proposals the lone parenthood category of payment would no longer exist. Instead, a new payment would be made to all parents (living alone or with a partner), with young children, on low income.

The non-income recommendations contained in the discussion paper were examined in two areas: Coolock and Kilkenny. These studies, which took place between November 2007 and February 2008, were carried out to facilitate the development of the policy and operational details of the new scheme. They have highlighted how lone parents are not a homogenous group, are of different ages, have experienced different routes into lone parenthood and have different needs.

The experience of this engagement process is feeding into the development of our approach to working with lone parents and qualified adults to support them into education, training and employment. Work is also ongoing in addressing possible poverty traps in the new income support scheme.

*Question No. 1348 answered with Question No. 1307.*

*Question No. 1349 answered with Question No. 1327.*

*Question No. 1350 answered with Question No. 1310.*

### **Social Welfare Benefits.**

1351. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the maximum income the spouse of a person receiving jobseeker's benefit may earn for the jobseeker to retain entitlement to the maximum and the minimum amount of assistance possible under the private mortgage interest supplement scheme; and if she will provide a sliding scale of entitlement by income level. [31163/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The purpose of Mortgage Interest Supplement is to provide short term income support to eligible people who are unable to meet their mortgage interest repayments in respect of a house which is their sole place of residence. The supplement assists with the interest portion of the mortgage repayments only.

Under standard SWA rules, Mortgage Interest Supplements are normally calculated to ensure that a person, after the payment of mortgage interest, has an income equal to the rate of SWA appropriate to their family circumstances less a minimum contribution, currently €13, which recipients are required to pay from their own resources. Many recipients pay more than €13 because they are required also, subject to income disregards, to contribute any additional assessable means that they have over and above the appropriate basic SWA rate towards their accommodation costs.

Since June 2007, where a person has additional income in excess of the standard weekly rate of supplementary welfare allowance, the first €75 of such additional income together with 25% of any additional income above €75 is disregarded for means assessment purposes.

In determining entitlement to mortgage interest supplement, the Executive must be satisfied that the amount of the mortgage interest payable by the claimant does not exceed such amount as it considers reasonable to meet his or her residential and other needs. In exceptional circumstances, the Health Service Executive may award a supplement where the amount of mortgage interest payable by a person exceeds such amount as the Health Service Executive considers reasonable to meet his or her residential and other needs in general such supplement is paid for a maximum of 12 months from the date of the claim.

Subject to a person meeting the qualifying conditions of the scheme, there are a number of factors that would affect the amount of mortgage interest supplement payable in any case including: the size of the mortgage and the amount of mortgage interest payable; the earnings of the spouse and its impact on the amount of jobseekers benefit payable in respect of a qualified adult; the number of hours per week worked: mortgage interest supplement is not payable where a member of the household works for 30 or more hours per week; whether the Executive considers the amount of mortgage interest to be reasonable.

It is therefore not possible to provide a meaningful maximum or minimum amount of mortgage interest supplement that could be payable. However, an example is set out in the attached tabular statement, based on a person paying €200 per week in mortgage interest. The tabular statement sets out the amount of mortgage interest supplement that would be payable where a spouse of a person receiving jobseekers benefit engages in employment at the minimum wage at up to 29 hours per week. This shows that as household income increases, the amount of mortgage interest supplement payable is reduced, but at a slower rate so that the household is financially better off as the income from employment increases.

Mortgage Interest Supplement Entitlement for a Married Couple with No Children Based on Hourly Minimum Wage Rates and Mortgage Interest of €200 per Week

Claimant	Qualified Adult	Hours of Employment Per Week	Qualified Adults Earnings from Employment	Income from Employment and Jobseeker's Benefit	Total Income — Wages, JB+ MIS	Total Contribution to Mortgage Interest Supplement	Mortgage Interest Supplement	Increase in Net Income after Mortgage Interest is paid
197.80	131.30	1	8.65	337.75	524.75	13.0	187.00	8.65
197.80	131.30	2	17.30	346.40	533.40	13.0	187.00	17.30
197.80	131.30	3	25.95	355.05	542.05	13.0	187.00	25.95
197.80	131.30	4	34.60	363.70	550.70	13.0	187.00	34.60
197.80	131.30	5	43.25	372.35	559.35	13.0	187.00	43.25
197.80	131.30	6	51.90	381.00	568.00	13.0	187.00	51.90
197.80	131.30	7	60.55	389.65	576.65	13.0	187.00	60.55
197.80	131.30	8	69.20	398.30	585.30	13.0	187.00	69.20
197.80	131.30	9	77.85	406.95	591.81	15.14	184.86	75.71
197.80	131.30	10	86.50	415.60	593.98	21.63	178.38	77.88
197.80	131.30	11	95.15	424.25	596.14	28.11	171.89	80.04
197.80	125.90	12	103.80	427.50	596.95	30.55	169.45	80.85
197.80	120.50	13	112.45	430.75	597.76	32.99	167.01	81.66
197.80	114.20	14	121.10	433.10	598.35	34.75	165.25	82.25
197.80	114.20	15	129.75	441.75	600.51	41.24	158.76	84.41
197.80	107.90	16	138.40	441.10	601.10	43.00	157.00	85.00
197.80	101.60	17	147.05	446.45	601.69	44.76	155.24	85.59
197.80	95.30	18	155.70	448.80	602.28	46.53	153.48	86.18
197.80	89.00	19	164.35	451.15	602.86	48.29	151.71	86.76
197.80	82.70	20	173.00	453.50	603.45	50.05	149.95	87.35
197.80	76.40	21	181.65	455.85	604.04	51.81	148.19	87.94
197.80	70.10	22	190.30	458.20	604.63	53.58	146.43	88.53
197.80	70.10	23	198.95	466.85	606.79	60.06	139.94	90.69
197.80	63.80	24	207.60	469.20	607.38	61.83	138.18	91.28
197.80	57.50	25	216.25	471.55	607.96	63.59	136.41	91.86
197.80	51.20	26	224.90	473.90	608.55	65.35	134.65	92.45
197.80	44.90	27	233.55	476.25	609.14	67.11	132.89	93.04
197.80	38.60	28	242.20	478.60	609.73	68.88	131.13	93.63
197.80	32.30	29	250.85	480.95	610.31	70.64	129.36	94.21

1352. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the general criteria applying to those applying to their local community welfare officer for humanitarian aid following the August 2008 floods; if income thresholds are applied; and if she will make a statement on the matter. [31164/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The supplementary welfare allowance (SWA) scheme, which is administered by the Community Welfare Division of the Health Service Executive (HSE), is designed to provide immediate and flexible assistance for those in need who do not qualify for payment under other State schemes.

Under the legislation governing the scheme, the HSE may make a single payment to meet an exceptional need to people on social welfare or health service executive payments. This is a once-off payment to meet an unforeseen or special need that cannot be met from a person's basic income. Assistance in the form of an Urgent Needs Payment (UNP) can be also made to

[Deputy Mary Hanafin.]

persons who would not normally be entitled to SWA, to assist, for example in cases of flood damage with immediate needs, such as food, clothing, fuel, household goods and shelter. Assistance can be provided to people affected in cash or in kind.

There is no automatic entitlement to these payments. Each application is determined on the particular circumstances of the case. In assessing income, consideration is given as to whether a person is in receipt of a social welfare or health service executive payment or to the gross household income with allowance made as appropriate under normal SWA means assessments.

Over the past few months, flooding has been experienced in a number of areas of the country. The Department's role in response to the recent flooding primarily involves supporting the community welfare service in the provision of ENP and UNP funding in the short term and other supports where applicable to cater for the long term effects of the flooding. Any support given relates to damage to a person's home or loss of essential items. It does not extend to business or commercial losses.

Local community welfare officers are available to provide assistance on an individual basis where that is warranted. Any person experiencing hardship as a result of the recent flooding should contact their local Community Welfare Officer in the first instance.

1353. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when child benefit will be restored to a person (details supplied) in County Mayo. [31174/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** People receiving Child Benefit are required, from time to time to complete a residency certification letter to confirm their on-going entitlement to the payment. A certification letter issued to the customer on 08/07/08 and as no reply was received within the specified time limit of 21 days, payment was suspended. A response was received from the customer on 15/09/08 and payment was restored for all her children, on 19/09/08. This payment will be available for collection at her nominated post office on Tuesday 30th September.

*Question No. 1354 answered with Question No. 1326.*

*Question No. 1355 answered with Question No. 1283.*

*Question No. 1356 answered with Question No. 1273.*

1357. **Deputy Eamon Gilmore** asked the Minister for Social and Family Affairs if she will amend the regulations governing the fuel allowance scheme to allow for discretion to be exercised by himself to allow for back dating of payment of fuel allowance in circumstances where the householder would have normally qualified for the fuel allowance scheme but where the household had not made an application on time; and if she will make a statement on the matter. [31527/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department's role is to assist social welfare recipients with heating costs, both through their basic payments and through the household benefits package with fuel, electricity and gas allowances. These schemes have been improved significantly in recent years.

Fuel Allowance is ordinarily paid to eligible people from the date of application. The majority of people applying for Fuel Allowance do so at the same time as their application for a primary social welfare payment. If eligible, a person's primary payment and fuel allowance are put into payment at the same time. Backdating may occur where there are extenuating circumstances



and applies to individual cases only. If the Deputy has a particular case in mind, perhaps he could provide details to the Department so that the issue can be reviewed.

### **Consultancy Contracts.**

1358. **Deputy Arthur Morgan** asked the Minister for Social and Family Affairs the amount that was spent by her Department on consultants in 2007 and to date in 2008. [31651/08]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The amount spent by the Department on consultants in 2007 was €1,013,604 and €463,580 to the end of August 2008. During this period consultancy expertise was used by the Department to support it in undertaking strategic reviews (e.g. review of the Social Insurance Fund and the equality review of the Social Welfare Code) and to provide specialist technical expertise in the application of information technology.

### **Commemorative Events.**

1359. **Deputy Olivia Mitchell** asked the Minister for Defence the progress made regarding the commitment in the Programme for Government to make available to historians and to the public, records of the Military Pension Archive in the Department of Defence; and if he will make a statement on the matter. [29393/08]

1360. **Deputy Olivia Mitchell** asked the Minister for Defence the progress made regarding the commitment in the Programme for Government to push forward with plans for a substantial commemoration in the lead-up to 2016; and if he will make a statement on the matter. [29390/08]

1361. **Deputy Olivia Mitchell** asked the Minister for Defence the progress made regarding the commitment in the Programme for Government to establish the General Post Office as a museum of celebration of Irish progress and achievement across a broad spectrum as a landmark 1916 centenary project; and if he will make a statement on the matter. [29391/08]

1362. **Deputy Olivia Mitchell** asked the Minister for Defence the progress made regarding the commitment in the Programme for Government to advance the redevelopment of Glasnevin Cemetery as part of the preparations for the 100th anniversary of the 1916 Easter Rising; and if he will make a statement on the matter. [29394/08]

1363. **Deputy Olivia Mitchell** asked the Minister for Defence the progress made regarding the commitment in the Programme for Government to restore 16 Moore Street and establish therein an interpretative centre, linked to the refurbished General Post Office, to honour those who fought in the 1916 Rising; and if he will make a statement on the matter. [29395/08]

1364. **Deputy Olivia Mitchell** asked the Minister for Defence the progress made regarding the commitment in the Programme for Government to ensure a prominent cultural component to the 1916 centenary commemoration; and if he will make a statement on the matter. [29396/08]

1365. **Deputy Olivia Mitchell** asked the Minister for Defence the progress made regarding the commitment in the Programme for Government to provide a fund to which community groups can apply for support for the refurbishment of existing monuments commemorating events during the period 1913 to 1923; and if he will make a statement on the matter. [29397/08]



1366. **Deputy Olivia Mitchell** asked the Minister for Defence the progress made regarding the commitment in the Programme for Government to advance plans to commemorate the Irish soldiers who fell at the Somme in 1916; and if he will make a statement on the matter. [29398/08]

**Minister for Defence (Deputy Willie O’Dea):** I propose to take Questions Nos. 1359 to 1366, inclusive, together.

The Centenary commemoration of the Easter Rising and the other events of the independence period, including the Great War and the Battle of the Somme, will be addressed through a comprehensive programme to be implemented across several years. I will be arranging for a meeting soon of the re-constituted Oireachtas All Party Consultation Group on these commemorative issues. With a view to a developing programme, I will inform the Group of progress on current projects and the consideration towards future plans. I expect that the framework for the commemorative programme will be launched sufficiently in advance of the Centenary anniversaries to ensure that commemorative initiatives by interested parties may be informed of opportunities for support or association with the national programme.

The Government have not yet received the report of the Office of Public Works on their preliminary consideration of the potential for development at the GPO complex in Dublin. This report will be completed in coming weeks. A phased multi-annual programme of works is underway at Glasnevin cemetery, scheduled for completion in 2016. The preparation of the personal files and records in the Military Archives for public access has started. A dedicated project team has been assigned to this work. The scoping exercise has been completed and a workplan developed.

#### **Defence Forces Reserve.**

1367. **Deputy Seán Barrett** asked the Minister for Defence the progress on the sourcing of alternative accommodation to facilitate the Reserve Defence Force in Dún Laoghaire; and if he will make a statement on the matter. [29308/08]

**Minister for Defence (Deputy Willie O’Dea):** A number of alternative locations have been identified and are currently under consideration. It is anticipated that a decision on alternative accommodation will be made in the near future.

#### **Departmental Transport.**

1368. **Deputy Fergus O’Dowd** asked the Minister for Defence the number, type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by his Department for each of the past three years; and if he will make a statement on the matter. [29549/08]

**Minister for Defence (Deputy Willie O’Dea):** The information requested by the Deputy is set out in the form of a tabular statement, which I propose to circulate in the Official Report.

Vehicle Type	2005	2006	2007	2008	Cost per Vehicle	Total Cost	CO <sub>2</sub> g/km Emissions
Ford Minitibus	50	11	0	25	0	€ 2,058,775	247/254 g/km
Ford Saloon	2	11	1	9	31,308	€ 640,422	189 g/km
Ford Ambulance	0	6	0	0	0	€ 857,065	249/260g/km
Ford Transit (stores)	56	7	0	0	0	€ 941,668	201 g/km
Nissan $\frac{3}{4}$ Tonne 4x4	66	55	26	18	50,407	€ 8,317,155	288 g/km
Scania 8x8 Vehicles	15	0	0	0	0	€ 4,188,547	Euro 3 0.5g/kWh
Scania 6x6 Vehicles	0	13	11	12	191,664	€ 6,899,904	Euro 4 0.1g/kWh
Scania 8x4 Vehicles	0	2	0	0	0	€ 468,270	Euro 4 0.1g/kWh
Scania EOD Vehicles	0	0	10	0	235,255	€ 2,352,550	Euro 4 0.1g/kWh
DAF Coach	0	0	0	1	0	€ 254,100	Euro 4 0.55g/kWh
DAF Coaches	0	2	0	0	0	€ 484,666	Euro 3 0.78g/kWh
Volvo Saloon	0	0	0	1	0	€ 57,069	193 g/km
Mowag Armour MRV	0	0	6	0	3,145,740	€ 18,874,439	234g/kWh
Mowag Armour CRV	0	0	9	0	1,600,820	€ 14,407,384	234g/kWh
Totals	189	107	63	66		€ 60,802,014	425 Vehicles

1. All Vehicles were purchased and not leased.

2. All of the Vehicles in the Defence Forces Fleet with the exception of Motorcycles and three Saloons are Diesel.

### Departmental Agencies.

1369. **Deputy Aengus Ó Snodaigh** asked the Minister for Defence the State agencies related to his Department. [29567/08]

**Minister for Defence (Deputy Willie O’Dea):** State agencies under the aegis of my Department are the Civil Defence Board and Coiste an Asgard.

### Consultancy Contracts.

1370. **Deputy Leo Varadkar** asked the Minister for Defence if a company (details supplied) has been awarded contracts by his Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if he will make a statement on the matter. [29708/08]

**Minister for Defence (Deputy Willie O’Dea):** I am advised that the company was not awarded any contract by my Department or any of its agencies in the period in question.

### Departmental Staff.

1371. **Deputy Leo Varadkar** asked the Minister for Defence the number of staff sent from his Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if he will make a statement on the matter. [29990/08]

**Minister for Defence (Deputy Willie O’Dea):** No member of staff from my Department attended the conference.

### Data Protection.

1372. **Deputy John O’Mahony** asked the Minister for Defence the procedures in place to ensure that personal data stored by his Department is secure. [30127/08]

**Minister for Defence (Deputy Willie O’Dea):** Personal data held in electronic form in my Department and the Defence Forces is protected by the application of a stringent security policy, on access controlled servers, with mandatory features such as password protection, user authentication, assignment of rights to designated users only, the installation and monitoring of firewalls and other protective hardware. Daily backups by way of offsite secure data storage ensure that data is both protected and recoverable on demand. Encryption is used as necessary and data transmission is via secured links only. All physical files containing personal data relating to staff and external parties are retained in secure locations under restricted access procedures.

All data is maintained under the terms of the Data Protection Acts 1988 and 2003, as amended from time to time. Any request for the release of such data is dealt with under the terms of the Freedom of Information Acts, 1997 and 2003, as amended from time to time.

1373. **Deputy John O’Mahony** asked the Minister for Defence the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from his Department in 2007 and to date in 2008; and if he will make a statement on the matter. [30142/08]

**Minister for Defence (Deputy Willie O’Dea):** In relation to my Department no officially issued computer desktops, laptops or other data devices, such as blackberries and memory keys, have been reported lost, missing or stolen in 2007 and to date. All portable devices are issued on foot of a business requirement authorised at senior level and are recorded, tracked

and maintained in accordance with the Department's ICT Security Policy and procedures certified to ISO27001 standard.

In relation to the Defence Forces, two desktop computers were stolen in 2007 from a Defence Forces installation during the UNMIL mission to Liberia and were not recovered. The PC's were on a restricted network and all data was on network drives rather than the PC's hard disk, so no compromise of data arose.

### **Decentralisation Programme.**

1374. **Deputy Jack Wall** asked the Minister for Defence the progress made regarding the decentralisation to Newbridge; the costs incurred to date; the estimated cost of the project; the timeframe involved in completing the move; and if he will make a statement on the matter. [30265/08]

**Minister for Defence (Deputy Willie O'Dea):** The Deputy will be aware that the Government decision on decentralisation provides for the transfer of my Department's Dublin-based civil service staff, together with a number of military personnel, to Newbridge, Co. Kildare. Close to 90% of clerical/administrative staff are now in place in preparation for the move to Newbridge. The building is under construction and is expected to be ready for occupation by December 2009. Site acquisition, building construction and fit-out costs are borne on the Vote of the Office of Public Works. I understand that the estimated total cost of the project is approximately €30 million.

1375. **Deputy Jack Wall** asked the Minister for Defence the progress made regarding the decentralisation of the Defence Forces Headquarters to the Curragh; the costs incurred to date; the estimated cost of the project; the timeframe involved in completing the move; and if he will make a statement on the matter. [30266/08]

**Minister for Defence (Deputy Willie O'Dea):** As the Deputy is aware, the Government Decision on decentralisation provides for the transfer of Defence Force Headquarters (DFHQ) to the Curragh. A state-owned site in the Curragh has been chosen for a new building to accommodate DFHQ. The outline design of the building has been developed in conjunction with the Office of Public Works (OPW) and the planning process has been completed. The project will proceed to the next stage, invitation of tenders for construction of the new building, subject to completion of tender documentation by OPW and approval of the necessary funding. The total cost and timescale for completion of the project will be determined by the outcome of the tender competition. Expenditure on the project will be borne on the Vote for the OPW.

### **Health and Safety Regulations.**

1376. **Deputy Bernard Allen** asked the Minister for Defence if the Naval Service are employers under the Safety, Health and Welfare at Work Act 2005; if so, his views on whether a safe place of work has been provided for the officers and men; and if monitoring of their property adjacent to Haulbowline has been undertaken by an occupational hygienist. [30280/08]

**Minister for Defence (Deputy Willie O'Dea):** The Defence Forces are considered to be employers under the Health, Safety and Welfare at Work Act 2005 with a number of exceptions as set out in Section 6 of that Act.

An independent environmental health and safety assessment has recently been completed in respect of the Naval Base, Haulbowline. This assessment has concluded that the risk is accept-

[Deputy Willie O’Dea.]

able meaning that there is no exposure to undue risks and that no mitigating action needs to take place.

### Departmental Advertising.

1377. **Deputy John Deasy** asked the Minister for Defence the amount spent on advertising in the Irish language by his Department and by agencies under the aegis of his Department since the enactment of the Official Languages Act 2003; and if he will make a statement on the matter. [30390/08]

**Minister for Defence (Deputy Willie O’Dea):** The amount spent by my Department and by agencies under the aegis of my Department on advertising in the Irish language since the enactment of the Official Languages Act 2003 is €212,316.20.

In relation to the Defence Forces, the Recruitment and Competitions Section spent a total of €1,108,134 on national media advertisements in the period from 2003 to date in 2008. As all of the advertisements placed in the national media are dual language with the text in both Irish and English it is not possible to determine the total amount spent on advertising in the Irish language.

### Air Corps Operations.

1378. **Deputy Michael Ring** asked the Minister for Defence the number of occasions an Air Corps helicopter has been used in 2007 and to date in 2008; the person by whom it was used; the reason it was deployed; the costs of use on each occasion; and if he will make a statement on the matter. [30426/08]

**Minister for Defence (Deputy Willie O’Dea):** The Air Corps helicopter fleet comprises two light utility EC135 helicopters and five utility AW139 helicopters, with one further AW139 scheduled for delivery by the end of 2008. The Alouette helicopters were withdrawn from Air Corps service in September 2007.

The helicopters are operated by the Air Corps in a general purpose military operational and training role. Primary taskings include security, aid to the civil power, military exercises, infantry interoperability training and limited troop transport. They are also used to perform air ambulance, inland Search and Rescue, aid to the civil authorities, community support and VIP transport tasks.

The following table sets out details of deployment of Air Corps helicopters in 2007 and to date in 2008:

Tasking	Alouette		AW139		EC135	
	No. of Missions	Flying Time (hours)	No. of Missions	Flying time (hours)	No. of Missions	Flying time (hours)
Military Support	31	74	380	765	172	314
Training	65	66	317	471	1,034	1,194.5
Community Support/Public Relations	16	22	44	83.5	23	49.5
Air Ambulance	1	1	31	97	28	70
Aid to the Civil Power			11	17.7	7	8
Aid to the Civil Authority			11	30		
Assistance to Gov. Depts.	4	16			5	19
Maritime Patrol			1	3.5	7	19
Search & Rescue	6	18	2	5.8	2	3.5

With regard to the tasking of Air Corps helicopters in the VIP transport role, the following schedule sets out the details of all Ministerial use of Air Corps helicopters in 2007 and to date in 2008, including the date of each trip, the helicopter type tasked, the duration of each flight and the persons carried. Each trip was in the conduct of official engagements and had the prior approval of An Taoiseach.

The hourly cost of each helicopter type is set out in the following table.

Helicopter Type	Average Direct Cost Per Hour	Average Total Cost Per Hour
	€	€
Alouette III	1,100	1,700
EC135	760	—
AW139	1,400	—

The direct hourly cost reflects the costs which are additional to those associated with having the aircraft and which only arise when the aircraft is flown, including maintenance, fuel and support services. The total hourly cost reflects the direct cost, plus the costs associated with having the aircraft, i.e. depreciation and personnel costs. A total hourly cost for the EC135 and the AW139 is not yet available.

Date	Aircraft	Ministerial Time On Board	Minister
25 Jan 07	EC135	110	Justice (Michael McDowell)
2 Feb 07	Alouette	120	Justice (Michael McDowell)
2 Feb 07	EC135	35	Taoiseach (Bertie Ahern)
16 Feb 07	EC135	45	Taoiseach (Bertie Ahern)
1 Mar 07	EC135	110	Environment (Dick Roche) & Agriculture (Stage 1 only) (Mary Coughlan)
30 Mar 07	EC135	150	Environment (Dick Roche)
5 Apr 07	EC135	80	Arts, Sport & Tourism (John O'Donoghue)
19 Apr 07	EC135	135	Health (Mary Harney)
23 Apr 07	EC135	70	Taoiseach (Bertie Ahern)
26 Apr 07	EC135	100	Justice (Michael McDowell)
27 April 07	EC135	95	Taoiseach (Bertie Ahern)
16 May 07	EC135	90	Transport (Martin Cullen)
3 July 07	AW139	80	Agriculture (Mary Coughlan)
4 July 07	AW139	90	Taoiseach (Bertie Ahern)
9 July 07	AW139	90	Taoiseach (Bertie Ahern)
17 July 07	AW139	80	Taoiseach (Bertie Ahern)
6 Sep 07	EC135	130	Defence (Willie O'Dea)
13 Sep 07	AW139	140	Community, Rural & Gaeltacht Affairs (Éamon Ó Cuív) + MOS Health (Pat the Cope Gallagher)
25 Sep 07	AW139	60	Agriculture (Mary Coughlan)
27 Sep 07	AW139	80	Taoiseach (Bertie Ahern)
2 Nov 07	AW139	100	Transport (Noel Dempsey & MOS Jimmy Devins)
16 Nov 07	AW139	80	Taoiseach (Bertie Ahern)
17 Dec 07	AW139	60	Health (Mary Harney)
17 Dec 07	AW139	45	Justice (Brian Lenihan)



[Deputy Willie O’Dea.]

Date	Aircraft	Ministerial Time On Board	Minister
31 Jan 08	EC135	80	Justice (Brian Lenihan)
1 Feb 08	AW139	90	Taoiseach (Bertie Ahern)
8 Feb 08	AW139	40	Taoiseach (Bertie Ahern)
23 Mar 08	EC135	100	Defence (Willie O’Dea)
25 Mar 08	EC135	60	Education (Mary Hanafin)
26 Mar 08	EC135	120	Education (Mary Hanafin)
4 Apr 08	EC135	30	Taoiseach (Bertie Ahern)
11 Apr 08	EC135	100	Taoiseach (Bertie Ahern)
11 Apr 08	EC135	45	Health (Mary Harney)
14 Apr 08	EC135	50	Defence (Willie O’Dea)
9 Apr 08	EC135	55	Health (Mary Harney)
17 Apr 08	EC135	30	Agriculture (Mary Coughlan)
18 Apr 08	EC135	70	Agriculture (Mary Coughlan)
29 Apr 08	EC135	20	Justice (Brian Lenihan)
1 May 08	AW139	205	Defence (Willie O’Dea)
1 May 08	AW139	60	Justice (Brian Lenihan)
30 May 08	AW139	100	Defence (Willie O’Dea)
29 May 08	EC135	120	Justice (Dermot Ahern)
30 May 08	AW139	90	Health (Mary Harney)
10 Jun 08	EC135	70	Defence (Willie O’Dea)
19 Jun 08	EC135	100	Defence (Willie O’Dea)
15 Aug 08	AW139	80	Taoiseach (Brian Cowen)
26 Aug 08	AW139	100	Defence (Willie O’Dea)
5 Sep 08	AW139	55	Arts, Sport & Tourism (Martin Cullen)
10 Sep 08	EC135	40	Defence (Willie O’Dea)
12 Sep 08	EC135	80	Defence (Willie O’Dea)
13 Sep 08	AW139	60	Tánaiste (Mary Coughlan)
16 Sep 08	AW139	50	Taoiseach (Brian Cowen ) + Tánaiste (Mary Coughlan)

### Departmental Agencies.

1379. **Deputy Joan Burton** asked the Minister for Defence the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of his Department; and if he will make a statement on the matter. [30609/08]

**Minister for Defence (Deputy Willie O’Dea):** The information sought by the Deputy is outlined in the following table.

Agency	Position Held	Pay
Civil Defence Board	Director General	Civil Service Principal Officer scale i.e. €86,168 – €106,582.

The holder of this position is a member of the Non-Contributory Civil Service Main Superannuation Scheme and the associated Spouses and Children’s Contributory Pension Scheme for

established Civil Servants. The Civil Service Principal Officer Pay Scale applies to this position with no performance or other bonus payments attached.

### Departmental Staff.

1380. **Deputy Joan Burton** asked the Minister for Defence the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of him and each Minister of State within his Department; and if he will make a statement on the matter. [30624/08]

**Minister for Defence (Deputy Willie O’Dea):** The following tables set out the grades, numbers and remuneration for 2007 and 2008 of the personnel in my private and constituency offices and those of the Minister of State at the Department of Defence. In addition to four permanent civil servants employed in my Private Office and six permanent civil servants employed in my Constituency Office, I have appointed a Special Adviser, a Press Adviser, a Personal Assistant and a Personal Secretary.

Minister for Defence, Mr Willie O’Dea, T.D.

#### Private Office

Grade/Position	No.	Salary Scale as at 01/09/2008	Salary Scale as at 01/09/2007
Special Adviser (Non-established)	1	Principal Officer standard scale €86,168 – €106,582	Principal Officer standard scale €82,016 – €101,446
Press Adviser (Non-established)	1	Principal Officer standard scale €86,168 – €106,582	Principal Officer standard scale €82,016 – €101,446
Higher Executive Officer	1	Higher Executive Officer standard scale €46,558 – €59,097	Higher Executive Officer standard scale €44,314 – €56,250
Executive Officer	1	Executive Officer standard scale €30,566 – €48,504	Executive Officer higher scale €29,093 – €47,980
Staff Officer	1	Staff Officer €34,941 – €46,655	Staff Officer €33,258 – €44,407
Clerical Officer	1	Clerical Officer PPC scale €24,397 – €39,558	Clerical Officer PPC scale €23,221 – €37,652

#### Constituency Office

Grade/Position	No.	Salary Scale as at 01/09/2008	Salary Scale as at 01/09/2007
Personal Assistant (Non-established, (based in constituency))	1	Higher Executive Officer standard scale €46,558-€55,030 (excludes long service increments)	Higher Executive Officer standard scale €44,314-€52,379 (excludes long service increments)
Personal Secretary (Non-established, (based in constituency))	1	Secretarial Assistant contract scale €23,182 – €44,726	Secretarial Assistant contract scale €22,064 – €42,571
Executive Officer	1	Executive Officer PPC scale €32,179 – €51,054	Executive Officer PPC scale €30,628 – €48,594
Staff Officer	1	Staff Officer scale PPC €36,779 – €49,104	Staff Officer scale €33,258 – €44,407

[Deputy Willie O'Dea.]

## Clerical Officers in Constituency Office 2008

Grade/Position	No.	Salary Scale at 01/09/2008
Clerical Officer	1	Clerical Officer Higher scale €24,255 – €38,397
Clerical Officer	2	Clerical Officer PPC standard scale €24,397 – €39,558
Clerical Officer	1	Clerical Officer standard scale €23,174 – €37,584

## Clerical Officers in Constituency Office 2007

Grade/Position	No.	Salary Scale at 01/09/2007
Clerical Officer	1	Clerical Officer PPC scale €23,221 – €37,652
Clerical Officer	3*	Clerical Officer scale €22,058 – €35,773

\* This figure reflects both full time and part time Clerical Officers.

*Minister of State, Mr. Pat Carey, T.D. (2008) and Mr. Tom Kitt, T.D. (2007)*

*Private Office and Constituency Office*

There are two staff assigned to cover both the private office and the constituency office of the Minister of State, both of whom are civil servants.

Grade/Position	No.	Salary Scale as at 01/09/2008	Salary Scale as at 01/09/2007
Higher Executive Officer	1	Higher Executive Officer standard scale €46,558 – €59,097	Higher Executive Officer standard scale €44,314 – €56,250
Clerical Officer	1	Clerical Officer higher scale €24,255 – €38,397	Clerical Officer higher scale €23,086 – €36,546

The employment contract of the non-established officers referred to in these tables is coterminous with the appointment of the relevant office holder. Overtime, travel and subsistence expenses are paid in accordance with normal Civil Service regulations. Personal Pension Contribution (PPC) scales apply where officers were employed since 6 April 1995, pay class A rate of PRSI and make a personal pension contribution.

**Defence Forces Equipment.**

1381. **Deputy Jim O'Keeffe** asked the Minister for Defence the pre-acquisition scoping process embarked upon prior to the order and purchase of the Dauphin helicopters for use by the Air Corps; the reasons for their subsequent unsuitability and sale to a foreign army; and if he will make a statement on the matter. [30822/08]

**Minister for Defence (Deputy Willie O'Dea):** I am advised that the procurement of the Dauphin helicopters in the 1980s followed from competitive tendering competitions at that time based on specifications drawn up by the Air Corps. In 2005, the General Officer Commanding Air Corps recommended the sale of four Dauphin helicopters. The Dauphins at that stage needed significant maintenance and the investment required was considered to be excessive for the potential return and was not proceeded with in favour of a re-equipment programme. This programme has seen the acquisition of 2 EC135 helicopters and 6 AW 139 helicopters for the Air Corps, with the final AW 139 helicopter due for acceptance next month.

The four Dauphins, special tools and spare parts were sold following an open tender competition to Rotor Leasing Incorporated in the USA for €311,000 in October 2006.

### Departmental Staff.

1382. **Deputy Lucinda Creighton** asked the Minister for Defence the number of Civil Service staff dealing with constituency matters in his office; the number of civil service staff dealing with constituency matters in the offices of Ministers of State within his Department; and the cost in salaries for these staff per annum. [31126/08]

**Minister for Defence (Deputy Willie O’Dea):** The following tables set out the number of Civil Service staff dealing with constituency matters in my office and those of the Minister of State at the Department of Defence, and the cost in salaries for these staff.

Minister for Defence, Mr Willie O’Dea, T.D. Constituency Office

Number	Salary Scale as at 01/09/2008
1	Executive Officer PPC scale €32,179 – €51,054
1	Staff Officer scale PPC €36,779 – €49,104
1	Clerical Officer Higher scale €24,255 – €38,397
2	Clerical Officer PPC standard scale €24,397 – €39,558
1	Clerical Officer standard scale €23,174 – €37,584

*Minister of State, Mr. Pat Carey, T.D.*

*Private Office and Constituency Office*

There are two staff assigned to cover both the private office and the constituency office of the Minister of State, both of whom are civil servants.

Number	Salary Scale as at 01/09/2008
1	Higher Executive Officer standard scale €46,558 — €59,097
1	Clerical Officer higher scale €24,255 – €38,397

### Departmental Agencies.

1383. **Deputy Leo Varadkar** asked the Minister for Defence the bonuses, merit awards and other payments above the basic salary they have approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which they made the decision to approve such awards; and if he will make a statement on the matter. [31190/08]

**Minister for Defence (Deputy Willie O’Dea):** In response to the Deputy’s question I wish to state that the Director General of the Civil Defence Board is in receipt of pay under the Civil Service Principal Officer Pay Scale and no bonuses, merit awards or other payments above the basic salary are or were attached to this position in 2005, 2006, 2007 and to date in 2008.

### Naval Service Operations.

1384. **Deputy Aengus Ó Snodaigh** asked the Minister for Defence the purpose of the Irish Naval Service’s LE Orla presence in the Broadhaven Bay area off County Mayo in early September 2008; the person who requested their presence; if it was the Gardaí, or Shell Corpor-

[Deputy Aengus Ó Snodaigh.]

ation; and the Naval Service vessel which was directed to take over the LE Orla's normal fisheries protection and anti-smuggling operations. [31362/08]

**Minister for Defence (Deputy Willie O'Dea):** The primary responsibility for the maintenance of law and order rests with An Garda Síochána. The Defence Forces, pursuant to their role of rendering aid to the civil power, assist the Gardaí as required. The Naval Service deployed a Naval Vessel to Broadhaven Bay in early September 2008 in response to a request for aid to the civil power from An Garda Síochána.

The number of Naval Service vessels on patrol in Irish waters at any one time varies between three and seven. The Naval Service is committed to having at least three vessels on patrol within the Irish Exclusive Economic Zone at any one time.

### Consultancy Contracts.

1385. **Deputy Arthur Morgan** asked the Minister for Defence the amount that was spent by his Department on consultants in 2007 and to date in 2008. [31644/08]

**Minister for Defence (Deputy Willie O'Dea):** The information sought by the Deputy is outlined in the following table:

Year	Total Expenditure on Consultants
	€
1/1/2008 — Date	2,216,047
2007	152,023

The figure for 2008 includes once off expenditure of €2.1m in respect of the public information and awareness campaign on emergency planning.

I wish to state also that there is an ongoing capital building programme in my Department designed to modernise the living, training, operational and accommodation facilities available to the Defence Forces, both Permanent and Reserve. There has been an unprecedented level of spending on the programme with over €250 million spent since 1999 with a further €26 million being invested in the programme this year. As a result of this significant increase in the building programme, consultants with appropriate expertise are engaged by the Department as necessary to provide technical services in connection with building and engineering projects. It should be noted that (as per Comptroller and Auditor General, Report on Value for Money “Consultancies in the Civil Service” 1998) such design and engineering consultancies for capital projects are better examined in association with the construction projects to which they relate. The Department spends approximately €2m annually on Construction Consultants Fees.

### Motor Taxation.

1386. **Deputy Arthur Morgan** asked the Minister for the Environment, Heritage and Local Government the additional revenue raised on an annual basis by an increase in the motor tax for class F vehicles, CO<sub>2</sub> emissions exceeding 190 grams per kilometre but not exceeding 225 grams per kilometre, from €1000 to €2000; and by an increase in the motor tax for class G vehicles, CO<sub>2</sub> emissions exceeding 225 grams per kilometre, from €2000 to €5000. [30161/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** At the end of August 2008 the number of cars taxed in the CO<sub>2</sub> bands F and G was 565 and 15 cars respectively. Applying the tax increases suggested to this number of vehicles, paying tax

on a yearly basis, would give additional tax revenue of €610,000 per year. This calculation does not take into account future changes to the number of vehicles taxed under the new emissions based system, which came into effect from 1 July 2008.

### **Housing Aid for the Elderly.**

1387. **Deputy Catherine Byrne** asked the Minister for the Environment, Heritage and Local Government the details regarding a scheme (details supplied) run by the Health Service Executive; if this scheme has been transferred to the local authority; the status of applications for works to be carried out which were received before this move; and if he will make a statement on the matter. [30343/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Máire Hocht):** In order to facilitate the continued independent occupancy of their own homes by older people and people with a disability, my Department undertook a review of the operation of a number of grant schemes, including the Essential Repairs Grant. Given the overlapping nature of the schemes, it was also necessary to review the Special Housing Aid for the Elderly Scheme (SHAE) operated by the Health Service Executive. Following this, the Government decided in February 2006 to transfer the SHAE to my Department.

On 1 November 2007, a new Housing Aid for Older People Scheme was introduced by my Department and is being administered by the local authorities. This scheme replaced the Essential Repairs Grant Scheme and the SHAE. Following a period of overlap with the new scheme, the SHAE was discontinued from 1 August 2008. Applications on hands at that date will continue to be processed by the HSE.

### **Legal Costs.**

1388. **Deputy Michael Ring** asked the Minister for the Environment, Heritage and Local Government when a person (details supplied) in County Mayo will receive payment in respect of their costs for a constitutional court case which they brought against the State. [30508/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** This matter relates to a Supreme Court decision in November 2006 concerning the nomination procedures in respect of candidates at Dáil elections. I understand from the Chief State Solicitor's Office that discussions have taken place between the parties concerned regarding legal costs and my Department is awaiting notification from that Office in this regard. On receipt of this, arrangements will be made to process payment of costs as soon as possible.

### **Social and Affordable Housing.**

1389. **Deputy Joe Costello** asked the Minister for the Environment, Heritage and Local Government the number of affordable housing units constructed with capital funding from his Department in each of the past five years; the number in each of the four local authority areas of Dublin; and if he will make a statement on the matter. [29435/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Information on affordable housing activity up to the end of March 2008 in each local authority area is available on my Department's website at [www.environ.ie](http://www.environ.ie). Information is also published in my Department's Housing Statistics Bulletins, copies of which are available in the Oireachtas Library.

1390. **Deputy Joe Costello** asked the Minister for the Environment, Heritage and Local Government the number of social housing units constructed with capital funding from his



[Deputy Joe Costello.]

Department in each of the past five years; the number in each of the four local authority areas of Dublin; and if he will make a statement on the matter. [29436/08]

1418. **Deputy Joe Costello** asked the Minister for the Environment, Heritage and Local Government the number of social housing units purchased by his Department over the past five years; the number in each of the four local authority areas of Dublin; and if he will make a statement on the matter. [29437/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** I propose to take Questions Nos. 1390 and 1418 together.

Data in relation to social housing acquisitions, starts and completions are published in my Department's Annual and Quarterly Housing Statistics Bulletins, copies of which are available in the Oireachtas library. Bulletins from 2000 onwards are also available on my Department's website, [www.environ.ie](http://www.environ.ie).

#### **Private Rented Accommodation.**

1391. **Deputy Liz McManus** asked the Minister for the Environment, Heritage and Local Government if there are regulations in force to prevent estate agents advertising their non-acceptance of tenants claiming rent allowance for rental properties; if not, if he will examine the possibility of introducing such regulations; and if he will make a statement on the matter. [29521/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** My Department has no function regarding either the regulation of estate agents or the setting of advertising standards.

The Residential Tenancies Act 2004, under which the Private Residential Tenancies Board (PRTB) was established, sets out a framework for the governance of the landlord-tenant relationship, including the adjudication of disputes, and does not cover landlord behaviour prior to the commencement of a tenancy. I am not aware of any regulations governing the content of rental property advertisements placed by estate agents.

#### **Planning Issues.**

1392. **Deputy Joe Costello** asked the Minister for the Environment, Heritage and Local Government if Section 25 planning applications under the Docklands Development Authority Act 1997 apply to change of use developments long after the original Section 25 was granted, as in the case of new betting shops (details supplied) in Dublin 1; and if he will make a statement on the matter. [29644/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Section 25 of the Dublin Docklands Development Authority Act, 1997, as amended, provides for the preparation of planning schemes by the Authority for the Custom House Docks Area or any part thereof, and any other area specified for that purpose by Ministerial Order. A planning scheme prepared under the Act is submitted to my Department for approval.

Section 25(7)(a) of the Act provides that the carrying out of any development, in an area in respect of which a planning scheme has been approved, by a person other than the Authority, which is certified by the Authority to be consistent with that planning scheme, shall be exempted development for the purposes of the Planning and Development Act 2000. While I have a role in the approval of planning schemes proposed by the Authority, I have no function

in the approval or otherwise of individual certificates granted by the Authority under Section 25 of the Act.

With regard to the premises mentioned in the question, I am advised that the original Section 25 certificate issued for use as a restaurant. At a later date the restaurant ceased trading and the Authority received a new application from the owner of the premises seeking a Section 25 certificate for use of the premises as a betting shop. Following consideration of the application by the Authority the change of use was deemed to be in compliance with the planning scheme and a new Section 25 certificate was issued on the premises for use as a betting shop.

#### **Road Safety.**

1393. **Deputy Seán Barrett** asked the Minister for the Environment, Heritage and Local Government his views on issuing guidelines to local authorities to provide for improved standards in the construction of footpaths, pedestrian crossings and public lighting to help reduce the incidence of avoidable deaths of older pedestrians on Irish roads; and if he will make a statement on the matter. [29672/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department has no function regarding issues associated with road safety which comes within the remit of my colleague the Minister for Transport.

#### **Planning Issues.**

1394. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government his views on the European Commission arising from a complaint from a planning applicant in County Wicklow in respect of restrictions to property acquisitions and residency clauses; and if he will make a statement on the matter. [29749/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Government received a Letter of Formal Notice in June 2007 from the European Commission under Article 226 of the Treaty, seeking the observations of the Government on whether the “local needs” test contained in a number of County Development Plans for the granting of planning permission for one-off dwellings in rural areas is compatible with Articles 43 and 56 of the EC Treaty which guarantee respectively the freedom of establishment and the free movement of capital.

My Department responded to the Commission’s enquiry in September 2007 and presented a strong defence of our current rural planning policies and practices. The Department has been in contact with the Commission on a number of occasions since then including meeting with them in February of this year. The Department will be writing to planning authorities shortly providing up-to-date guidance on the matter.

1395. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government the reason he demanded amendments to be made to Mayo County Council’s operational County Development Plan; and if he will make a statement on the matter. [29757/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Planning and Development Act 2000 sets out clearly the roles of local and central Government in the development plan process.

Under sections 9 and 10 of the Act, development plans are required to set out an overall strategy for the proper planning and sustainable development of the area and be consistent

[Deputy John Gormley.]

with national plans, policies or strategies deemed by the Minister to relate to proper planning and sustainable development. In accordance with Section 12 of the Act, as a statutory consultee on draft development plans, the Minister should assess the policies contained therein and outline to the relevant planning authority what changes, if any, are required to achieve these objectives. In practice, as part of this process, my Department seeks to give a clear indication to planning authorities of the areas where the draft plan might need to be strengthened. Ultimately, Section 31 of the Act provides that the Minister may direct a planning authority to amend its draft or adopted plan where these requirements are not adequately met.

My Department issued Guidelines for Planning Authorities on Development Plans in June 2007 which sets out best practice in relation to the making, amendment and variation of development plans. These guidelines were issued under section 28 of the Act which requires planning authorities to have regard to them in the performance of their functions.

The Mayo County Development Plan 2008-2014 was adopted by the Council on 6 May 2008, following public consultation at draft and material amendment stages. At both stages, my Department expressed serious concerns that the draft county settlement strategy did not accord adequate priority to the development of residentially zoned lands in the National Spatial Strategy linked hub of Castlebar-Ballina and that the rural settlement policy framework as proposed in the amended draft plan did not set out a proper strategy for the management of housing proposals in rural areas as recommended in the 2005 Sustainable Rural Housing Guidelines for Planning Authorities.

The Council did not address these concerns and in order to ensure the proper planning and sustainable development of the area, I issued a Direction to the Council on 11 July 2008 under section 31 of the Planning and Development Act 2000 requiring the Council to vary their Plan.

#### **Water and Sewerage Schemes.**

1396. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government the situation regarding the status of the Feakle, Quilty, Mullagh sewerage treatment plants in County Clare; the delay in progressing the design build and operate for the plants; when he expects this process to be finalised; and if he will make a statement on the matter. [29874/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Funding of €8.808m has been approved under my Department's Water Services Investment Programme 2007-2009 in respect of the Feakle, Scarriff and Quilty (including Mullagh) Sewerage Scheme. Under devolved procedures the wastewater collection works are a matter for Clare County Council. The Council's tender recommendation for the provision of the wastewater treatment plants is under examination in my Department.

#### **Homeless Persons.**

1397. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the intensive nature of questions regarding medical and other histories questionnaires which homeless persons have to complete in order to qualify for service; and his views on whether this approach conforms with the rights of persons. [29978/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The Homeless Agency, in partnership with the providers of voluntary homeless services, has developed a holistic needs assessment and care plan for homeless

persons, the aim of which is to provide an improved service response to the needs of individual homeless service users. Completion of the holistic needs assessment is voluntary and is therefore not a requirement for any person to gain access to homeless services.

While certain data protection issues have been raised in relation to the assessment process, I understand that the Homeless Agency and Dublin City Council are currently engaged with the Office of the Data Protection Commissioner with a view to resolving these.

### **Local Authority Housing.**

1398. **Deputy Seán Ó Fearghail** asked the Minister for the Environment, Heritage and Local Government if there is a uniform system under which local authorities conduct their tri-annual housing assessment; if his attention has been drawn to the fact that in County Kildare the housing assessment gives rise to a decrease in the numbers on the local authority waiting list; the concerns he has that many applicants who have not received housing assessment forms are removed from the waiting list and if subsequently restored are routinely denied credit on the points system for their previous applications; his views on whether the method of assessment can be improved in order to give a more accurate picture of the extent of need which exists in any area and in order to ensure that each applicant is treated fairly; and if he will make a statement on the matter. [30214/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Housing authorities conduct their triennial housing needs assessment in accordance with Section 9 of the Housing Act 1988. Prior to any assessment being carried out the Department issues guidance to housing authorities to ensure a consistent assessment system. It is a matter for individual authorities, in accordance with legislation and having regard to guidance issued by my Department, to undertake the assessment of need.

The assessment requires local authorities, taking all reasonable measures, to contact existing applicants on their waiting list to determine if they are still in need of housing. This is usually done by writing directly to existing applicants and advertising in the locality that an assessment is being carried out. Authorities are also required to contact the local offices of the HSE and various voluntary organisations whose members may be in need of housing.

The Government's housing policy statement — Delivering Homes, Sustaining Communities — published in 2007 signalled the intention to introduce a new means for assessing housing need. The key objectives of the new assessment process are to ensure consistency, efficiency, accuracy and fairness in the assessment process. Following consultation with a wide range of interests a new system for assessing need has been developed and will be underpinned by provisions in the Housing (Miscellaneous Provisions) Bill 2008, published in July 2008.

1399. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the number of local authority tenants in a county (details supplied) accommodated under the Rental Accommodation Scheme; the funding allocated to the local authority under this scheme; the plans he has to extend this scheme; and if he will make a statement on the matter. [30243/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The Rental Accommodation Scheme (RAS) is designed to cater for the accommodation needs of persons in receipt of rent supplement who have a long-term housing need, rather than existing local authority tenants. Some 183 rent supplement households in the county in question had transferred into RAS by the end of August 2008. A further 299 households have been accommodated in other forms of social housing. Up to end August

[Deputy Michael Finneran.]

2008, over €1.5 million had been recouped to the housing authority concerned for expenditure incurred.

Over the longer term the use of leased accommodation will continue to be an important policy instrument in meeting housing need.

### **Water and Sewerage Schemes.**

1400. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question Nos. 216 and 218 of 14 November 2007, if he will report on the progress regarding the provision of the Ennis water treatment plant; when the project will be finalised; and if he will make a statement on the matter. [30510/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I understand that Ennis Town Water Supply/Treatment scheme works are expected to be completed early in 2009.

1401. **Deputy Jim O’Keeffe** asked the Minister for the Environment, Heritage and Local Government the position in relation to the approval of the contract for the Courtmacsherry and Timoleague sewerage scheme in west Cork; and if he will make a statement on the matter. [30745/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Courtmacsherry-Timoleague Sewerage scheme is included in my Department’s Water Services Investment Programme 2007-2009 as a scheme to begin construction in 2009 at an estimated cost of €2.47 million. My Department is examining Cork County Council’s revised Preliminary Report for the scheme.

### **Planning Issues.**

1402. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government if he will support a matter (details supplied). [30850/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Dublin Port Company, which was established in 1997, is a self financing, private limited company wholly owned by the State and does not come under the aegis of my Department. Furthermore as Minister, I am precluded, under section 30 of the Planning and Development Act 2000, from exercising any power or control in relation to any individual planning application or appeal with which a planning authority or An Bord Pleanála is or may be concerned.

### **Private Rented Accommodation.**

1403. **Deputy Paul Kehoe** asked the Minister for the Environment, Heritage and Local Government in relation to the Private Residential Tenancies Board, the position regarding the policy of writing to all registered landlords and sending out an application form to them on the completion of four years in which a tenancy may have been renewed and a new tenant acquired in that period; and if he will make a statement on the matter. [30944/08]

1479. **Deputy Paul Kehoe** asked the Minister for the Environment, Heritage and Local Government the reason the Private Residential Tenancies Boards records are being kept incomplete, if the board is not able to establish changes made to a landlord’s records in respect of the property within the period of four years; and if he will make a statement on the matter. [30945/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** I propose to take Questions Nos. 1403 and 1479 together.

My Department has no function in relation to the detailed practices and procedures adopted by the Private Residential Tenancies Board (PRTB) in relation to record keeping and communications with landlords. The PRTB is an independent statutory body established under the Residential Tenancies Act 2004 and may be contacted at the Board's offices at O'Connell Bridge House, Dublin 2, or by phone or email. Contact details are available on the Board's website at [www.prtb.ie](http://www.prtb.ie)

1404. **Deputy Paul Kehoe** asked the Minister for the Environment, Heritage and Local Government the cost of the operation of the Private Residential Tenancies Board since its formation; the fees that have been collected to date; and if he will make a statement on the matter. [30946/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The Private Residential Tenancies Board (PRTB) commenced operations in September, 2004 and receives funding from my Department by way of annual grant. In addition, the Office of Public Works (OPW) has made payments for the benefit of the PRTB, primarily for accommodation overheads, and some fixed assets have also been transferred to the PRTB by my Department.

The accumulated total up to 30 April 2008 is €12,811,068 and is set out in the following table:

Year	2004	2005	2006	2007	Period to 30 April 2008
	€	€	€	€	€
Grant	154,266	1,703,279	2,973,787	5,739,940	1,136,072
OPW payments	98,406	286,709	280,854	279,461	Nil
Assets Transferred		158,294			
Total Cost	252,672	2,148,282	3,254,641	6,019,401	1,136,072

The PRTB is in receipt of fees for the registration of tenancies under Part 7 of the Residential Tenancies Act 2004. Two sevenths (2/7) of these fees is retained by the PRTB to assist in funding its operations and five sevenths (5/7) is allocated to Local Authorities for the purpose of the performance of their functions in relation to the Housing (Standards for Rented Houses) Regulations 1993, the Housing (Rent Book) Regulations 1993 and other provisions of the Housing Acts related to private rented accommodation.

The PRTB also receives application fees for the use of its dispute resolution services. The total fees collected by the PRTB up to 31/12/2007 are set out in the following table:

Year	2004	2005	2006	2007
	€	€	€	€
Total Registration Fees	152,730	4,911,122	5,995,772	6,156,749
Dispute fees	Nil	18,035	38,340	36,181

### Social and Affordable Housing.

1405. **Deputy Martin Ferris** asked the Minister for the Environment, Heritage and Local



[Deputy Martin Ferris.]

Government if he will increase his Department's 2008 housing construction and regeneration allocation to Tralee Town Council; and if he will make a statement on the matter. [30959/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** In 2008, Tralee Town Council received an allocation of €10.5 million to support its social housing capital programme, with an additional allocation of €1 million to facilitate the regeneration of the Mitchels/Boherbee area of the town. It is not possible at this stage to consider an increase in the 2008 allocation given the overall demands on available resources nationally.

### **Hare Coursing.**

1406. **Deputy Paul Gogarty** asked the Minister for the Environment, Heritage and Local Government the powers available to him in relation to the monitoring and licensing of hare coursing events; if it is legally possible to ban this activity without changing legislation; and if he will make a statement on the matter. [31090/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Hare coursing in the State is administered by the Irish Coursing Club which is a body set up under the Greyhound Industry Act 1958. Statutory responsibility for the Act is a matter for the Minister for Arts, Sport and Tourism. My responsibilities under the Wildlife Acts relate to the conservation of populations of certain protected species.

In any case where a hunting licence under the Wildlife Act, 1976, is required, each licence application is dealt with individually and any conservation impact on the particular species is taken into account in line with the provisions of the Act. My Department recently issued a licence under the Wildlife Acts to the Irish Coursing Club allowing its affiliated clubs to net hares for the purpose of hare coursing for the 2008/2009 season, subject to certain conditions. Clubs will be strictly monitored for adherence to these conditions.

There is no current evidence that coursing has a significant effect on hare populations and the decision to issue this licence took into consideration the report of the Status of Hares in Ireland — Hare Survey of Ireland 2006/07.

Animal welfare and legal protection of animals from cruelty are the responsibility of my colleague, the Minister for Agriculture, Fisheries and Food. The Programme for Government includes a commitment that a comprehensive Animal Welfare Bill will be introduced, which will update existing legislation to ensure that the welfare of animals is properly protected and that the penalties for offenders are increased significantly.

### **Social and Affordable Housing.**

1407. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government his views on the financial implications of mortgage repayments for families who, as local authority tenants, enter into a tenant purchase scheme; his plans to ensure that local authorities must be satisfied beyond reasonable doubt that the family can meet such payments; and if he will make a statement on the matter. [31116/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Housing Authorities are responsible for the operation of the tenant purchase scheme and, in assessing loan applications, they have due regard to family circumstances and the ability to service a mortgage. The issues of affordability and the ability to manage a mortgage are kept under review having regard to changing market and economic conditions.

Where difficulties arise, Article 10 of the Housing Regulations 1980 (Amendment) Regulations 1996 provides that, in the case of hardship, the loan repayment period may be extended so as to make repayments more manageable for the borrower.

### **Local Authority Funding.**

1408. **Deputy Willie Penrose** asked the Minister for the Environment, Heritage and Local Government if he will confirm receipt of a request for additional funding from Westmeath County Council (details supplied); if he will ensure that the additional €1 million required is given to the council without delay; and if he will make a statement on the matter. [31168/08]

1464. **Deputy Willie Penrose** asked the Minister for the Environment, Heritage and Local Government if he will confirm having received a request for additional funding from Westmeath County Council in respect of disabled persons grants and essential repairs grants and also in respect of the new housing grant schemes, whereby a shortfall has been clearly identified in relation to the older schemes and commitments at the end of June 2008, represent almost 100% of the allocation under the new grant schemes, and in order for these schemes which are heavily demand led, can be allowed to continue to provide essential upgradings and refurbishments for elderly people and people with mobility issues; and if he will ensure that the additional €1 million required is given to the council without delay; and if he will make a statement on the matter. [30340/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** I propose to take Questions Nos. 1408 and 1464 together.

I can confirm that my Department has received a request for a supplementary allocation from Westmeath County Council in respect of the Disabled Persons and Essential Repairs Grant Schemes and the Housing Adaptation Grants for Older People and People with a Disability Schemes.

As previously indicated to local authorities, requests for additional funding under the Housing Adaptation Grants Schemes for Older People and People with a Disability are dealt with in the context of the reallocation of any surplus resources arising elsewhere. In this context, my Department has advised all local authorities to monitor their expenditure under the Schemes carefully. A number of the authorities faced with particularly significant levels of demand under the schemes so far this year received notification recently of supplementary allocations. While Westmeath County Council was not among those authorities, the issue of an additional allocation to the Council will be considered in the event of further funding becoming available.

### **Water and Sewerage Schemes.**

1409. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government if he will expedite approval of the Mallow/Ballyvinitter water scheme at Box Cross, Doneraile, Mallow, County Cork in view of the fact that the existing water treatment plant has less than half storage and is being operated 30% above its designed capacity; and if he will make a statement on the matter. [31295/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Mallow-Ballyvinitter Water Supply Scheme is included in my Department's Water Services Investment Programme 2007-2009 at an estimated cost of €8.65 million. My Department is examining Cork County Council's revised contract documents for the scheme.

### **Housing Aid for the Elderly.**

1410. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government if he will assist in the case of a person (details supplied) in Dublin 13. [29729/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** My Department has received correspondence in relation to this case.

The administration of the Housing Adaptation Grant Scheme for People with a Disability, including the processing of individual applications, is a matter for individual local authorities, in line with conditions set down in the Housing (Adaption Grant Schemes for Older People and People with a Disability) Regulations 2007. The regulations define household income as the combined annual gross income in the previous tax year of both the owner of the property in question, together with that of his or her spouse, as appropriate.

Local authorities are encouraged to administer the grants schemes in a sympathetic manner, bearing in mind the purpose of the schemes. While I understand that Fingal County Council considered the application concerned accordingly, the assessment of household income in this case rendered the applicant ineligible for grant aid.

1411. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the limited funding available through the Health Service Executive for essential housing repair assistance for many elderly persons; the plans he has to increase such funding; and if he will make a statement on the matter. [30059/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The Special Housing Aid for the Elderly Scheme (SHAE), administered by the Health Service Executive (HSE), has been discontinued with effect from 1 August, 2008. The scheme has been replaced by a new Housing Aid for Older People Scheme which was introduced in November 2007 and is being administered by the Local Authorities. Applications submitted under the SHAE prior to 1 August 2008 will continue to be processed by the HSE.

An initial allocation of €13 million has been made available to the HSE to meet expenditure arising under the SHAE in 2008. Activity under the scheme and the associated funding requirements are currently under review in consultation with the HSE.

### **Water and Sewerage Schemes.**

1412. **Deputy Michael Ring** asked the Minister for the Environment, Heritage and Local Government the reason for delays in schemes (details supplied) in County Mayo; the reason these schemes started in view of the fact that the contractor has been appointed; when these schemes will proceed to construction phase; and if he will make a statement on the matter. [31618/08]

1466. **Deputy Michael Ring** asked the Minister for the Environment, Heritage and Local Government if he will report on the position regarding schemes (details supplied) in County Mayo. [30449/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 1412 and 1466 together.

Schemes to extend the Lough Mask Regional Water Supply Scheme from Shrah to Westport and to Louisburgh are included in my Department's Water Services Investment Programme

2007-2009. My Department conveyed approval to Mayo County Council for the invitation of tenders for the Louisburgh and Westport extensions in May and October 2007, respectively. I understand that the Council is currently examining tenders for both schemes.

1413. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 944 of 8 July 2008 the reason for the delay in approving contract documents; and if he will make a statement on the matter. [31634/08]

1448. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 562 of 4 March 2008, the position regarding the project; and if he will make a statement on the matter. [30199/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 1413 and 1448 together.

The Roscommon Towns and Villages Sewerage Scheme, which includes Creagh, is approved for construction under my Department's Water Services Investment Programme 2007-2009. Further consideration is being given to Roscommon County Council's tender documents for a number of the wastewater treatment plants, including Creagh, on foot of additional information received from the Council.

#### **Social and Affordable Housing.**

1414. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government if he will support a matter (details supplied). [29286/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Since the announcement in May 2008 that a number of housing regeneration Public-Private Partnership projects would not be proceeding as planned, my Department has worked closely with Dublin City Council to ensure that all possible avenues for moving these projects forward are examined, particularly those estates which still have residents in situ. In relation to those specific estates, discussions are ongoing between the City Council and the second bidders for the St. Michael's Estate and Dominick Street projects, and a multidisciplinary team has been established within the Council to identify the next steps for the regeneration of O'Devaney Gardens. My Department will continue to engage closely with the City Council in relation to these projects.

Regarding the existing tenants of the estates in question, I have asked Dublin City Council to prioritise the securing of alternative accommodation for those families who wish to move. To date, the City Council has identified and offered alternative accommodation to the remaining residents of St. Michael's Estate, while those households at O'Devaney Gardens and Dominick Street continue to be prioritised under the authority's normal allocations procedure.

Public Private Partnerships continue to represent an important means for securing the involvement of the private sector in the development of major regeneration projects. Apart from delivering value for money solutions, the housing-related PPP model also represents an effective way of delivering on our objective of building sustainable communities, as it makes provision for social, income, and tenure-mix through the inclusion of both public and private housing, community facilities and commercial development.

Therefore, the involvement of private finance will continue to be a feature in the development of mixed, sustainable communities. However, in light of the experience with certain projects in Dublin, a review of the housing-related PPP process has been initiated. My Department

[Deputy Michael Finneran.]

has established an inter-agency group to examine the matters involved and it is expected that this group will report later in the Autumn.

### **Conservation Schemes.**

1415. **Deputy John Cregan** asked the Minister for the Environment, Heritage and Local Government when the new civic structures conservation group scheme will be announced by his Department; and when applications will be invited in this regard. [29306/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department administers an annual civic structures conservation scheme of grants for the restoration and conservation of buildings of significant architectural heritage merit and which are in public ownership or open to the public generally. A call for applications under the scheme is typically announced in the first quarter of the year. Further details will be available directly from my Department and the Department's website [www.environ.ie](http://www.environ.ie) in due course.

### **Social and Affordable Housing.**

1416. **Deputy Andrew Doyle** asked the Minister for the Environment, Heritage and Local Government if he will intervene in a matter (details supplied); and if he will make a statement on the matter. [29313/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** My Department's involvement in the voluntary housing scheme relates primarily to the provision of funds for individual projects. The detailed administration of the scheme, and the certification that particular projects comply with the terms of the scheme, are the responsibility of the local authority, in this instance Wicklow County Council.

On 4 June 2008, at the request of Wicklow County Council, my Department organised a meeting involving representatives of the relevant Housing Association and the Council, with the objective of putting a strategy in place for the completion of refurbishment works and the fitting out of this 15-unit housing project. It was agreed that the Housing Association would submit a report to Wicklow County Council setting out, inter alia, the cost of repairing fire damage to the building, the amount to be recouped from their insurers in respect of the fire damage and the funding required to complete the outstanding works.

The Council has recently indicated that this report is still outstanding and is therefore reviewing the options for progressing the project. My Department will continue to engage actively with the Council in this regard.

1417. **Deputy Joe Costello** asked the Minister for the Environment, Heritage and Local Government his proposals for increasing the housing output through funding local authorities to produce social and affordable housing; and if he will make a statement on the matter. [29434/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The Government's housing policy statement *Delivering Homes, Sustaining Communities* and the National Development Plan 2007-2013 (NDP) reflect the strong commitment to expand the provision of social and affordable housing contained in the social partnership agreement *Towards 2016*. The impact of the record levels of investment this Government is committing to these housing programmes is already evident.



Last year, over 13,000 social and affordable housing units were delivered and, overall, the needs of almost 18,300 households were met through the broad range of social and affordable housing programmes. That represents a very significant increase of 24% on the level of needs met in 2006.

The funding provided for housing programmes has been increased again in 2008, with some €2.5 billion available to local authorities and the voluntary and co-operative sectors for their activities. This will allow for the commencement of a significant number of new social housing units, further progress under regeneration programmes, and the completion of a large number of units under both the local authority and voluntary housing programmes. The supply of affordable housing has consistently increased over the past few years. From about 2,000 units in 2004, delivery reached almost 3,600 units last year and further expansion is envisaged under the National Development Plan 2007-2013.

The Government believes that home ownership should be available to as many people as possible, where this is their preferred option. Building on the general policy framework set out in *Delivering Homes, Sustaining Communities*, the Affordable Homes Partnership was requested to examine ways of enhancing the delivery of affordable housing. The report, prepared on foot of their study, was published in April 2008 for public consultation and my Department has also consulted with the social partners in relation to the report's recommendations. The report recommends some improvements in aspects of programme delivery and also recommends a new product to replace the existing range of schemes. I am giving careful consideration to the report and the results of the consultation process, in addressing future directions in relation to affordable housing.

*Question No. 1418 answered with Question No. 1390.*

#### **Water and Sewerage Schemes.**

1419. **Deputy Michael D'Arcy** asked the Minister for the Environment, Heritage and Local Government the status of the proposed new sewage treatment plant for Kilmore Quay in County Wexford; the timeline for this project; when it is expected that work will be completed; and if he will make a statement on the matter. [29447/08]

1422. **Deputy Paul Kehoe** asked the Minister for the Environment, Heritage and Local Government the position regarding a proposed sewage scheme (details supplied) in County Wexford; the status of the project; the planned completion date; and if he will make a statement on the matter. [29522/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 1419 and 1422 together.

The Kilmore Quay, Curracloe and Duncormick Sewerage Scheme and the Village Sewerage Schemes, which are being funded under my Department's Water Services Investment Programme 2007-2009, have been grouped as a single project for procurement purposes at an overall estimated cost of €12.94 million. My Department is currently examining Wexford County Council's Preliminary Report for the overall proposal.

1420. **Deputy Paul Gogarty** asked the Minister for the Environment, Heritage and Local Government the position regarding an announcement in respect of the provision of a grant to householders for the replacement of septic tanks; when the scheme will commence; the persons who will be eligible to apply; the expected amount of the grant in question; the body or bodies



[Deputy Paul Gogarty.]

that will be responsible for the allocation of the grants; and if he will make a statement on the matter. [29448/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Programme for Government includes a commitment to introduce a scheme of support for the replacement and upgrading of septic tanks older than fifteen years with newer systems. My Department is currently considering the terms, conditions and resource implications that may be appropriate to take forward this commitment.

#### **Housing Aid for the Elderly.**

1421. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government the reason no grant aid is given by local authorities for the provision of granny flats; and if he will make a statement on the matter. [29500/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Máire Hocht):** The Government has undertaken a broad range of actions as part of a strategic response to enhance the range of housing supports and services available to the disadvantaged and vulnerable in society, including older people and people with a disability. These actions range from the introduction of better-targeted financial supports to the development of inter-agency protocols to ensure coordinated service delivery at local level where there is a care dimension in association with meeting housing need.

The specific accommodation needs of older people can be met through a wide range of available supports. These include local authority housing, voluntary and cooperative housing and the Housing Aid for Older People Scheme, introduced in November 2007, which provides targeted support to assist older people in carrying out necessary repairs and improvements to their homes.

In addition, a cross-departmental team on sheltered housing for older people, chaired by my Department, was established in 2007 to develop and oversee policy and to agree, as a priority, local structures and protocols for integrated management and delivery of housing and related care services for older people. The work of this group will ultimately feed into the Government's new National Positive Aging Strategy.

*Question No. 1422 answered with Question No. 1419.*

#### **Planning Issues.**

1423. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government the position regarding a matter (details supplied). [29537/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I refer to the reply to Question No. 679 of 19 February, 2008 in which I set out the position in regard to wastewater treatment systems under the national Building Regulations.

Clear and comprehensive best practice guidance in regard to Groundwater Protection and the Planning System was issued to all planning authorities by my Department in its Circular letter SP 5-03 of 31 July 2003. As set out, it is the responsibility of planning authorities to monitor the degree to which those carrying out approved development meet their obligations to comply with the terms of planning permissions granted, and to enforce such terms where necessary.

Planning authorities should ensure that the process of enforcing the terms of planning permissions for all developments involving on-site wastewater treatment and disposal, including septic tanks, is co-ordinated through a local authority-held database which would provide information such as the location and types of such systems relative to vulnerable areas, as well as details such as maintenance contracts. Such a database can be used by the planning authority to structure an annual programme of testing and monitoring the performance of individual wastewater treatment and disposal systems, and is also of value in recording outputs from site assessments and providing inputs into new site assessments in terms of general drainage trends in an area. It is a matter for planning authorities to ensure that adequate arrangements are put in place in these regards and to manage such monitoring systems.

Moreover, my Department's Sustainable Rural Housing Guidelines for Planning Authorities, which issued in April 2005, emphasised the need for adherence to best practice in order to protect water quality. These guidelines were issued under Section 28 of the Planning and Development Act 2000, which requires planning authorities to have regard to such guidelines in the performance of their functions.

The Water Services Act 2007 contains a number of significant provisions in relation to the operation of septic tanks. It places a duty of care on the occupier or owner of a premises in relation to the maintenance of septic tanks and it also requires the occupier or owner to notify the water services authority where any leak, accident or other incident occurs relating to discharges of sewage from a septic tank, where it is likely to cause a risk to human health or safety or the environment. In addition, it is open to local authorities to make and adopt bye-laws to require periodic inspections of septic tanks and other on-site proprietary treatment systems under the general powers available to them under the Local Government Act 2001.

It is a standard feature of legislation generally that the owner/occupier of any property carries primary responsibility for compliance with all statutory requirements in relation to the property. Accordingly, it is entirely appropriate that legislation should assign primary responsibility to a householder for ensuring that the activities of the household do not give rise to water pollution (or any other form of environmental pollution), under the broad "polluter pays" principle. The European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2006 ("the Nitrates Regulations"), therefore, assign primary responsibility to each farmer for ensuring compliance with the Regulations in relation to his/her farm.

The relationship between a property owner and the supplier of any goods or services to the property is a matter of contract and law between them, including consumer law. In this regard, it is to be assumed that a property owner would have a well-founded right of claim against any supplier who supplied products or services which did not perform to specification.

A new European Standard (EN 12566-3) for small wastewater treatment plants has been introduced and is now in the transitional phase of implementation. The need for new systems to comply with this standard has been brought to the attention of Local Authorities by my Department's Circular Letters BC16/2006 and BC 2/2008, dated 8 November 2006 and 28 January 2008 respectively.

The Environmental Protection Agency (EPA) is currently finalising a revised edition of their 2000 Manual on Wastewater Treatment Systems serving Single Houses in consultation with all interested parties. The intention is that the revised document will take the form of a Code of Practice under Section 76 of the Environmental Protection Agency Act, 1992. It is understood that the EPA Code will refer to relevant European Standards and that the National Standards Authority of Ireland propose to withdraw an earlier one — SR6: 1991 — in favour of the

[Deputy John Gormley.]

proposed new edition, when available. My Department plans to call up the EPA Code in the relevant Technical Guidance Document to Part H of the Building Regulations, dealing with Drainage and Waste Water Disposal, and to consider any related issues at that time. My Department has been in recent contact with the EPA with a view to securing early completion of the Code of Practice.

My Department and the EPA made a presentation to the Joint Oireachtas Committee on the Environment, Heritage and Local Government on domestic wastewater treatment services at their meeting on 15 July 2008 addressing, inter alia, certain of the matters to which I have referred. A record of the discussion is available on [www.oireachtas.ie](http://www.oireachtas.ie).

Addressing septic tank pollution is a high priority for me and my Department and I will be keeping the situation and existing and proposed measures under review to ensure protection of groundwater and surface water.

### Departmental Transport.

1424. **Deputy Fergus O'Dowd** asked the Minister for the Environment, Heritage and Local Government the number, type, purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by his Department for each of the past three years; and if he will make a statement on the matter. [29552/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The vehicles listed below have been purchased by my Department since September 2005. No vehicles have been leased by the Department since that time.

I have included CO<sub>2</sub> emissions for motor vehicles acquired in 2008. Given that CO<sub>2</sub> emissions have not been a determinant for motor tax prior to January 2008, details of emissions for vehicles acquired in previous years are not readily available. These will be forwarded to the Deputy as soon as possible.

My Department's National Parks and Wildlife Service (NPWS), for whom the majority of vehicles are purchased, is moving, where possible, to introduce vehicles to its fleet which are biofuel compatible. Approximately 17.5% of the fleet is currently run on biofuel and further use will be made of alternative transport fuels as older vehicles (including both road and work vehicles, such as tractors and quads) are replaced with newer models that can utilise biofuel.

2008

Type	Purchase cost	CO <sub>2</sub> emissions
	€	
1 Toyota Hilux 2.5 litre	30,697	219g CO <sub>2</sub> /km
1 Kia Sorento 2.5 Diesel EX	36,222	209g CO <sub>2</sub> /km
1 Verde RTV (Rough Terrain Vehicle) Electric Vehicle	9,075	
1 Boat	3,993	
1 Massey Ferguson Tractor	56,689	
1 Zetor Tractor	27,000	

2007

Type	Purchase cost
	€
1 Mitsubishi Pajero 3.2 LWB commercial vehicle	27,660
11 Citroen Berlingos, 1.6L Diesel	131,504
12 Ford Ranger Double Cabs 2.5L Diesel	300,308
1 Transit Connect 1.8L	15,167
15 Ford Regular Cabs 2.5L Diesel	291,458
2 Toyota Landcruisers 3L Diesel	98,300
1 Tractor	17,457
2 Tornado Boats	118,686
1 Inflatable Boat	14,322
1 Zodiac Boat	13,833

2006

Type	Purchase cost
	€
1 Yamaha Boat	18,562
14 Citroen Berlingos 1.9L Diesel	167,364
1 Tornado Boat	59,963
1 Rib Boat	3,753
1 Landrover Defender 2.5 L Diesel	43,000

2005

Type	Purchase cost
	€
1 Chassis Tractor	12,100
1 Quad	14,000
1 Landrover Defender 2.5 L Diesel	41,700
1 Suzuki Quad	7,360

### Water and Sewerage Schemes.

1425. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government when essential funding will be provided for sewerage schemes in Drumlish, Newtownforbes and Aughnacliffe, County Longford; and if he will make a statement on the matter. [29574/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Drumlish and Newtownforbes and the Ardagh, Ballinalee and Aughnacliffe Sewerage Schemes are included in my Department's Water Services Investment Programme 2007-2009.

The treatment plants for all five locations have been grouped under a single contract by Longford County Council and the Council's tender documents are currently being examined

[Deputy John Gormley.]

in my Department. I understand that tenders for the collection networks are under consideration by the Council.

### **Decentralisation Programme.**

1426. **Deputy Michael D’Arcy** asked the Minister for the Environment, Heritage and Local Government when it is expected that his Department will have completed its move to County Wexford under the decentralisation process; when it is expected to open for business there; the number of applicants who have applied for posts in Wexford; and the number of vacancies expected to arise as a result of the move. [29583/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Under the decentralisation programme, all Dublin based operations of my Department are being decentralised, with the exception of Met Éireann, ENFO, the Private Residential Tenancies Board and a co-ordination unit which it is proposed to retain in Dublin to assist with the Department’s Dáil and other business. A total of 682 Dublin based posts will be transferred to four locations in the South East: Wexford (270 posts); Waterford (225 posts); New Ross (125 posts) and Kilkenny (62 posts).

The first move will be the transfer of 270 posts to Wexford during 2009. An advance office was established in Wexford in June, 2007 and 46 staff are assigned to it. The Department’s new building in Wexford is under construction and is expected to be completed by end December, 2008. The accommodation will be ready for occupation from February, 2009 and the Department will then transfer the staff complement into these offices on a phased basis from Q1, 2009.

232 staff are available for the 270 posts being decentralised (86% of the numbers required) and 175 of these staff are now in situ in the Department. The Department expects that the full staff complement will be achieved in the period ahead.

### **Turbary Rights.**

1427. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government the status of an application in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [29657/08]

1474. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government when an application will be finalised for persons (details supplied) in County Clare; and if he will make a statement on the matter. [30590/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 1427 and 1474 together.

My Department executed the contracts of sale on 15 August 2008. The contracts and moneys were transferred to the Chief State Solicitor’s Office (CSSO) on 22 August 2008 for closing procedures. However, on 5 September, the vendor’s solicitor notified the CSSO that the vendor has additional bogland. A folio showing this was very recently received by the CSSO. This must now be examined in relation to the vendor’s entitlement to an incentive bonus, and the CSSO is writing to the vendor’s solicitor in this regard.

### **Natural Heritage Areas.**

1428. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government the status of a designation (details supplied) in County Clare; and if he will make a statement on the matter. [29697/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** In April 2008, I announced my Department's UNESCO world heritage programme for the coming years. The objective of this programme is the identification and inscription on UNESCO's World Heritage List of those Irish heritage sites deemed to be of outstanding universal value. Key initiatives of the programme include the preparation of UNESCO World Heritage Site nominations for Clonmacnoise and for the Burren as well as the development of a new tentative list setting out an inventory of the sites which it would be intended to consider for nomination for inscription on the World Heritage List.

Significant work, including the development of a management plan for the Burren, will have to be undertaken as part of the preparation of the nomination for the Burren. Consultation with all relevant stakeholders and interested parties will be an integral part of the nomination process.

Work on progressing the nomination of the Burren for inscription as a World Heritage Site will be brought forward in the context of the prioritisation of the constituent elements of my Department's UNESCO world heritage programme with a view to submission of the nomination as soon as is practicable.

#### **Turbary Rights.**

1429. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government the status of an application by a person (details supplied) in County Clare; and if he will make a statement on the matter. [29698/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department executed the contracts of sale on 1 July 2008. The contracts and moneys were transferred to the Chief State Solicitor's Office (CSSO) on 25 July 2008 for closing procedures. I understand that the CSSO is in correspondence with the vendor's solicitor with a view to closing shortly.

#### **Consultancy Contracts.**

1430. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government if a company (details supplied) has been awarded contracts by his Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if he will make a statement on the matter. [29711/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** There is no record of my Department placing any contract with the company in question. My Department does not compile or hold information in relation to contracts placed by agencies under its aegis.

#### **Turbary Rights.**

1431. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 183 of 29 May 2008 when an application will be processed for a person (details supplied) in County Clare; and if he will make a statement on the matter. [29722/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department executed the contracts of sale on 12 September 2008. The contracts and moneys were transferred to the Chief State Solicitor's Office on 17 September 2008 for closing procedures.



### **Local Authority Housing.**

1432. **Deputy Michael Creed** asked the Minister for the Environment, Heritage and Local Government the reason his Department proposes to exclude town councils from receiving housing allocations directly on an annual basis; the evidence that his Department has that this change will increase efficiency; and if he will make a statement on the matter. [29884/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** I have recently provided all housing authorities, including Town Councils with an indication of the general level of Exchequer funding that will be available over the next three years for the main housing investment programmes. My Department will meet with each housing authority to discuss their plans as part of the Housing Action Plan review process, which is due to commence in early October.

It is recognised that over time the management and integration of operational programmes has become more complex and some pooling of resources at a county level is required to ensure the efficient and effective delivery of the programmes. Against this background and in the context of developing further the multi-annual financial framework for the housing investment programmes, I am considering how to provide greater flexibility for housing authorities in the management of their programmes. The successful delivery of housing investment programmes depends on all housing authorities, including Town and Borough Councils. In this context, the aim is to strengthen the capabilities of all housing authorities to enable them better to deliver housing services at local level in an integrated and effective manner.

Currently, only one local authority manages its housing programme on a county at large basis. For the remaining authorities, allocations continue to be made directly to individual City, County, Borough and Town Councils.

### **Planning Issues.**

1433. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the plans he has to introduce new regulations in relation to quarries; if there are EU directives that have yet to be implemented in relation to this matter; and if he will make a statement on the matter. [29895/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Section 261 of the Planning and Development Act 2000 introduced a once-off system of registration for all quarries, except those for which planning permission was granted in the 5 years prior to the commencement of the section on 28 April 2004. Under the registration system, quarry operators were required to supply full details of their operations to the planning authority within a year, i.e. by 27 April 2005.

Following registration, planning authorities were empowered to impose controls on the operation of registered quarries as follows:

- impose conditions on the operation of a pre-October 1964 quarry;
- require a pre-October 1964 quarry which exceeds certain thresholds to apply for planning permission and submit an Environmental Impact Statement;
- restate, modify or add to conditions on the operation of a quarry which has received planning permission.

My Department is considering the measures necessary, including legislative measures, to ensure early compliance with a recent European Court of Justice judgment (Case 215/06) concerning

retention planning permission for developments, including quarries, requiring an environmental impact assessment.

### **Animal Welfare.**

1434. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government when he will publish the new regulations on puppy farming; if he will make provision for the control of dogs in the animal health and welfare Bill; and if he will make a statement on the matter. [29954/08]

1438. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local Government when he will introduce regulations to implement the recommendations of the working group to review the management of dog breeding establishments; and his plans to exempt the kennels of non-commercial clubs registered with the Hunting Association of Ireland from such regulations. [30010/08]

1489. **Deputy Andrew Doyle** asked the Minister for the Environment, Heritage and Local Government the status of the proposed dog breeding establishment regulations; and if these regulations will be incorporated into the animal welfare legislation. [31184/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 1434, 1438 and 1489 together.

Work is under way in my Department in drafting measures to implement the majority recommendations of the Working Group to review the Management of Dog Breeding Establishments. The issues involved are quite complex and have required detailed consideration. My Department has also been engaged in consultation with relevant stakeholders. It is my intention to advance this matter as quickly as possible.

I understand that the Animal Health and Welfare Bill is being prepared by my colleague, the Minister for Agriculture, Fisheries and Food.

### **Homelessness Strategy.**

1435. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government the key performance indicators used for assessing the impact of the homelessness strategy; the achievements over the past five years; if an evaluation has been conducted of the homeless strategy by independent consultants; and if he will make a statement on the matter. [29979/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Significant progress has been made to address homelessness since the adoption of the Integrated Government Strategy on Homelessness in 2000 and the Homeless Preventative Strategy in 2002, as demonstrated in the Independent Review of the Implementation of Homeless Strategies carried out by Fitzpatrick Associates in 2006. The progress achieved has included an improvement in both the quality and range of services for homeless persons, including new services for emergency, transitional and long-term accommodation and settlement and tenancy sustainment services designed to assist people out of homelessness. Homeless fora have been established throughout the country and local action plans on homelessness have been adopted.

Very significant resources have been committed to the development of homeless services since the publication of the first strategy in 2000. Over the five years to end 2008, over €272 million will have been provided through my Department and local authorities for ongoing

[Deputy Michael Finneran.]

homeless accommodation and related costs. Further substantial funding has been provided for capital investment in facilities, and by the HSE for the care-related costs of homeless services. As evidenced in the triennial housing needs assessment, the number of homeless households reduced from 2,468 to 2,399 between 2002 and 2005, while the number of homeless individuals fell from 5,581 to 3,031. Details from the 2008 assessment are currently being finalised.

A new Government strategy on homelessness, *The Way Home: A Strategy to Address Adult Homelessness in Ireland 2008-2013*, was published in August 2008. The strategy builds on the strong progress made under the previous strategies and sets out a vision to address adult homelessness over the next five years. In particular, key objectives will be the elimination of long-term occupancy of emergency homeless facilities, the prevention of homelessness as far as possible and the elimination of the need to sleep rough. The new strategy sets out key performance indicators and these will be used to monitor progress of the implementation of the strategy and its impact nationally.

### **Housing Applications.**

1436. **Deputy Jimmy Deenihan** asked the Minister for the Environment, Heritage and Local Government if approval will be given to a housing project (details supplied) in County Kerry; and if he will make a statement on the matter. [29981/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** An application for post-tender approval in respect of this project, costing an estimated €4 million, was received in my Department on 24 July, 2008. This is being examined at present and a decision will be made as soon as possible.

### **Departmental Staff.**

1437. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government the number of staff sent from his Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if he will make a statement on the matter. [29993/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department has no records in relation to staff attending this conference. Attendance at this conference by staff of agencies under the aegis of my Department is an administrative matter for the agencies concerned.

*Question No. 1438 answered with Question No. 1434.*

### **Turbary Rights.**

1439. **Deputy Paul Connaughton** asked the Minister for the Environment, Heritage and Local Government when a person (details supplied) in County Galway will receive payment following the sale of a bog; and if he will make a statement on the matter. [30013/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I understand that contracts were received from the vendor's solicitor on 29 May 2008. I am advised that the Chief State Solicitor's Office will be writing to the vendor's solicitors in relation to title at an early date.

### **Waste Management.**

1440. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local

Government the plans he has to amend legislation governing the licensing of skip bags for the collection of rubble and other waste in order that bags may be traced back to the individual user; and if he will make a statement on the matter. [30064/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):**

Skip bags have become increasingly popular with the public as an alternative to the more traditional skip and particularly in circumstances where there is not enough waste to justify hiring a full-sized skip but too much for the regular household collection. Skip bags are distributed through a network of retailers and are collected by a permitted waste collection company.

The Waste Management (Collection Permit) Regulations 2007 (as amended) came into operation on 1 June 2008 and replaced the Waste Management (Collection Permit) Regulations, 2001. The regulations provide for a system of permitting by local authorities of commercial waste collection activities and set out procedures for making permit applications, public consultation, consideration by local authorities of submissions in relation to permit applications, and the grant, refusal and review of permits by local authorities.

The regulations provide for nominated authorities to attach such conditions as it considers necessary relating to the use of skips or other such receptacles such as skip bags, including in respect of the care and disposal of the contents of such receptacles. Conditions regarding the compilation and maintenance of records relating to the types and quantities of waste dealt with, including origin and destination of such waste, are also provided for.

**Water and Sewerage Schemes.**

1441. **Deputy John O'Mahony** asked the Minister for the Environment, Heritage and Local Government if he will sanction grant aid in respect of Kiltimagh sewerage scheme to enable the project to commence; and if he will make a statement on the matter. [30119/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):**

The Kiltimagh Sewerage Scheme is included in my Department's Water Services Investment Programme 2007-2009 as a scheme to start construction in 2008. My Department notified Mayo County Council of an approved budget and grant for the scheme earlier this month.

**Data Protection.**

1442. **Deputy John O'Mahony** asked the Minister for the Environment, Heritage and Local Government the procedures in place to ensure that personal data stored by his Department is secure. [30130/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):**

Only personal information required for business needs is stored by my Department. Access to data is restricted to the appropriate designated sections and/ or officers. Access to personal computers is password protected and additional security features are deployed as appropriate. E-Working staff connect to the Department over secure fully encrypted (VPN) connections.

The Department's Information and Communications Technology User Policy sets out the general policy on access to and use of data held by the Department. Each user, regardless of location, is responsible for security access to his/her computer or other ICT facility provided to them. Passwords must remain confidential and must not be relayed to any other person. Staff are also notified that they must not use another person's access rights or seek to gain access to data for which they have not received specific authorisation. Any breach of this policy may result in disciplinary action, up to and including dismissal, in accordance with the Disciplinary Code.

[Deputy John Gormley.]

Management of business units are responsible for ensuring that appropriate controls are in place governing the use of data held by the unit. The Department's arrangements are continuously under review and will be updated and revised where necessary.

1443. **Deputy John O'Mahony** asked the Minister for the Environment, Heritage and Local Government the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from his Department in 2007 and to date in 2008; and if he will make a statement on the matter. [30145/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** During 2007, thirteen Department owned laptops were reported stolen. Ten of these were recovered almost immediately. Nine of these laptops were obsolete and had already been prepared for recycling. Of the three laptops not recovered, one was new and unused.

To date in 2008, three laptops and one external hard drive have been reported stolen and have not been recovered. No sensitive or personal data was stored on any of these devices.

#### **Waste Disposal.**

1444. **Deputy Martin Ferris** asked the Minister for the Environment, Heritage and Local Government if he is satisfied that waste collected by private companies here is not exported in order to be illegally dumped in other jurisdictions. [30153/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The EU Waste Shipments Regulation sets out the controls applicable to shipments of waste within, into, and out of the European Union. It is directly applicable in the Member States. All shipments of waste must follow various procedures and control regimes, which are determined by the type of waste shipped and the type of treatment that will be applied to the waste at its destination. Thus, different levels of control regime apply depending on the risk posed by the waste and its treatment in terms of recovery or disposal.

In addition, exports to third countries of waste intended for disposal are prohibited, except to EFTA countries which are party to the Basel Convention. Exports of hazardous waste intended for recovery are prohibited, except those directed to countries to which an OECD decision applies, and to third countries which are party to the Basel Convention or countries which have concluded a bilateral agreement with the EU.

Under the Waste Management (Shipments of Waste) Regulations 2007, Dublin City Council is the competent authority designated to regulate exports of waste from the State and my Department has no function in the matter. Under article 49 of the EU Waste Shipments Regulation, in the case of exports of waste from the Community directly out of Ireland, Dublin City Council is required to prohibit an export to third countries if it has reason to believe that the waste will not be managed in an environmentally sound manner throughout the period of shipment, and including in its recovery or disposal in the country of destination.

#### **Local Authority Housing.**

1445. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government the position regarding a family in the rental accommodation scheme in the event that the tenant to whom the property was assigned dies and, in particular, whether the family will succeed to the tenancy; and if they will have security in the longer term in the event that a particular landlord decided to withdraw that property from the scheme and the family needed an alternative. [30156/08]



**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Section 39 of the Residential Tenancies Act 2004 sets out the circumstances in which family members of a tenant who has died may succeed to a tenancy. In the event that a landlord seeks, subject to the rights of the tenant under the Residential Tenancies Act 2004 and the terms of the availability agreement with the housing authority, to withdraw from the Rental Accommodation Scheme (RAS), the authority will move to secure alternative accommodation for the household concerned.

#### **Special Areas of Conservation.**

1446. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 558 of 1 July 2008, the percentage damage to each bog listed as outlined in the review; if he will make the information referred to in the answer available; and if he will make a statement on the matter. [30169/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** In the reply to Question No. 558 of 1 July 2008, I indicated that the data sought was not available in respect of every designated bog and I undertook to provide the Deputy with information in respect of damage to a sample of 48 designated raised bogs. I wrote to the Deputy on 4 September 2008 enclosing this information.

#### **Housing Grants.**

1447. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government the plans he has to provide additional funding for schemes (details supplied) in County Roscommon; and if he will make a statement on the matter. [30171/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The administration of the Housing Adaptation Grant Schemes for Older People and People with a Disability, which were introduced in November 2007 in place of the Essential Repairs and Disabled Person's Grant Schemes, is a matter for individual local authorities.

My Department made a combined capital allocation of €1,678,170 to Roscommon County Council in May 2008, for the operation of the Housing Adaptation Grant Schemes for Older People and People with a Disability. The revised schemes, i.e. Housing Adaptation Grant for People with a Disability, Mobility Aids Grant Scheme, and Housing Aid for Older People Scheme, are funded by 80% recoupment available from my Department together with 20% contribution from the resources of the local authority. It is a matter for local authorities to decide on the specific level of funding to be directed towards each of the schemes, from within the combined allocation notified to them by my Department, and to manage the operation of the schemes in their areas from within this allocation.

In light of the high level of activity under the revised schemes experienced in 2008 by Roscommon County Council, my Department recently made a supplementary allocation of €350,000 to the Council towards the operation of these schemes this year.

*Question No. 1448 answered with Question No. 1413.*

#### **Architectural Heritage.**

1449. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 905 of 8 July 2008, the position regarding the project; and if he will make a statement on the matter. [30200/08]



**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):**

Following the recent purchase of additional lands at Rathcroghan by my Department, the National Monuments Service is currently in discussions with the Office of Public Works (OPW) regarding the improved protection and presentation of, and public access to, national monuments in State care at Rathcroghan.

Since the publication in Autumn 2007 of the Rathcroghan Archaeological Complex Conservation Study commissioned by my Department, there has been ongoing contact between the Department and Roscommon County Council in relation to the implementation of relevant study recommendations. The Roscommon County Development Plan 2008-2014, adopted by Roscommon County Council in July 2008, contains a number of policies and objectives aimed specifically at the protection of the Rathcroghan archaeological complex. These policies and objectives relate to the sustainable planning and development of the Rathcroghan area, the protection of vulnerable archaeological and cultural landscape and the conservation and enhancement of views from and between key monuments identified in the Department's study.

Arrangements are now being made for both the Department and OPW to meet with the Council to discuss further practical implementation of appropriate recommendations contained in the study, support for the implementation of which is a stated policy of the County Development Plan.

**EU Directives.**

1450. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the steps that have been taken to comply with the water framework directive, 2000/60/EC, and the bathing water directive, 2006/7/EC, which provide for the protection of rivers, lakes, coastal waters and ground-waters, including an obligation to achieve and maintain good water quality; and if he will make a statement on the matter. [30208/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):**

Significant steps have been taken to date in relation to the implementation of the Water Framework and Bathing Water Directives. In the case of the Water Framework Directive (WFD) these include the publication in March 2003, of a joint North/South consultation paper — “Managing Our Shared Waters”. This paper outlined the arrangements for coordination of implementation in respect of cross border River Basin Districts. Eight River Basin District (RBDs) have been established on the island of Ireland. Of these four are entirely in Ireland, three are cross-border and one is entirely in Northern Ireland. Project offices were established in each district to support implementation of the Directive. These have been funded to the amount of €63 million by my Department.

In December 2004, a “Characterisation Report” was issued in relation to each RBD. These reports identified and classified the water bodies, set out baseline data, identified waters at risk of not achieving good status, and provided an economic analysis of water use. A comprehensive monitoring programme under the management of the EPA became operational in December 2006. In June 2007, a report on Significant Water Management Issues for each RBD was published for public consultation. The next major milestone in implementation of the WFD will be the publication by 22 December 2008 of Draft River Basin Management Plans. These will be subject to public consultation for a period of 6 months, with a view to adoption by December 2009.

With regard to implementation of the new EU Bathing Water Directive (2006/7/EC), I made regulations in March 2008 which transpose this Directive into national law. The Bathing Water Quality Regulations 2008 establish more stringent water quality standards for protection of the

health of bathers. The timetable for compliance with the Bathing Water Directive extends to 2015, and is in line with the WFD. My Department is currently working with the EPA to develop guidance to assist local authorities in meeting their obligations under this Directive.

#### **Planning Issues.**

1451. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government if he has been requested to hold inquiries into certain planning decisions made in County Meath; if these enquiries include the planning decision in relation to the location of the M3 motorway, particularly the route chosen close to the historic site of Tara; and if he will make a statement on the matter. [30209/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I assume that the Question refers to recent media reports in connection with the draft Local Area Plan for the Southern Environs of Drogheda, which was published by Meath County Council for public consultation last month. I will consider the draft Plan in my role as a statutory consultee in respect of draft local area plans and will forward my statutory comments to the Council in due course.

My Department is not aware of any connection between this draft Local Area Plan and planning decisions in relation to the location of the M3 motorway at Tara, which was approved by An Bord Pleanála in accordance with the relevant provisions of the Roads Acts.

#### **Fire Service.**

1452. **Deputy Martin Ferris** asked the Minister for the Environment, Heritage and Local Government if he will be making funding available to local authorities in respect of the purchase of high volume pumps for use by local fire brigade services in order to meet the demand of recent flooding. [30210/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael P. Kitt):** The provision of a fire service, including the provision of fire fighting and emergency equipment, is a statutory function of individual fire authorities under the Fire Services Act 1981 and 2003. The Department supports fire authorities through the setting of general policy and the provision of capital funding, including the recoupment (within the overall funding available) of costs incurred by local authorities in relation to the purchase of fire fighting and emergency equipment.

#### **Housing Grants.**

1453. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Heritage and Local Government the reason the means test for the housing adaption grant for people with a disability is based on the family income of the previous tax year in view of the fact that the application for such grants often accompanies a fundamental cut in the family income due to the illness of a family member; the plans he has to have these applications based on the current family income; and if he will make a statement on the matter. [30215/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The Housing Adaptation Grant for People with a Disability, the Mobility Aids Scheme, and the Housing Aid for Older People schemes were introduced following my Department's review of the Disabled Persons, Essential Repairs and Special Housing Aid for the Elderly Grant Schemes. One of the primary aims of the review was to ensure that the available resources are targeted to those in most need of assistance.

Under the previous schemes, some local authorities applied a means test, while others did not. The standardised means test introduced under the new schemes, including the income

[Deputy Michael Finneran.]

thresholds and bands provided for, were designed to ensure that a fair and uniform approach applies across all local authority areas, and that those households in greatest need benefit from the available funding.

As part of the means-testing provisions, local authorities have been instructed to apply various income disregards in the calculation of household means, including disregards for children and students, and in respect of a range of welfare payments such as Carer's Benefit/Allowance. In addition, the income thresholds and bands will be adjusted annually in line with inflation. The means-test is applied to the income of the applicant in the previous tax year in order to facilitate the assessment of applicants on the same basis, including those who are not assessed under the PAYE scheme.

A review of the operation of the new schemes will be undertaken following their first year of full implementation.

1454. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the funding provided in 2007 and to date in 2008 to a local authority (details supplied) under the housing aid for older people grant; the number of grants completed by the local authority during this period; the number of grants outstanding during this period; and if he will make a statement on the matter. [30237/08]

1455. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the funding provided in 2007 and 2008 to a local authority (details supplied) under the mobility aids housing grant scheme; the number of grants completed by the local authority during this period; the number of grants outstanding during this period; and if he will make a statement on the matter. [30238/08]

1456. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the funding provided in 2007 and 2008 to a local authority (details supplied) under the housing adaption grant scheme for people with a disability; the number of grants completed by the local authority during this period; the number of grants outstanding during this period; and if he will make a statement on the matter. [30239/08]

1457. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the number of essential repair grants completed by a local authority (details supplied) in each of the past three years; the funding provided under this grant for each of these years; and if he will make a statement on the matter. [30240/08]

1458. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the number of disabled persons grants completed by a local authority (details supplied) for each of the past three years; the funding provided under the grant for each of these years; and if he will make a statement on the matter. [30241/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** I propose to take Questions Nos. 1454 to 1458, inclusive, together.

The administration of the Housing Adaptation Grant Schemes for Older People and People with a Disability, which were introduced in November 2007 in place of the Essential Repairs and Disabled Person's Grant Schemes, is a matter for individual local authorities.

The revised schemes — the Housing Adaptation Grant for People with a Disability, the Mobility Aids Grant Scheme and the Housing Aid for Older People Scheme — are funded by 80% recoupment available from my Department together with 20% contribution from the resources of the local authority. This compares with a 66% contribution from my Department

towards the operation of the previous Disabled Persons and Essential Repairs Grant schemes, and a 33% contribution from the resources of the local authority. It is a matter for local authorities to decide on the specific level of funding to be directed towards each of the schemes, from within the combined allocation notified to them by my Department, and to manage the operation of the schemes in their areas from within this allocation.

The details of the grants and funding made available to Kildare County Council towards the operation of these grant schemes are set out in the following table:

Kildare County Council	2005	2006	2007	2008
Funding provided	€1,429,549	€1,284,466	€1,619,225	€1,642,680
Number of Essential Repairs Grants paid	160	136	125	
Number of Disabled Persons Grants paid	90	86	77	
Number of Housing Adaptation Grant applications paid		0	5	
Number of Housing Adaptation Grant applications on hand		42	227	
Number of Housing Aid for Older People Grants paid		0	36	
Number of Housing Aid for Older People Grant applications on hand		42	383	
Number of Mobility Aids Grants paid		0	1	
Number of Mobility Aids Grant applications on hand		2	20	

### Grant Payments.

1459. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the number and location of new playgrounds in County Kildare over the past five years that have received funding from his Department; the cost of each of these playgrounds; the plans he has to introduce new playgrounds into towns around the Dublin commuter belt that have seen significant population increases; and if he will make a statement on the matter. [30242/08]

### Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

The following playgrounds in Co. Kildare were allocated funding from my Department between 2004 and 2006.

Playground Grant Scheme	Location	Allocation
		€
2004	Kildare Town	72,000
2005	Kilcock	60,000
2006	Clane, Kill, Monasterevin, Kilcullen	120,000

The location of the playgrounds which are to benefit from these allocations is a matter for the relevant local authorities. I will keep the question of a new playground scheme under consideration in the light of the finances available to me.

### Waste Disposal.

1460. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the finance received by each local authority in respect of landfill levies for each

[Deputy Phil Hogan.]

of the years from 2002 to 2007; the charge levied in each case; the amount estimated in respect of 2008; the plans he has to increase the levy in 2009; and if he will make a statement on the matter. [30274/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):**

The finance received by each local authority in respect of the landfill levy for the year 2007 is listed in the table below. This details the landfill levy amount collected by each local authority, the amount retained by the local authority for the purpose of defraying expenses incurred in the enforcement and collection of the levy within its functional area, and the amount paid into the Environment Fund by the local authority. This information has not yet been audited by the Office of the Comptroller and Auditor General. The information for the years 2002 to 2006 is being compiled and will be forwarded to the Deputy as soon as possible.

Local authorities receive finance from the Environment Fund for a range of measures such as:

- capital grants towards the provision of waste recycling and waste recovery facilities;
- subventions towards the operational costs associated with recycling and recovery facilities;
- funding towards enforcement initiatives in the area of waste; and
- funding towards anti-litter and anti-graffiti awareness projects.

However, as funds from both the plastic bag and the landfill levy are paid into the Environment Fund, it is not possible to give a breakdown of the total finance received by local authorities from the landfill levy alone.

The levies were collected at the rate of €15 per tonne for waste disposed of at landfill facilities between 1 June 2002 and 30 June 2008, thereafter rising to €20 per tonne of waste. It is estimated that 2008 receipts from the landfill levy will be in the order of €32 million.

The Environmental Protection Agency's National Waste Report for 2006 identified the important role that economic instruments such as the landfill levy can play in achieving the challenging diversion targets which Ireland has to meet under the Landfill Directive and recommended that the landfill levy be increased in support of the National Strategy on Biodegradable Waste. However, under existing legislation the maximum permissible increase in the levy in any financial year is €5 per tonne. This renders the landfill levy relatively ineffective in driving the extent of change in waste management now necessary to fulfil Ireland's landfill diversion targets.

I am therefore proposing a progressive increase in the levy over a period of years. I will be bringing forward legislation to allow a significant increase in the existing levy and provide sufficient flexibility for future increases without frequent amendment of primary legislation. In line with the commitment in the Programme for Government not to alter the landfill levy in such a way as to give a competitive advantage to incineration, I am also proposing to broaden the scope of the levy to include incineration. These changes will be introduced in a balanced way so as not to give rise to market disruption, allowing the sector sufficient lead-in time to develop the necessary alternative infrastructure/treatment capacities, and to avoid negative environmental impacts such as increased levels of illegal dumping. A regulatory impact assessment (RIA) is under way in regard to these proposed changes and any increase in the levy in 2009 will take its conclusions into consideration.

## Finances received by Local Authorities in respect of the landfill levy for the year 2007

Local Authority	Levy Amount collected	Levy retained by Local Authority	Levy Amount remitted to Environment Fund
Carlow Co. Council	576,187.70	0	576,187.70
Cavan Co. Council	1,289,304.44	0	1,289,304.44
Clare Co. Council	666,269.61	0	666,269.61
Cork City Council	470,637.75	0	470,637.75
Cork County Co.	2,092,132.38	0	2,092,132.38
Donegal County Co.	514,517.53	0	5,145,17.53
Fingal County Co.	1,520,798.55		1,520,798.55
Galway County Co.	1,520,478.88	30,374.90	1,490,103.98
Kerry County Co.	814,719.60	0	814,719.60
Kildare County Co.	4,126,035.26	50,000.00	4,076,035.26
Kilkenny County Co	311,810.85	0	311,810.85
Laois County Co.	636,693.60	0	636,693.60
Limerick County Co.	563,145.62	0	563,145.62
Louth County Co.	799,007.18	0	799,007.18
Mayo County Co.	531,098.63	0	531,098.63
Meath County Co.	2,043,709.54	40,928.77	2,002,780.77
Monaghan Co. Co.	580,776.00	0	580,776.00
North Tipperary Co.	398,527.50	0	398,527.50
Offaly County Co.	1,443,118.97	9,862.80	1,433,256.17
Roscommon Co. Co.	346,738.35	0	346,738.35
South Dublin Co. Co	7,207,944.30	0	7,207,944.30
South Tipperary Co.	212,690.10	0	212,690.10
Westmeath Co. Co.	783,534.66	0	783,534.66
Wexford County Co.	140,115.00	0	140,115.00
Wicklow County Co.	2,970,750.58	44,646.00	2,926,104.58
Total	32,560,742.58	175,812.47	32,384,930.11

**Local Authority Funding.**

1461. **Deputy Arthur Morgan** asked the Minister for the Environment, Heritage and Local Government if locations (details supplied) in County Meath, as submitted in a preliminary report from Meath County Council, will be considered for the remedial work scheme in 2009. [30287/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** My Department is currently seeking applications for new remedial works projects to be undertaken and funded over the next three years. I understand that Meath County Council will be submitting projects relating to the locations concerned for consideration under this call for proposals. The closing date for project submissions is 30 October 2008.

1462. **Deputy Arthur Morgan** asked the Minister for the Environment, Heritage and Local Government if he will confirm that an estate (details supplied) in County Meath will receive the €14 million committed by his Department to Meath County Council under the remedial works scheme 2008. [30288/08]



**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** A pre-tender budget cost in the sum of €13,952,176 has been approved for the project concerned. A tender report is due to be submitted to my Department shortly for consideration. In the absence of an approved tender at this stage, it is not possible to determine the level of funding to be made available to the local authority for this project in 2009.

### **Turbary Rights.**

1463. **Deputy Paul Connaughton** asked the Minister for the Environment, Heritage and Local Government the position regarding the designation of bogs (details supplied); if the owners of such bogs will be allowed to cut their own supply of turf by means of a hopper machine as per the reply to Parliamentary Question No. 47 of 9 July 2008; the status of the designated raised bog No. 1997 001242 at Carnagopple, County Galway; if turf can be cut by hopper machine on this bog in 2009; the status of the other 31 bogs countrywide which are subject to the ten-year derogation which expires in February 2009; if his attention has been drawn to the dramatic increase in oil prices over the past year; his views on whether it is unsustainable to ask people to cease cutting their own supply of turf at a time when oil prices are high; if his attention has further been drawn to the fact that the reply to Parliamentary Question No. 47 of 9 July 2008 indicates that such bog owners will be allowed cut their own supply of turf by means of a hopper machine; if all such bog owners will be allowed to cut their own supply of turf in 2009; and if he will make a statement on the matter. [30338/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Protection of conservation sites of European importance is required under the EU Habitats Directive 1992, which was transposed into Irish law by the European Communities (Natural Habitats) Regulations 1997, as well as the Wildlife (Amendment) Act, 2000. In accordance with the Directive, Ireland has nominated certain raised and blanket bogs, which are priority natural habitats under the Directive, as candidate Special Areas of Conservation (cSACs).

In order to protect the designated bogs, the ending of all peat extraction was originally proposed under these regulations. However, a derogation period of up to 10 years was allowed from 1999, in respect of domestic turf cutting from 32 raised bogs designated before 1999. This includes Carrowmagappul Bog SAC (site code: 001242).

I am conscious of the recent increases in energy costs. However, the reason for the derogation was to allow domestic cutters a reasonable time to find an alternative source of fuel. Peat is a non-renewable resource as well as a valuable habitat which we are required to protect. The derogation expires at the end of this year. In the meantime, cutting for domestic purposes may continue — and the use of the “Hopper” is permitted — although the use of “sausage cutting” machines is not allowed. Large-scale peat extraction works may require planning permission, with an associated environmental impact assessment, under the planning code.

My Department operates a compensation scheme for persons who agree to stop turf cutting in designated raised bogs. This covers both cSACs and Natural Heritage Areas (NHAs).

*Question No. 1464 answered with Question No. 1408.*

### **Departmental Advertising.**

1465. **Deputy John Deasy** asked the Minister for the Environment, Heritage and Local Government the amount spent on advertising in the Irish language by his Department and by agencies under the aegis of his Department since the enactment of the Official Languages Act 2003; and if he will make a statement on the matter. [30393/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** In accordance with the Official Languages Act 2003 and the implementation of the Department's Irish language Scheme prepared under the Act, my Department is committed to providing quality services in Irish and/or bilingually to its customers. While regulations in relation to advertising under the Official Languages Act have yet to be finalised, staff are encouraged to advertise, where practical, in both official languages, particularly where the issue concerned is of general public interest.

Our records do not generally distinguish between the cost of advertising in Irish, English or bilingually. The detailed information sought in the question is therefore not readily available in its entirety and its compilation would involve a disproportionate amount of time and work. Those records that are readily available show that some €152,000 was spent by my Department on Irish and bilingual advertising during the period in question.

My Department does not compile or hold information in relation to amounts spent on advertising in the Irish language by agencies under its aegis.

*Question No. 1466 answered with Question No. 1412.*

### **Housing Grants.**

1467. **Deputy Michael Ring** asked the Minister for the Environment, Heritage and Local Government his plans to provide additional funding to a local authority (details supplied) in view of the fact that the allocated funds were exhausted in July 2008; if additional funding will be provided; and if he will make a statement on the matter. [30462/08]

1481. **Deputy Enda Kenny** asked the Minister for the Environment, Heritage and Local Government the allocation of funding granted to Mayo County Council for the scheme of housing aid for older people in 2008; the allocation of funding granted to Mayo County Council for the housing adaptation grant for people with a disability in 2008; the allocation of funding granted to Mayo County Council for the mobility aids housing grant in 2008; the amount of these allocations that have been issued to Mayo County Council; if the 2009 allocations have been decided upon; and if he will make a statement on the matter. [31028/08]

1482. **Deputy John O'Mahony** asked the Minister for the Environment, Heritage and Local Government if he will provide extra funding for the home improvement schemes to Mayo County Council; and if he will make a statement on the matter. [31070/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** I propose to take Questions Nos. 1467, 1481 and 1482 together.

A combined allocation of €1,242,150 was made to Mayo County Council earlier this year for purposes of the Housing Adaptation Grant for People with a Disability, Mobility Aids Grant Scheme, and Housing Aid for Older People Scheme. It is a matter for the Council to decide on the specific level of funding to be directed towards each of the schemes from within this allocation. To date €12,963 has been issued to Mayo County Council under the schemes.

My Department has received a request from Mayo County Council for additional funding under the Housing Adaptation Grants Schemes and the Council was recently notified of an additional Exchequer allocation of €350,000 towards the operation of these schemes this year. Allocations for 2009 can only be finalised after the publication of the 2009 Estimates.

1468. **Deputy Michael Ring** asked the Minister for the Environment, Heritage and Local Government the funding provided towards schemes (details supplied). [30464/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Allocations to each local authority towards the operation of the revised suite of housing adaptation grant schemes — the Housing Adaptation Grant for People with a Disability, the Mobility Aids Grant Scheme and the Housing Aid for Older People Scheme and the processing of outstanding claims under the now discontinued Disabled Persons and Essential Repairs Grants schemes, are set out in the Table below.

The allocations made by my Department to local authorities for the operation of the schemes represent not capital grants, but the total amount which authorities are authorised to spend on the schemes, including from the resources of individual authorities. It is a matter for local authorities to decide on the specific level of funding to be directed towards each of the schemes, from within the combined allocation notified to them by my Department, and to manage the operation of the schemes in their area from within this allocation.

My Department has recently made supplementary Exchequer allocations to a number of local authorities; this information is also set out in the following table.

	Initial Allocation 2008 (Exchequer + L.A. Contribution)	Supplementary Allocation 2008 (Exchequer)
	€	€
Carlow County Council	1,191,450	
Cavan County Council	1,150,890	300,000
Clare County Council	1,308,060	500,000
Cork County Council Nth	1,962,090	
Cork County Council Sth	2,545,140	
Cork County Council West	1,008,930	
Donegal County Council	4,248,660	
Dun Laoghaire Rathdown County Council	1,896,180	350,000
Fingal County Council	1,576,770	
Galway County Council	1,820,130	300,000
Kerry County Council	2,590,770	
Kildare County Council	1,642,680	
Kilkenny County Council	816,270	
Laois County Council	1,678,000	
Leitrim County Council	1,571,700	
Limerick County Council	1,551,420	
Longford County Council	638,820	
Louth County Council	1,815,060	
Mayo County Council	2,484,300	350,000
Meath County Council	2,418,390	
Monaghan County Council	1,911,390	250,000
North Tipperary County Council	1,571,700	300,000
Offaly County Council	1,292,910	
Roscommon County Council	1,678,170	350,000
Sligo County Council	491,790	300,000
South Dublin County Council	3,990,090	
South Tipperary County Council	1,343,550	
Waterford County Council	1,500,000	
Westmeath County Council	1,460,160	
Wexford County Council	2,043,210	300,000

	Initial Allocation 2008 (Exchequer + L.A. Contribution)	Supplementary Allocation 2008 (Exchequer)
Wicklow County Council	1,079,910	
Cork City Council	1,855,620	
Dublin City Council	12,639,510	
Galway City Council	1,049,490	300,000
Limerick City Council	714,870	
Waterford City Council	451,230	
Sligo Borough Council	415,740	
Total	71,405,050	3,600,000

### Special Areas of Conservation.

1469. **Deputy Michael Ring** asked the Minister for the Environment, Heritage and Local Government if he will review the destocking requirements of the hill sheep farmers in the Connemara area in view of the fact that such measures will lead to undergrazing of the lands. [30466/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My colleague, the Minister for Agriculture, Fisheries and Food and I are implementing new grazing initiatives in the North Connemara area from 1 November 2008. These measures are necessary and are designed to address ongoing overgrazing in two specific Special Areas of Conservation (SACs), namely the Twelve Bens/Garraun Complex and Maumturk Mountains SACs.

Following scientific assessment of the condition of these SACs, it was deemed necessary to introduce grazing regimes that go beyond the destocking requirements set out in the original Commonage Framework Plan. These measure were discussed in detail with farming representatives over several months and an agreement was reached on a scheme to address the overgrazing problem. These areas will be monitored with a view to preventing further overgrazing or undergrazing in the future.

### Waste Disposal.

1470. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government his plans to improve regulations to prevent the illegal backyard burning of waste, due to potential health risks and toxic fumes emanating from burning plastics and other types of material; and if he will make a statement on the matter. [30474/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I intend shortly to make Regulations which will develop and improve the legislation in relation to backyard burning.

### Grant Payments.

1471. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the grants or financial assistance available to groups (details supplied) from his Department or from local authorities; and if he will make a statement on the matter. [30494/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department does not provide grants or financial assistance for the purposes outlined and I am not aware of any such grants being made available by local authorities.

### Local Electoral Areas.

1472. **Deputy Niall Collins** asked the Minister for the Environment, Heritage and Local Government when maps will be available detailing the revised local electoral areas; and if he will make a statement on the matter. [30518/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** On 16 June 2008, I received the reports of the two Boundary Committees I established last January to review local electoral areas. When publishing the reports on 17 June 2008, I announced that I was accepting the recommendations contained in them. I will be making the necessary orders to give effect to the recommendations in the reports in due course and these will contain detailed descriptions of the areas concerned. The published reports, which contain maps of the recommended local electoral areas, are available on my Department's website at [www.environ.ie](http://www.environ.ie).

### Housing Grants.

1473. **Deputy Michael D. Higgins** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that in Galway city, the provisions of the housing adaption grant are not being met because the financial allocation received from his Department is insufficient; and if he will make funds available for this important and valuable scheme. [30573/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** My Department has received a request from Galway City Council for an increase in its initial allocation of €1,049,490 in respect of the Housing Adaptation Grant Schemes for Older People and People with a Disability. In light of the particularly high level of activity under the revised schemes in 2008, my Department has recently made a supplementary allocation of €300,000 to Galway City Council towards the operation of these schemes this year.

*Question No. 1474 answered with Question No. 1427.*

### Departmental Agencies.

1475. **Deputy Joan Burton** asked the Minister for the Environment, Heritage and Local Government the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of his Department; and if he will make a statement on the matter. [30612/08]

1490. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government the bonuses, merit awards and other payments above the basic salary that have been approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which the decision to approve such awards was made; and if he will make a statement on the matter. [31193/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 1475 and 1490 together.

Information, excluding that which would be deemed personal information, is being compiled and will be forwarded to the Deputies as soon as possible.

### Departmental Staff.

1476. **Deputy Joan Burton** asked the Minister for the Environment, Heritage and Local

Government the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of him and each Minister of State within his Department; and if he will make a statement on the matter. [30627/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):**

Details regarding the numbers of staff in each Ministerial office are as follows:

*Minister's Office*

*Civil Servants*

1 Private Secretary — Higher Executive Officer

5 Executive Officers

5 Clerical Officers.

*Political Appointments*

2 Special Advisers

1 Personal Assistant

1 Personal Secretary.

*Minister of State Finneran*

*Civil Servants*

1 Private Secretary — Higher Executive Officer

3 Executive Officers

4 Clerical Officers.

*Political Appointments*

1 Personal Assistant

1 Personal Secretary.

*Minister of State Kitt*

*Civil Servants*

1 Private Secretary — Higher Executive Officer

4 Executive Officers

2 Clerical Officers.

*Political Appointments*

1 Personal Assistant

1 Personal Secretary.

The costs for each Ministerial private and constituency office for 2007 and the projected costs for 2008 are set out in Table 1.



[Deputy John Gormley.]

Table 1

	2007	2008 Projections
	€	€
<i>Minister Gormley</i>		
Private Office	366,445	635,383
Constituency Office	136,318	229,674
<i>Minister Roche</i>		
Private Office	221,470	N/A
Constituency Office	96,398	N/A
<i>Minister of State Kitt</i>		
Private Office	N/A	214,939
Constituency Office	N/A	41,349
<i>Minister of State Finneran</i>		
Private Office	N/A	262,134
Constituency Office	N/A	136,148
<i>Minister of State Killeen</i>		
Private Office	134,364	109,079
Constituency Office	34,989	22,318
<i>Minister of State O'Keeffe</i>		
Private Office	278,899	135,757
Constituency Office	142,849	47,167
<i>Minister of State Ahern</i>		
Private Office	187,277	N/A
Constituency Office	64,352	N/A

Staffing arrangements for the Minister of State Máire Hocht, who has responsibility for Older People, are dealt with by the Department of Health and Children.

#### **Water and Sewerage Schemes.**

1477. **Deputy Dinny McGinley** asked the Minister for the Environment, Heritage and Local Government the position regarding the proposed sewerage scheme for Gweedore, County Donegal; when tenders will be invited and work will commence on the project; and if he will make a statement on the matter. [30806/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Gweedore Sewerage Scheme is being funded under my Department's Water Services Investment Programme 2007-2009. My Department is awaiting submission of revised proposals for the scheme by Donegal County Council.

#### **Social and Affordable Housing.**

1478. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local

Government his views on whether the length of the clawback period in the affordable housing scheme administered by local authorities is reasonable; and if he has plans to review this period. [30904/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The clawback provision, attached to a house purchased under the various affordable housing schemes at a discount from market value, is activated where the house is resold before the expiration of 20 years from the date of purchase. In such an event, the person selling the property must pay to the housing authority a percentage of the proceeds of the sale. The clawback is necessary to ensure that there is no short-term profit taking on the resale of houses provided under the various affordable housing schemes at a discount from market value.

Notwithstanding that, I asked the Affordable Homes Partnership to consider how the range of existing affordable housing mechanisms might be enhanced. A resultant report *Increasing Affordable Housing Supply* has now been published. The report's recommendations are based on optimising the output from the existing mechanisms and include a proposal to introduce a new affordable housing product based on an equity loan arrangement to be used in conjunction with the existing schemes. The report further recommended the removal of the time limit on the clawback and recycling the repayment of the subsidy provided as an investment in new affordable housing.

A public consultation on the report has been completed and I am considering the outcome of this process in the context of the further development of policy on paths to home ownership, including through affordable housing.

*Question No. 1479 answered with Question No. 1403.*

#### **Natural Heritage Areas.**

1480. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the position regarding a proposal to make lands at the Liffey Valley a natural heritage area; the acreage of lands and the location of the lands; the stage the proposal is at; and if he will make a statement on the matter. [30951/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Liffey Valley is one of hundreds of 'proposed NHAs' that are under consideration for designation as Natural Heritage Areas throughout the country. The area of the site is 165 hectares and it is located along the River Liffey, running from Leixlip in County Kildare to Chapelizod in Dublin. It is currently protected by its inclusion in the Local Authority Development Plans covering the area — in this case, the Local Authorities of Dublin City, Fingal, South Dublin, and Kildare.

My Department's priority in recent years has been the designation of European sites as Special Areas of Conservation (SAC's) under the Habitats Directive and Special Protection Areas (SPA's) under the Birds Directive. However, when that process is complete further consideration will be given to the formal designation of Natural Heritage Areas, including the proposed NHA at Liffey Valley. This designation will protect species and habitats not already protected under the European Directives.

*Questions Nos. 1481 and 1482 answered with Question No. 1467.*

### **Social and Affordable Housing.**

1483. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government his views regarding documentation (details supplied); the actions he proposes to address the matter; if his recent change of guidelines will in any way affect the group concerned; and if he will make a statement on the matter. [31113/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** There is no provision at present in the voluntary housing schemes for the purchase of individual houses by tenants. However, the Government's housing policy statement, *Delivering Homes, Sustaining Communities*, indicated that consideration would be given, in consultation with the voluntary and co-operative sector, to piloting a tenant purchase scheme for some new voluntary homes based on the incremental purchase model.

The Housing (Miscellaneous Provisions) Bill, which was published recently, includes provisions to give effect to the incremental purchase scheme. In parallel with this, arrangements for the introduction of a pilot scheme for the voluntary housing sector are being considered in consultation with the Irish Council for Social Housing. Decisions in relation to the selection of an approved housing body or specific location for the purpose of implementing the pilot project would be premature, at this stage.

### **Local Authority Funding.**

1484. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government if he plans to extend the tenant purchase scheme to cover the residents of flats; and if he will make a statement on the matter. [31120/08]

1485. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government the reason the tenant purchase scheme has not been extended to include residents of flats, either through the Housing (Miscellaneous Provisions) Bill or in separate legislation; and if he will make a statement on the matter. [31121/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** I propose to take Questions Nos. 1484 and 1485 together.

Work is continuing to resolve the outstanding complex issues relating to tenant purchase of apartments with a view to finalising proposals for a viable sales scheme in time for consideration during the passage through the Oireachtas of the Housing (Miscellaneous Provisions) Bill 2008, which was presented to the Seanad on 23 July 2008.

### **Departmental Staff.**

1486. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government the number of Civil Service staff dealing with constituency matters in his office; the number of Civil Service staff dealing with constituency matters in the offices of junior Ministers within his Department; and the cost in salaries for these staff per annum. [31129/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The information requested is set out in the following tables:

Minister	Number of Civil Servants working in Constituency Office	Gross Annual Salary
John Gormley	4.5	€181,629

Minister of State	Number of Civil Servants working in Constituency Office	Gross Annual Salary
Michael Finneran	3	€112,769
Michael Kitt	3	€108,121
Máire Hctor*	0	0

\*Staffing arrangements for the Office of the Minister of State, Máire Hctor, with responsibility for Older People are dealt with by the Department of Health and Children.

### Water and Sewerage Schemes.

1487. **Deputy Dinny McGinley** asked the Minister for the Environment, Heritage and Local Government the position regarding the proposed sewerage scheme for Glenties, County Donegal; when it is expected that work will commence on the project; and if he will make a statement on the matter. [31145/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Glenties Sewerage Scheme is being advanced as a joint project with a scheme for Dungloe under my Department's Water Services Investment Programme 2007-2009. My Department is awaiting the submission of Tender Documents by Donegal County Council.

### Social and Affordable Housing.

1488. **Deputy Arthur Morgan** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to a situation where affordable housing due to be delivered under 2007 Part V agreements, will, in some areas be more expensive than current market value houses. [31147/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The acquisition costs of units acquired under Part V of the Planning and Development Acts 2000-2006 are calculated in accordance with the relevant legislation. They are based on the sum of the site costs calculated at existing use value, actual construction costs as agreed between the local authority and the developer, plus reasonable profit.

It is open to local authorities further to reduce the unit cost, including by using monies they have received as a result of agreements reached with developers under Part V, to ensure that affordable homes continue to meet the needs of the target group concerned.

*Question No. 1489 answered with Question No. 1434.*

*Question No. 1490 answered with Question No. 1475.*

### Waste Disposal.

1491. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government when he expects the publication of the report outlining a clear set of recom-

[Deputy Seán Sherlock.]

mendations on the clean-up of the site of the former Ispat site at Haulbowline, County Cork; and if he will make a statement on the matter. [31221/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department re-engaged consultants, White Young Green, to carry out an independent and rigorous assessment of site conditions following extensive unauthorised works by sub-contractors of Hammond Lane Metal Company Ltd.

This assessment comprises three distinct modules, and the consultants have available the advice of the Environmental Protection Agency, the Marine Institute and the Health and Safety Authority in their development:

1. assessing quality of surface water, marine sediment and mussel bivalves in the vicinity;
2. assessment of any health or environmental risks posed by recent works;
3. ambient air monitoring.

White Young Green previously carried out an extensive intrusive site investigation in 2005 which indicated no evidence of any immediate threat to human health or the environment. Testing results will be assessed against baseline data from the previous survey. It is anticipated that the latest report from White Young Green will be completed by the end of September.

Furthermore, at the request of the local residents and public representatives, I have arranged for the current ongoing site assessment works, and the 2005 White Young Green report, to be reviewed by independent experts in order to offer reassurance to the local communities that the scope of works, tests and analysis employed conform to best international practice in determining whether there exists any immediate health or environmental threat posed by the site. Professor Phillip Morgan (Sirius Geotechnical & Environmental Ltd) and Dr. Marcus Trett (Physalia Limited, Consultant & Forensic Ecologists) have been appointed to carry out the peer review.

Both the White Young Green and the Peer Review reports will be made publicly available once I have had an opportunity to examine them. Any recommendations arising out of these reports will inform my proposals to Government in respect of the future use of the site.

### **Grant Payments.**

1492. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government when funding will be granted to Cork County Council to enable the processing of grant applications which are at a complete standstill due to a lack of funding for schemes (details supplied); and if he will make a statement on the matter. [31222/08]

1493. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government the number of disabled persons grants, housing aid grants and housing aid for older people grants that have been cancelled or suspended within the Cork County Council area; and if he will make a statement on the matter. [31223/08]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** I propose to take Questions Nos. 1492 and 1493 together.

As previously indicated to local authorities, requests for additional funding under the Housing Adaptation Grants Schemes for Older People and People with a Disability are dealt with in the context of the reallocation of any surplus resources arising elsewhere. In this context, my Department has advised all local authorities to monitor their expenditure under the

Schemes carefully. A number of the authorities faced with particularly significant levels of demand under the schemes so far this year received notification recently of supplementary allocations. While Cork County Council was not among those authorities, the issue of an additional allocation to the Council will be considered in the event of further funding becoming available.

My Department does not have data concerning grants which have been cancelled or suspended within the Cork County Council area.

#### **Water and Sewerage Schemes.**

1494. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government if he has received the preliminary report regarding the sourcing of additional water for the greater Dublin area; and if he will make a statement on the matter. [31248/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I understand that Dublin City Council's Strategic Environmental Assessment in relation to this proposal is currently at stakeholder consultation stage. The Preliminary Report to be prepared as part of the SEA process is expected to be available in Spring 2009.

#### **Local Authority Staff.**

1495. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government if he will seek the lifting of the embargo on recruitment for local authorities in the greater Dublin area. [31269/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** While I am keeping the overall employment position in the local Government sector under regular review having regard to the need to deliver quality front line services, including in areas which have experienced high population growth, my ongoing consultations with the Department of Finance in this regard will take account of the Government position in relation to the reduction of the public sector payroll bill by end 2009.

#### **Planning Issues.**

1496. **Deputy Mary Upton** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that An Bord Pleanála chooses to ignore the recommendations of its own inspectors on more than 600 occasions in 2007, representing more than 13% of cases; his views on whether it is value for money to employ inspectors at great cost to the Exchequer when the board of An Bord Pleanála frequently choose to ignore this advice; and if he will make a statement on the matter. [31274/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Since the establishment of An Bord Pleanála in 1977, planning legislation has clearly assigned final responsibility for decisions on planning appeals to the Board and not to inspectors making reports and recommendations to the Board.

In considering decisions on planning appeals, the Board must consider all submissions on the file, together with their own Inspector's report and recommendation, and reach their own conclusion on the matter in line with the proper planning and sustainable development of the area. If they do not follow the recommendations of the Inspector, the Board must be satisfied that the facts of the case support their decision. Under the Planning and Development Act 2000, the Board must also give the reasons for their decisions and must specify the various reasons for not accepting the Inspector's recommendations.



[Deputy John Gormley.]

The Board operates these provisions with appropriate transparency, for example, through the publication of Inspectors' reports and Board decisions on its website and the publication of well-documented annual reports.

### **Waste Management.**

1497. **Deputy David Stanton** asked the Minister for the Environment, Heritage and Local Government if the review of waste policy as per the commitment given in the programme for Government has begun; and if he will make a statement on the matter. [31291/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Programme for Government includes a commitment to undertake an international review of waste management policy. In February 2008 a procurement process was initiated to appoint consultants to undertake comprehensive research on the waste sector in Ireland and to cover a wide range of issues to help identify how best to proceed with further efforts to reduce waste levels, improve recycling rates and deliver equitable and cost-effective waste management solutions.

This study, the scope of which also includes issues such as how best to promote alternative technologies such as mechanical biological treatment processes, will underpin the overall review as provided for in the Programme for Government. The procurement process has now been completed and I have recently appointed Eunomia Research and Consulting Ltd (and Partners) to undertake the study. Extensive consultation with key stakeholders is envisaged and it is anticipated that the study will be completed by mid-2009.

### **Local Authority Funding.**

1498. **Deputy David Stanton** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 475 of 27 May 2008, the targets and time-frame he has set for the roll-out of brown bins to all households to facilitate compliance with Directive 1999/31/EC aimed at reducing landfill; and if he will make a statement on the matter. [31292/08]

1499. **Deputy David Stanton** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 894 of 8 July 2008, if his Department has issued circular letters to all local authorities seeking the implementation of measures for the management of bio-waste within regional waste management plans; and if he will make a statement on the matter. [31293/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 1498 and 1499 together.

I am committed to putting in place the necessary measures to ensure compliance with the EU landfill diversion targets that will apply from 2010 onwards. These EU targets require that

- no later than 16 July 2010, biodegradable municipal waste going to landfills must be reduced to 75% of the total amount (by weight) of biodegradable municipal waste produced in 1995;
- no later than 16 July 2013, biodegradable municipal waste going to landfills must be reduced to 50% of the total amount (by weight) of biodegradable municipal waste produced in 1995; and

- no later than 16 July 2016, biodegradable municipal waste going to landfills must be reduced to 35% of the total amount (by weight) of biodegradable municipal waste produced in 1995.

Member States which consigned more than 80% of collected municipal waste to landfill are allowed to postpone the attainment of these targets by a period not exceeding four years. The National Waste Database Report 1995 records that Ireland consigned some 92% of collected municipal waste to landfill in that year. Accordingly, Ireland has availed of a four-year derogation in respect of the first two target dates.

The roll out of the 'brown bin' source-segregated collection system for organic waste is a core element of the National Strategy on Biodegradable Waste and will play a critical role in accelerating the diversion of organic waste from landfill as required by the EU Directive (1999/31/EC). A circular on the matter issued to local authorities on 31 July 2008 and is available on the Department's website.

### Waste Disposal.

1500. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government if the contract documents for the upgrading of the Ballyellis treatment plant, Mallow, County Cork have been signed; and if he will make a statement on the matter. [31296/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department is awaiting revised proposals from Cork County Council for the upgrading of the Ballyellis Water Treatment Plant which is being advanced under the Serviced Land Initiative measure of the Water Services Investment Programme.

### Consultancy Contracts.

1501. **Deputy Arthur Morgan** asked the Minister for the Environment, Heritage and Local Government the amount that was spent by his Department on consultants in 2007 and to date in 2008. [31647/08]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The information requested in the question is set out in the following table:

	€
Consultancy Expenditure 2007	1,553,000
Consultancy Expenditure 2008 (to end August)	397,524

### Energy Resources.

1502. **Deputy Finian McGrath** asked the Minister for Communications, Energy and Natural Resources if he will support a matter (details supplied). [30651/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The substance of the question has been overtaken by events but, in any event, in my capacity as Minister for Communications, Energy and Natural Resources, I would have no statutory basis for taking an action as suggested.

### Television Licence Fee.

1503. **Deputy Liz McManus** asked the Minister for Communications, Energy and Natural Resources if he will ensure that householders who have free-to-air satellites installed and who pay their television licences can access RTE 1 and RTE 2 channels without charge; and if he will make a statement on the matter. [29686/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** RTÉ1 and RTÉ2 are not available free to air on satellite. RTÉ1 and RTÉ2 are available free to air on a terrestrial platform throughout Ireland and can be accessed through a roof top aerial or, in some areas, through a set top aerial, free of charge. RTÉ's terrestrial network has been in operation since the 1960's and is currently being upgraded to digital technology. RTÉ1 and RTÉ2 will continue to be available free to air when the network has been upgraded to digital technology.

Legislation also provides for RTÉ1 and RTÉ2 to be carried over cable and digital Multipoint Microwave Distribution System (MMDS) networks. Cable and MMDS networks are regulated in Ireland and provide services within Ireland only.

RTÉ is carried by the Sky satellite service within Ireland. Sky encrypts the RTÉ service so that it cannot be received in other countries and charges a fee as part of the overall satellite package to Irish subscribers for accessing the RTÉ service. Sky is a commercial company and is not regulated in Ireland. I have no role in relation to the fees set by satellite providers including where these fees cover access to RTÉ1 and RTÉ2.

### Planning Issues.

1504. **Deputy Richard Bruton** asked the Minister for Communications, Energy and Natural Resources if fibreglass batts used to insulate attics meet the highest environmental standards and his views on concerns about degrading of the product, emission of formaldehyde and potential loss of its R-value in certain circumstances; and if other technologies are considered preferable by Sustainable Energy Ireland and Government architectural advisers. [30331/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The residential Building Regulations focus on thermal performance requirements, rather than being prescriptive in relation to particular materials. Fibrous materials have been commonly used for insulation of attic spaces over many years.

The Building Regulations Part L were substantially revised in 2007 and Sustainable Energy Ireland (SEI) advise that the stringent thermal insulation standards now required of new homes are likely to see the industry increasingly using materials with the lowest thermal conductivities, for reasons of practicality in relation to construction dimensions. These materials tend to be of rigid foam type structure, rather than fibrous. The use of glass fibre insulation may be expected to diminish over time, but I am not aware of any proposals to exclude it from the list of choices available to the industry.

Insulation materials are not generally designed for direct exposure to an inhabited space. An attic space is generally designed as a ventilated and unoccupied space. I am further advised by SEI that any trace levels of gaseous emissions arising from the installation of insulation materials in such an attic space would be expected to dissipate quickly and would be ventilated out in any case. However, in the case of a converted or occupied attic space, insulation materials should normally be sealed behind a suitable barrier such as plasterboard.

### **Electricity Generation.**

1505. **Deputy Simon Coveney** asked the Minister for Communications, Energy and Natural Resources the progress there has been in transferring all transmission assets to EirGrid by the end of 2008; if this target will be met; if not, the reason therefore; the date the transfer will be complete; and if he will make a statement on the matter. [30957/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I would refer the Deputy to my statement of 13th March on the future of Ireland's electricity sector. In that statement I affirmed the Government's decision in the Energy Policy White Paper and the Programme for Government, to transfer the ownership of the electricity transmission assets from ESB to EirGrid. It is also a fundamental tenet of Government policy that we retain the electricity and gas networks as strategic national assets in State ownership.

The unbundling of the transmission assets involves the resolution of complex technical, financial and operational issues as well as the introduction of legislation. The process will take us beyond the original target date of the end of 2008, as all the parties concerned are aware.

In the context, not least, of wide-ranging challenging priorities for ESB and EirGrid, I have proposed that we commission an independent analysis of the transmission transfer, including costs, benefits and regulatory impact assessment, set in the context also of EU developments and the all island single electricity market.

Statements by myself and my predecessor, have consistently underlined the need for transparent and inclusive engagement with all relevant stakeholders in the process of implementing Government policy in relation to the electricity transmission assets.

Input to the process of independent analysis will accordingly be invited from the direct key stakeholders. These are the management and unions of ESB and EirGrid, the ESB Employee Share Ownership Trust, as well as the Commission for Energy Regulation and the Department of Finance.

I intend shortly to appoint the senior independent figure to chair this process including the commissioning of independent consultants to carry out the technical and economic analysis.

All the direct stakeholders have pivotal roles to play in the process of engagement and analysis and in achieving outcomes that are good for EirGrid and ESB, which are satisfactory for all parties concerned, and which are in the best interests of the economy and consumers. I look forward to getting this collective process under way following my appointment of the senior independent chair, and to completing it during 2009.

Government policy is clear in relation to ensuring the strategic future of both EirGrid and ESB as strong viable Semi State bodies with vital roles to play in delivering our national targets for emissions reduction, renewable energy and energy efficiency as well as security of supply and energy competitiveness.

Earlier this year, I welcomed ESB's announcement of its new Strategic Framework to 2020, which will see an unprecedented capital investment programme by the company at home and abroad in support of our goals for renewable energy, energy efficiency, emissions reduction and energy security.

I look forward equally to EirGrid's forthcoming Grid Development Strategy 2025 which will be published shortly. This will set out an ambitious national strategy for critical investment in the transmission system over the next two decades in support of economic, social and regional development and the integration of renewable energy generation.

### **Alternative Energy Projects.**

1506. **Deputy Andrew Doyle** asked the Minister for Communications, Energy and Natural

[Deputy Andrew Doyle.]

Resources if the log wood gasifier is included in the greener homes scheme, and if not, the reasons therefore. [29913/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The Greener Homes Scheme provides support to homeowners to invest in a range of domestic renewable energy heating technologies including solar panels, biomass boilers and stoves and heat pumps.

On the 7th of July this year I announced Phase III of the Scheme, which includes the addition of a new biomass technology, log gasification boilers, to the technologies eligible for support. Phase III opened for applications on the 22nd July 2008. The current level of grant support for the installation of a gasification boiler is €2,000.

The scheme is administered by Sustainable Energy Ireland (SEI) and further information, including how to apply for a grant is available on their website at [www.sei.ie](http://www.sei.ie).

#### **Telecommunications Services.**

1507. **Deputy Dinny McGinley** asked the Minister for Communications, Energy and Natural Resources the position regarding the provision of jobs in Ballyshannon, County Donegal, to facilitate the establishment of the national emergency call centre that was announced three years ago; the number of jobs envisaged; if premises are available and prepared; when will the jobs be available; and if he will make a statement on the matter. [30318/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Following the completion of a tender process for the provision of an emergency call answering service, BT Ireland Limited was selected as the highest ranked bidder. Contract negotiations are now under way between BT and the Department on the detail associated with the provision of the service at centres to be located in Navan, County Meath and Ballyshannon, County Donegal. It is expected that contract negotiations will be completed in the next few weeks.

It is envisaged that the call answering centres will be operational in ten months following the completion of the contract negotiations. At this stage it is not possible to say the number of jobs that will be created in Ballyshannon.

#### **Alternative Energy Projects.**

1508. **Deputy Dan Neville** asked the Minister for Communications, Energy and Natural Resources if he will reconsider an application for funding under the greener homes scheme by persons (details supplied) in County Limerick. [30339/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I am advised by Sustainable Energy Ireland that an application was submitted by the applicants in question to the Greener Homes Scheme in January 2008 (received January 29th). The system was fully installed at this point and is therefore ineligible for support. A letter was issued outlining this position on February 7th having been considered by the Appeals Committee.

This letter was not received by the applicants and a further application was received on May 8th 2008. The position was fully outlined at this time by telephone and a copy of the previous letter reissued.

Given that one of the key eligibility criteria of the scheme, which must be applied equitably in all cases, is that grant approval is received ahead of any purchase or work the application is ineligible and payment cannot be effected.

### Postal Services.

1509. **Deputy Simon Coveney** asked the Minister for Communications, Energy and Natural Resources his plans to implement a post code system here; if a decision has been taken on the form these post codes will take; his views on whether a neutral format containing no reference to placenames would be advisable in order to reduce the risk of opposition and lobbying on various issues; his further plans to include a reference to placenames; if provision will be made for Irish speakers; and if he will make a statement on the matter. [29275/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The National Postcode Project Board made a recommendation last year to Government to introduce an alpha-numeric postal sector postcode model. This model was deemed the most suitable as it does not require individuals to change their address structure, with elements such as county names being accommodated within the postcode itself. In the case of Gaeltacht areas, there is nothing in the recommendation that would prevent this postcode being based on the official version of the place name in Irish.

Government decided last year that prior to the introduction of postcodes, further analysis to quantify the wider economic implications should be carried out. A report was recently furnished to my Department in this regard, which I am currently examining. A full assessment of the report will help me decide on how best to take the proposal forward. In this regard I fully accept that a postcode system can convey economic and social benefits, assist future competition in the postal sector and assist delivery of certain public services.

### Departmental Transport.

1510. **Deputy Fergus O'Dowd** asked the Minister for Communications, Energy and Natural Resources the number, type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by his Department for each of the past three years; and if he will make a statement on the matter. [29547/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The Geological Survey of Ireland, which is a Division of my Department, operates a number of vehicles for the transport of heavy equipment, core samples etc in the course of its day-to-day activities. Following are the details in respect of the period covered by the question.

List of Vehicles Purchases

Make	Model	Reg	Engine	Fuel	CO <sub>2</sub> Emissions	Cost
						€
Opel	Vivaro Van	05D81694	2.5 cdti	Diesel	229g/km	15,546.80
Opel	Vivaro Van	05D81695	2.5 cdti	Diesel	229g/km	15,546.80
Citroen	Berlingo Van	06D82271	1.6 hdi	Diesel	143g/km	11,908.46
Citroen	Berlingo Van	06D82272	1.6 hdi	Diesel	143g/km	11,908.46
Citroen	Berlingo Van	06D82273	1.6 hdi	Diesel	143g/km	11,908.46
Ford	Ranger D/Cab 4x4	06D77806	2.5 d	Diesel	B Class	26,811.50
Ford	Ranger S/Cab 4x4	06D77807	2.5 d	Diesel	B Class	18,428.42
Citroen	Berlingo Van	07D86197	1.6 hdi	Diesel	143g/km	12,586.61
Ford	Mondeo Car	08D9946	2.0 tdc	Diesel	156g/km	27,794.93

All prices are inclusive of VAT.

No vehicles were hired/leased over the last four years.

*Note:* Class B is for vehicles between cars and trucks, which are not rated and will not be classified for CO<sub>2</sub> emissions in the EU until 2011.



[Deputy Eamon Ryan.]

All vehicles were purchased through the OPW Central Purchase Agent for the Geological Survey of Ireland of Ireland.

### **Alternative Energy Projects.**

1511. **Deputy James Bannon** asked the Minister for Communications, Energy and Natural Resources the plans he has to make changes to the VAT rate on wind turbine equipment, which is 21% here as opposed to 5% in the UK; his views on grants for the installation of such energy efficient measures; if there are proposals for the ESB to purchase surplus energy generated; and if he will make a statement on the matter. [29603/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The matter of VAT rates is a matter for my colleague the Minister for Finance. The VAT treatment of goods and services is governed by EU law with which Irish VAT law must comply. While we can retain the zero rating provisions which were in existence on 1 January 1991, we cannot introduce any new ones. Therefore, it is not possible to apply a zero rate to the supply of wind turbine equipment.

The supply of certain environmental products, such as wind turbine equipment, wood pellet boilers and solar panels, are chargeable at the standard VAT rate of 21%. However, the reduced VAT rate of 13.5% may be applied to such products where they are provided under a single supply and install contract where the VAT exclusive cost of the goods does not exceed two-thirds of the total VAT exclusive charge to the customer.

Grant support measures are available in the heat market for micro scale products through the Greener Homes scheme for domestic level and ReHeat and CHP programmes for the small business and non commercial sectors. These schemes are run by Sustainable Energy Ireland (SEI).

In April this year, I announced a micro scale programme that is being developed by SEI for the electricity market. This programme, which will resolve outstanding technical issues in this area around qualifying technologies and defining arrangements for qualification, certification and training of installers in connecting these technologies to the electricity network. These measures need to be addressed to ensure system stability including the safety of network staff and consumers using the micro scale technologies. The field trial element of this programme will be launched by SEI within the next few weeks. I have also asked my Department to engage with the Commission for Energy Regulation and all relevant parties in relation to determining appropriate options for the purchase of surplus energy.

### *New Building Regulations*

Revised building regulations brought into force in July of this year now include a compulsory renewable energy component on renewable energy in all new homes. This will not only ensure that renewables are integrated into homes but will also encourage individuals to consider a range of renewable options when purchasing a new home. This is further underpinned by the introduction of the Building Energy Rating which provides information to house purchasers on energy performance and to which any use of renewables will contribute.

### **Prospecting Licences.**

1512. **Deputy Joe Costello** asked the Minister for Communications, Energy and Natural Resources the terms of the licence he has granted to a consortium (details supplied) to store fossil fuels in Dublin Bay; and if he will make a statement on the matter. [29680/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I assume the authorisation to which the Deputy is referring is the Licensing Option recently awarded by the Department to Providence Resources plc and Star Energy Oil and Gas Ltd over an area on the Kish Bank. This authorisation relates solely to an assessment of the hydrocarbon potential of the area in question.

While I understand that the companies also propose to undertake a review of available information in a desk-top study in relation to the possible potential of the area as a location for gas storage or CO<sub>2</sub> sequestration, this study is not being carried out under the licensing option. If they were to propose physical work in the area in question, they would require appropriate authorisation from my Department.

#### **Consultancy Contracts.**

1513. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources if a company (details supplied) has been awarded contracts by his Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if he will make a statement on the matter. [29706/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I am advised that the records currently held by my Department indicated that no contracts were awarded by my Department to Poster Plan Limited during the period in question.

Contracts placed by bodies operating under the aegis of my Department, are a day to day operational matter for those bodies in which I have no function.

#### **Departmental Staff.**

1514. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources the number of staff sent from his Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if he will make a statement on the matter. [29988/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** No officials from my Department attended the 4th Annual Irish Public Private Partnership Policy Forum.

Attendance at events, by staff of bodies operating under the aegis of my Department, is a day to day operational matter for those bodies in which I have no function.

#### **Data Protection.**

1515. **Deputy John O'Mahony** asked the Minister for Communications, Energy and Natural Resources the procedures in place to ensure that personal data stored by his Department is secure. [30125/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** My Department has developed and maintains a number of systems that contain personal data in addition to internal systems such as payroll or Human Resources. These include an Integrated Fisheries Information System, a Foreshore Coastal Zone Management System, a Marine Vessel Registration System, a Mineral Exploration Licensing System, and a Petroleum Exploration System. Although the functions supported by most of these applications have been transferred to the Minister for Agriculture, Fisheries and Food and to the Minister for Transport, my Department continues to manage and maintain them at this time.

[Deputy Eamon Ryan.]

My Department employs layered network defences including intrusion detection systems, multiple firewalls, web content filtering, anti-virus, anti-spyware and anti-spam devices to block dangerous traffic and protect the network. The portfolio of measures that operates to protect the network of the Department would be considered best practice in the State or private sectors.

My Department carries out a full independent security audit of all computer systems each year and one is due shortly. Any recommendations that are made to further secure the computers and data held by my Department will be implemented.

1516. **Deputy John O'Mahony** asked the Minister for Communications, Energy and Natural Resources the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from his Department in 2007 and to date in 2008; and if he will make a statement on the matter. [30140/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** There have been no reported losses of desktop PCs or memory keys in my Department during 2007 or to date in 2008. With the exception of USB memory sticks, Blackberry devices are the most common data storage device in use.

The number of laptop PCs and Blackberry devices lost in the same period is shown in the following table:

Year	Laptop	Blackberry	USB Memory Keys
2007	1	1	0
2008 (to date)	0	2	0

There have been no reports that any sensitive data has been compromised by these losses. The level of personal information relating to members of the public processed within my Department is very small.

The level of safeguards set for these devices has historically been considered appropriate for the type of user and the sensitivity of the information that might be contained on them. The desirability of additional safeguards will be considered as part of the annual ICT security review.

### **Alternative Energy Projects.**

1517. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources the steps he is taking to promote the use of domestic renewable energy; and if he will make a statement on the matter. [30180/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The development of domestic renewable energy is a key priority and is being supported by a range of actions and programmes ranging from Research and Development, investment incentives and mandatory requirements.

The recently announced Smart Meters pilot programme will also facilitate the introduction of microgeneration devices. I have launched a microgeneration pilot scheme being undertaken by Sustainable Energy Ireland, which will conduct research and field trials, including support for between 50 and 60 installations on a pilot basis.

The field trials are addressing technical and institutional issues relating to such matters as: grid connection, technical standards to ensure power security, safety and quality, export tariffs and other key issues. I have also asked my Department to engage with the Commission for Energy Regulation and other relevant parties in relation to appropriate options for the purchase of surplus energy from micro generation installations.

The Government's Greener Homes Scheme, administered by SEI, provides support to individuals wishing to install renewable energy heating technologies in their homes. This scheme, now in operation since early 2006, has already helped establish a very strong supply industry for renewable energy products, services and fuels while the application of strict product standards and installer training and quality schemes has ensured that consumers are informed in relation to their choices.

A call for expression of interest is currently open for the Low Carbon Housing Programme launched during the summer and administered by SEI. This programme is targeted at housing developments of between 5 and 15 homes. In addition to having a minimum requirement of an Building Energy Rating of A2 or higher the targets also include provision for onsite generation.

The Revised Building Regulations brought into force in July of this year now include a compulsory renewable energy component for all new houses. This will not only ensure that renewables are integrated into the housing stock but will also encourage individuals to consider a range of renewable options when purchasing a new home. This is further underpinned by the introduction of the Building Energy Rating which provides information to house purchasers on energy performance and to which renewables will contribute.

#### **Decentralisation Programme.**

1518. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Question No. 380 of 9 July 2008, if a permanent headquarters has been identified; the number of posts that have to date been decentralised; and if he will make a statement on the matter. [30188/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I wish to advise the Deputy that the position as set out in Parliamentary Question No. 380 of 9 July 2008 has not changed.

#### **Departmental Advertising.**

1519. **Deputy John Deasy** asked the Minister for Communications, Energy and Natural Resources the amount spent on advertising in the Irish language by his Department and by agencies under the aegis of his Department since the enactment of the Official Languages Act 2003; and if he will make a statement on the matter. [30388/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** In the time available, it has not been possible to confirm whether the information requested can be disaggregated from advertising payment records or to assemble same in respect of my Department.

My Department is examining the possibility of compiling the data sought by the Deputy and I will revert to him as soon as possible.

Advertising undertaken by bodies under the aegis of my Department is a matter for the bodies in question and I have no responsibility for such matters.

### Energy Resources.

1520. **Deputy Michael Ring** asked the Minister for Communications, Energy and Natural Resources the value of an area (details supplied) in County Mayo. [30557/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Based on estimated recoverable reserves between 800-900 billion cubic feet, applying the recent market price for gas and allowing for an increase in line with CPI it is estimated that the total value of the Corrib Gas Field will be in the order of €9.5 billion.

The value of the Corrib Gas Field will depend on a combination of factors including, the volume of gas in place, the cost of developing the infrastructure to produce that gas together with the ongoing cost of operating that infrastructure and the price of gas over the life of the field. It will be appreciated that each of these parameters is subject to significant variation and that the timing and profile of production would also have an impact. This calculation is also based on an historically high gas price.

In relation to the tax revenue to be generated from the Corrib Gas Field, profits from the field will be subject to Corporation Tax at a rate of 25%. Based on an assumption that the combined development and production costs will be close to €3 billion then the tax revenue from the Corrib field would be in the order of €1.7 billion.

The Corrib Gas Field will strengthen Ireland's security of energy supply and at peak production will provide over 50% of Ireland's gas needs. By providing an additional gas supply source for the market in Ireland, the Corrib Gas Field could also help bring down gas prices for consumers in Ireland.

During its development phase the Corrib Project has contributed significantly to creating employment, both in the Erris region and nationally, with up to 700 people working on the construction of the terminal at Bellanaboy.

### Departmental Agencies.

1521. **Deputy Joan Burton** asked the Minister for Communications, Energy and Natural Resources the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of his Department; and if he will make a statement on the matter. [30607/08]

1524. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources the bonuses, merit awards and other payments above the basic salary they have approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which they made the decision to approve such awards; and if he will make a statement on the matter. [31188/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I propose to take Questions Nos. 1521 and 1524 together.

The pay and all other elements of the remuneration package granted to the Chief Executive Officers of the commercial and non-commercial bodies under the control of my Department is the responsibility, in the first instance, of each board. The board agrees terms and conditions including remuneration, with my Department, within remuneration levels sanctioned by the Department of Finance.

Remuneration Committees of Boards, usually augmented by a nominated senior Departmental official, decide on the level of annual bonus to be awarded based on the extent to which

agreed performance targets have been met. The final decision on these matters is made by the board and I have therefore no statutory function in this respect.

In the case of certain non-commercial bodies, such as the Regional Fisheries Boards, no bonus scheme exists. In addition, the remuneration of the Chief Executives of the Regional Fisheries Boards is within a set scale as sanctioned by the Department of Finance.

Details of pay and emoluments for each year are generally available in the published annual reports and accounts of the companies/agencies concerned.

**Departmental Staff.**

1522. **Deputy Joan Burton** asked the Minister for Communications, Energy and Natural Resources the number of staff broken down by grade, the number of such staff who are full-time Civil Servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, over-time and expenses and the projected cost for 2008 of each such office in terms of salary, over-time and expenses in respect of the private and the constituency office of him and each Minister of State within his Department; and if he will make a statement on the matter. [30622/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** In the time available, it has not been possible to identify and assemble the information requested.

My Department is compiling the material and I will revert to the Deputy as soon as possible.

1523. **Deputy Lucinda Creighton** asked the Minister for Communications, Energy and Natural Resources the number of Civil Service staff dealing with constituency matters in his office; the number of Civil Service staff dealing with constituency matters in the offices of junior Ministers within his Department; and the cost in salaries for these staff per annum. [31124/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** There are two Civil Service staff dealing with constituency matters in my office, one of whom works part-time on constituency matters as required. Details are as follows:

Grade	Salary
Executive Officer	Executive Officer salary scale (Full PRSI) €32,179 (min) – €51,054 (2nd LSI)
Clerical Officer	Clerical Officer Salary Scale (Full PRSI) €24,397 (min) – €39,558 (2nd LSI)

In the office of the Minister of State in my Department two Civil Service staff deal with constituency matters on a part-time basis as required. Their details are as follows:

Grade	Salary
Executive Officer	Executive Officer salary scale (Full PRSI) €32,179 (min) – €51,054 (2nd LSI)
Clerical Officer	Clerical Officer Salary Scale (Full PRSI) €24,397 (min) – €39,558 (2nd LSI)

*Question No. 1524 answered with Question No. 1521.*

**Telecommunications Services.**

1525. **Deputy John O’Mahony** asked the Minister for Communications, Energy and Natural Resources if a date has been set in order that all the remote exchanges can be enabled; and if he will make a statement on the matter. [31529/08]



**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Broadband service providers operate in a fully liberalised market, regulated, where appropriate, by the independent Commission for Communications Regulation, ComReg. Although I have no role in enabling exchanges owned by private companies, I expect that the increasing competition in the broadband sector will encourage the more rapid enabling of all exchanges for broadband.

#### **Consultancy Contracts.**

1526. **Deputy Arthur Morgan** asked the Minister for Communications, Energy and Natural Resources the amount that was spent by his Department on consultants in 2007 and to date in 2008. [31642/08]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** In the time available, it has not been possible to identify and assemble the information requested in respect of my Department. Consultancies undertaken by bodies under the aegis of my Department are a matter for the bodies in question and I have no responsibility for such consultancies.

My Department is compiling the data sought by the Deputy in respect of the Department and I shall forward it as soon as possible.

#### **Harbours and Piers.**

1527. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food the reason he has closed the area in Cromane Harbour in which fishermen harvest 90% of their seed; and if he will make a statement on the matter. [29450/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Certain spat falls overlap with or occur in close proximity to Special Areas of Conservation (SACs) and Special Protected Areas (SPAs). It is the environmental issues associated with the Natura 2000 sites that have caused the delayed opening of the mussel seed fishery in Cromane.

In order to comply with the requirements of the Habitats and Birds Directive baseline data for the area must first be collected and then an appropriate assessment carried out on the area based on this data. This process will obviously take some time but, as one of the areas prioritised for this exercise, work has already begun in collecting this data for Cromane.

In the meantime, to facilitate the opening of the affected areas, the Department with BIM and the Marine Institute are working with NPWS of the Department of the Environment, Heritage and Local Government on arrangements to manage fishing including mussel seed harvesting within Natura 2000 sites on an interim basis. Any re-opening of the Mussel seed fisheries in 2008 will be dependent on the EU Commission agreeing to the management/interim approach proposed. I am very aware that the timing of the mussel seed fishery in Cromane requires that it be opened in early October to allow fishermen access to the seed this year. I have asked my officials to use every effort to secure the support of NPWS and DG Environment for an early opening on the basis of assessment work carried out by Bord Iascaigh Mhara and the Marine Institute.

#### **Foreshore Licences.**

1528. **Deputy Finian McGrath** asked the Minister for Agriculture, Fisheries and Food if he will clarify that it is his Department that grants a foreshore licence for Dublin Port; and if the port company applied for such a licence. [30096/08]

1529. **Deputy Finian McGrath** asked the Minister for Agriculture, Fisheries and Food if he will clarify if the Dublin Port Company has a foreshore license to fill in 21 hectares of Dublin Bay; and if not his views on such an application. [30097/08]

1570. **Deputy Finian McGrath** asked the Minister for Agriculture, Fisheries and Food if he will confirm if Dublin Port Company have a foreshore licence to fill in the 21 hectares of Dublin Bay. [29973/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** I propose to take Questions Nos. 1528, 1529 and 1570 together.

An application from Dublin Port Company for approval under the Foreshore Acts for the proposed reclamation of an area of some 21 hectares of foreshore was made to the Department in March 2002.

The application is being considered in accordance with the appropriate procedures. These include a process of public consultation in which it will be open to interested persons to make submissions on the proposal.

The proposed development will also require planning permission before any determination can be made on the foreshore application. It is understood that an application for planning permission in respect of the proposed development has been submitted by the Port Company to An Bord Pleanála.

An application by the Company for a foreshore licence to facilitate site investigations in relation to the proposed development is also being considered by my Department. This application is currently being examined in the normal way by my Department's technical advisers.

#### **Harbours and Piers.**

1530. **Deputy Pádraic McCormack** asked the Minister for Agriculture, Fisheries and Food the moneys outstanding for harbour dues in respect of the Rossaveal harbour master, County Galway, for each of the years 2005, 2006 and 2007. [30272/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Harbour Dues at each of the six Department of Agriculture, Fisheries and Food Fishery Harbour Centres are levied in accordance with Fishery Harbour Centres (Rates and Charges) Order 2003.

The Harbour Dues invoiced but not yet paid, for the years in question, at Ros an Mhíl Fishery Harbour Centre are as follows:

- 2005: €218,154
- 2006: €209,699.23
- 2007: €269,836.80.

A legal case is currently in progress in relation to Harbour Dues at Ros an Mhíl.

#### **Grant Payments.**

1531. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food the position regarding grant aid in respect of the abattoir improvement grant. [29301/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The applications received under my Department's Capital Investment Scheme for the marketing and processing

[Deputy Brendan Smith.]

of agricultural products, which included small meat establishments and abattoirs, are going through a competitive evaluation process in which the strengths of the various proposals are being assessed and ranked in line with the objectives of the Scheme.

This process will be completed in the near future and applicants will be informed of the outcome.

### Departmental Transport.

1532. **Deputy Fergus O'Dowd** asked the Minister for Agriculture, Fisheries and Food the number, type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by his Department for each of the past three years; and if he will make a statement on the matter.

[29545/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The following table sets out details of vehicles purchased or leased by my Department in the last three years:

Year	Type of Vehicle	Purchase (P) or Lease (L)	Cost	CO <sub>2</sub> Emissions
			€	
2006	Toyota Hiace Van	P	22,025.00	224g/Km
	Mercedes Sprinter Van	L	14,755.00	235g/Km
	JCB Loadall Model 524-50	P	57,813.80	5g/perKwh
	Fiat Doblo 1.3 Cargo van	P	9,103.00	145g/Km
2007	3 Mercedes Sprinter Vans	L	49,222.80	235g/Km
	1 JCB Digger	P	64,785.00	N/A
	1 Toyota Hilux (diesel)	P	24,750.00	165g/Km
	John Deere Tractor 6620	P	42,350.00	5.0g/Kwh
	John Deere Tractor 6830	P	62,920.00	5.0g/Kwh
	Iveco 35C12 Van	P	18,000.00	260g/Kwh
	New Holland Tractor	P	50,320.00	N/A
	Fiat Doblo cargo van	P	10,153.00	145g/Kwh
2008	3 Mercedes Sprinter Vans	L	49,222.80	235g/Km
	New Holland LM1345	P	56,500.00	N/A
	Telehandler	P	22,983.00	229g/Km
	Pickup Truck	P	5,048.00	N/A
	John Deere Forage Harvester	P	45,000.00	N/A
	Komatsu farm loader	P	56,000.00	N/A
	Iveco 180E25 Cattle truck			

### National Reserve.

1533. **Deputy P. J. Sheehan** asked the Minister for Agriculture, Fisheries and Food when an application for entitlements from the national reserve will be processed in respect of a person (details supplied) in County Cork; when he will respond to the applicant; and if he will make a statement on the matter. [29647/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The person named applied for consideration for an allocation under the New Entrant category of the National Reserve.

The new entrant category caters for farmers who have purchased, inherited or leased/rented land and who fulfil additional criteria including off-farm and farming income and farming qualifications.

As the person named did not submit sufficient information in order to process her application my Department wrote to her requesting the outstanding documentation. This documentation was received on 4 September 2008 and the case has now been finalised. The person named has been deemed successful for an allocation from the National Reserve and a formal letter outlining the allocation has issued to her.

#### **Consultancy Contracts.**

1534. **Deputy Leo Varadkar** asked the Minister for Agriculture, Fisheries and Food if a company (details supplied) has been awarded contracts by his Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if he will make a statement on the matter. [29704/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** No contracts have been awarded by my Department to the company named by the Deputy in his question.

The awarding of contracts of the type referred to by the Deputy by Agencies under the remit of this Department is an operational matter for the agencies concerned and I have no function in the matter.

#### **Aquaculture Licences.**

1535. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 355 of 13 May 2008 and No. 185 of 18 June 2008 when an application will be processed (details supplied); and if he will make a statement on the matter. [29719/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The applications in question are being processed within my Department and I expect that I will be in a position to make determinations in the matter shortly. It is not possible to give the Deputy a precise date for final determinations due to the nature of the assessment process. This process includes publication of the Ministerial decisions and allowing a one month period for appeal of any decisions. Any such appeal must then be considered by the independent Aquaculture Licences Appeals Board.

#### **Fishing Industry.**

1536. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the number of people employed in the fish processing sector; and the numbers employed on a county basis. [29743/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Please refer to the following table for the relevant information.

[Deputy Brendan Smith.]

Estimated figures for Employment in Seafood Processing for 2006

Company	Full time	Part time	Total
Clare	18	9	27
Cork	442	146	588
Donegal	471	283	754
Dublin	340	200	540
Galway	176	60	236
Kerry	123	58	181
Limerick	20	2	22
Louth	53	6	59
Mayo	98	29	127
Sligo	65	14	79
Waterford	28	24	52
Wexford	188	6	194
Wicklow	4	0	4
Totals	2,026	837	2,863
Total at Full Time Equivalent			2,335

1537. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the gross output for the fish processing sector in 2007 or the most recent year for which statistics are available. [29744/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The latest figure available from the Central Statistics Office is for 2005 and gross output for the fish processing sector in that year was €310 million.

#### **Fish Exports.**

1538. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the value of fish exports in 2007. [29745/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** In 2007 exports of Irish seafood amounted to 160,200 tonnes valued at €366 million.

#### **Fishing Industry.**

1539. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food if he will provide figures for the total landings in tonnage and value for all Irish fishing boats for the most recent year available. [29746/08]

1558. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the proportion of the total annual catch in fishing zones outside the EU which accrues to Irish vessels. [29935/08]

1584. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the value of fish caught in Irish waters by Norwegian vessels on an annual basis since 2001. [30409/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** I propose to take Questions Nos. 1539, 1558 and 1584 together.

The Sea-Fisheries Protection Authority (SFPA) is the body responsible for the collection of all data relating to sea-fisheries under national and Community law. I have asked the SFPA to revert directly to the deputy on these matters in due course.

#### **Cattle Identification Scheme.**

1540. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the reason a farmer who imports calves from the Six Counties and keeps them for two years during which period they are tested twice cannot receive blue cards for these animals and thus sell them on the same basis to processors. [29747/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The procedure for registering bovine animals imported into Ireland for breeding and production is that the keeper of the animals at the point of import should present the original passports at the local District Veterinary Office (DVO) and complete a registration form. The DVO will then forward the registration details to the National Calf Birth Registration Agency where the animal details will be recorded on the Cattle Movement and Monitoring System database from the point of import. A red Irish passport will be issued by the National Calf Birth Registration Agency for the animals and they can then be traded in the usual way.

#### **Grant Payments.**

1541. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food when payment will be made to a person (details supplied) in County Tipperary in respect of their application under the farm improvement scheme. [29748/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The person named is an applicant under the Farm Improvement Scheme. Applications under this Scheme are being processed by my Department up to the level of funding provided for the Scheme in the 2006 Partnership agreement, Towards 2016. The application concerned is, therefore, eligible for consideration and will be processed subject to funding still being available at that time.

#### **Farm Waste Management.**

1542. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food if he will extend the farm waste management scheme beyond the end of 2008 to accommodate all farmers who wish to participate. [29765/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The deadline of 31 December 2008 for completion of work by farmers under the revised Farm Waste Management Scheme introduced by my Department in March 2006 is a condition of the EU state aid approval for the Scheme. I have raised this issue with the European Commission, as recently as July and the Commission has since reaffirmed that it expects Ireland to respect this deadline strictly.

#### **Grant Payments.**

1543. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food the funding paid to date under the REP scheme four mixed grazing supplementary measure to support the sheep sector; and if he will make a statement on the matter. [29769/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The mixed grazing supplementary measure is available to farmers joining REPS 4 and was approved by the Euro-



[Deputy Brendan Smith.]

pean Commission on the basis of the environmental benefits accruing from following a mixed grazing regime.

Payments of €1.112m have been made in respect of REPS 4 contracts commencing in 2007 of which €9,000 relates to the mixed grazing supplementary measure.

Some 11,600 applications for REPS 4 with 2008 commencement dates were received in my Department by the closing date of 15 May, 2008. These are currently being processed and it is not possible to say what the cost of the mixed grazing supplementary measure in respect of 2008 will be at this stage.

### **Fish Imports.**

1544. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the volume and value of fish imported through Cork Airport in the past year. [29772/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** According to CSO figures, the volume and value of all seafood imports for human consumption in 2007 amounted to 45,171 tonnes and €177 million. CSO figures do not provide a breakdown by location of import.

### **Grant Payments.**

1545. **Deputy Paul Kehoe** asked the Minister for Agriculture, Fisheries and Food when payment will be made to a person (details supplied) in County Wexford under the farm improvement scheme; and if he will make a statement on the matter. [29859/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The claim for payment lodged by the person concerned under the Farm Waste Management Scheme is being processed by my Department. I would expect that payment will be made in the near future provided that the claim is in compliance with the terms and conditions of the Scheme.

1546. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if he will expedite a single farm payment for a person (details supplied) in County Cork; and if he will make a statement on the matter. [29881/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** An application under the 2008 Single Payment Scheme was received from the person named on 13 May 2008. While payments under that scheme are scheduled to commence on 1 December 2008, in light of the severe weather conditions which prevailed here over the summer months, I recently sought the approval of the EU Commissioner to my proposal that advance payments of the 2008 Scheme be allowed as and from 16 October 2008, with balancing payments to begin issuing on 1 December 2008. I raised the matter again with the EU Agriculture Committee this week. While I am optimistic that the necessary approval will be forthcoming, a formal decision has to await approval of the Direct Payments Management Committee in Brussels. In the meantime, I have had the necessary arrangements made to allow the advance payments begin issuing on 16 October subject to receiving a positive Commission response. This date is the earliest date the payments may be made, as it is the beginning of the new EU financial year.

The holding of the person concerned was restricted following the disclosure of TB in his herd on 22 May 2008. My Department implements a number of compensation schemes to compensate farmers for animals removed for disease reasons. These include the On Farm Market Valuation Scheme, the Income Supplement Scheme and the Hardship Grant Scheme.

The person concerned has been paid €1,527.97 under the On-Farm Market Valuation Scheme in respect of one reactor animal valued and removed in May 2008. A further 23 animals were valued under the scheme and removed as reactors on 3 September. The documentation, which is required to be submitted in order for valuation payments to be processed for those animals, has not yet been received from the person concerned. Since the animals removed exceeded 10% of the herd, the person concerned is now eligible for consideration for payment under the Income Supplement Scheme, which provides for payments for loss of income for animals removed. The conditions governing this scheme provide for payments to be made on a monthly basis, following receipt of appropriate documentation. The person concerned may also be eligible for the Hardship Grant Scheme, if the herd continues to be restricted on or after 1 November 2008. The eligibility period for this scheme, which is aimed at assisting eligible owners/keepers with a restricted holding where animals are retained and fed over the Winter months, is from 1 November 2008 to 30 April 2009. Application forms in respect of this scheme will issue to those herd-owners who are potentially eligible in mid October.

### **Milk Quota.**

1547. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if he will review the milk quota regulations whereby persons availing of temporary leasing of their quota to their co-op must in the revised regulations have supplied a minimum of 20% of their milk in the quota year in question; the reason for the introduction of the 20% requirement; the failure of his Department to give advance notice of this change introduced in the current milk quota year; and if he will make a statement on the matter. [29882/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The decision to introduce the 20% requirement to this year's Temporary Leasing Scheme was informed, as always, by my stated objective of ensuring that as much milk quota as possible is made available on a permanent basis to active, committed milk producers. Unfortunately, in recent years many quota holders have repeatedly supplied nominal or token amounts of milk to their Co-ops and temporarily leased the balance of their quotas. While this may have kept their own options open, the practice has effectively slowed down the permanent transfer of quota to active producers who needed to acquire it. Producers must, therefore, now demonstrate their bona fides by supplying at least 20% of their quotas before they can avail of temporary leasing. However, provision continues to be made for producers affected by force majeure or other duly justified circumstances to seek an exemption from the 20% requirement.

It should be noted also that this change to the regulations was made following full consultation with the Milk Quota Review Group, which is comprised of the farming organisations and ICOS, and advises me on all matters relating to the milk quota regime.

1548. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if he has received an application under the Milk Quota Appeals Tribunal hardship cases — 0809 from a person (details supplied) in County Cork; when applications received will be adjudicated on; and if he will consider this application in view of the hardship outlined. [29883/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The person named submitted an application for additional milk quota to the Milk Quota Appeals Tribunal under the Hardship category in respect of the 2008/2009 quota year. The application was acknowledged on 17 July last.

The Tribunal is currently working through all of the Hardship applications. When a recommendation has been made in this case, a letter will issue to the person named and his Co-Operative informing them of the result.

1549. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if he will confirm receipt of an application for milk quota from the Milk Quota Appeals Tribunal from a person (details supplied) in County Cork; and if he will make a statement on the matter. [29885/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The person named submitted an application for additional milk quota to the Milk Quota Appeals Tribunal under the Hardship category in respect of the 2008/2009 quota year. The application was acknowledged on 17 July last. The Tribunal is currently working through all of the Hardship applications and when a recommendation is made in this case a letter will issue to the person named and his Co-Operative advising of the result.

#### **Grant Payments.**

1550. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food the reason a single farm payment for 2008 has not been processed for a person (details supplied) in County Galway; and if he will make a statement on the matter. [29914/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** An application was received on 20 February 2008 requesting the transfer of 19.72 standard entitlements to the person named from his late father. The herdnumber was transferred into the sole name of the person named from the sole name of his father on 11 May 2007. In October 2006, the father of the person named executed a Deed of Transfer in which he transferred land ‘together with all stock, entitlements, single payment’, etc into the joint names of the person named and his father. A copy of this Deed was included with the above Transfer of Entitlements application form. At the time of the father’s death therefore, the person named was automatically entitled to half of the entitlements in question, namely 9.86 standard entitlements. The remaining 9.86 entitlements form part of the father’s estate and are governed by normal testamentary procedures.

On 23 July 2008, a letter issued from the Transfer of Entitlements section to the person named requesting a copy of the Will and Probate of his late father, or in their absence, other relevant documentation. A further copy of the Deed of Transfer was received from the person named on 10 August 2008 along with a completed Indemnity Form. A copy of the Will of his late father was again requested on 25 August 2008. To date, the person named has not forwarded a copy of the Will or other testamentary documentation to my Department.

If instructed to do so, my Department can proceed with the transfer of 9.86 entitlements to the person named. The remaining 9.86 entitlements can only be transferred upon receipt of the requested documentation i.e. copy of late father’s will.

1551. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food the reason a single farm payment for 2007 has not been awarded to a person (details supplied) in County Galway; the number of entitlements available to them by way of a long term lease which they entered into in early 2007; and if he will make a statement on the matter. [29916/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Applications were submitted in May 2007 requesting the transfer from two other farmers of 6.25 standard entitlements and 17.00 standard entitlements respectively to the person named. The entitlements in question are not in the possession of the two farmers and consequently it has not been possible to complete the requested transfer to the person named. The two farmers concerned have been advised of the need to complete transfers to themselves by way of inheritance before they can proceed with a lease to the person named.

Once the two farmers concerned have supplied all necessary documentation required to complete transfers to themselves, the requested transfer to the person named will be processed without delay.

1552. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food the reason a top up from the National Reserve has not been granted to a person (details supplied) in County Galway for the years 2005, 2006, 2007 and 2008; if his attention has been drawn to the fact that the applicant is a new entrant to farming having taken out a long term lease on this farm in 2004; and if he will make a statement on the matter. [29917/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Under the 2005 National Reserve the person named was successful under Category B which catered for farmers who made an investment in production capacity in a farming sector for which a direct payment under Livestock Premia and/or Arable Aid schemes would have been payable during the reference period 2000-2002. Investments can include purchase or long-term lease of land, purchase of suckler and/or ewe quota or other investments. The person named applied in respect of leased land and he was deemed successful under this category. As he had leased in entitlements with the land the national reserve allocation was applied as a top-up to the leased in entitlements.

Following the termination of the leased in entitlements by the person named in 2006 there was a requirement to convert the top-up given in 2005 to Standard entitlements for payment purposes. In addition the person named also qualified under the national reserve in respect of additional rented land in 2006 and in 2008. All applications from the person named have now been fully processed and outstanding payments will issue shortly.

1553. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Galway is not entitled to get their REP scheme payment; and if he will make a statement on the matter. [29918/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The independent Agriculture Appeals Office has upheld my Department's decision to seek recovery of REPS monies paid in respect of lands incorrectly claimed as eligible for payment. The amount to be recovered will be deducted from payments due from all schemes until the full amount has been recovered.

#### **Food Industry.**

1554. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the volume of food produce sold through local farmers markets. [29921/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Operators of farmers markets are not required to report sales and statistics are not available on the volume of food produce sold at local farmers markets. The number of markets continues to increase and there are now over 140 farmers markets throughout the island. The bulk of Irish food production is sold on export markets and in retail trade.

#### **Fisheries Protection.**

1555. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the proportion of the overall EU fishing quota for 2007, as awarded in December 2007, given to Ireland. [29923/08]

1556. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the proportion of the EU quota for fish caught in Irish waters that was awarded to Ireland for 2008. [29924/08]

1582. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food if he will make a statement on the value of fish taken from Irish waters by non Irish fleets since 1973 in view of the huge discrepancy between estimates as low as €16 billion to as high as €200 billion. [30385/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** I propose to take Questions Nos. 1555, 1556 and 1582 together.

Ireland's share of the Total Allowable Catch (TAC) is fixed on the principal of relative stability, although minor variations may occur from year to year. The following table sets out the Irish quota for 2008 and the corresponding EU TAC in all the fisheries where Ireland has a quota and historical involvement. The TACs are set for stocks for International Council for the Exploration of the Seas (ICES) areas, sub-areas and divisions which are defined in Regulation (EEC) No. 3880/91 of 17 December 1991 and do not have regard for Member States national fisheries zones. Therefore, a calculation of the catches taken from Irish waters by non Irish fleets can only be estimated as there are no EU catch statistics that determine catches in a given area on the basis of national Exclusive Fisheries Zones. The Cawley Strategy — Steering A New Course estimated that in 2004 the total catch by all fleets within the Irish Exclusive Economic Zone was 700,000 of fish valued at €500,000. There are of course EU quotas in seas and indeed oceans throughout the world (such as in the Baltic) where the Irish fleet has had no historic involvement and has no quotas.

Species	Ireland (Tonnes)	EU TAC (Tonnes)	Percentage
Demersal/Whitefish Stocks	35,612	259,683	13.7%
Pelagic (Albacore Tuna, Mackerel, Horse Mackerel, Herring)	125,956	628,056	20.0%
Industrial Stocks (Blue Whiting, Argentine)	21,131	182,108	11.6%
Total	182,699	1,069,847	17.1%

### Alternative Energy Projects.

1557. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the number of farmers using their land for the production of alternative energy sources with details of the type of production involved and a breakdown for different counties. [29925/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Overall responsibility for energy policy in Ireland, including renewable energy rests with the Department of Communications, Energy and Natural Resources. Alternative energy sources encompass a wide range of materials and processes including wind, solar, hydro, geothermal and bioenergy. My Department is implementing the agri-related actions in the National Bioenergy Action Plan to support the production of Bioenergy at farm level. Agriculture and forestry have the potential to produce a wide range of feedstocks for use in the bioenergy market including purpose grown energy crops, wood energy and utilising farm and food wastes for energy.

Many farmers have diversified into energy crop cultivation following the introduction of new incentives by my Department in 2007 to stimulate production. The measures include a National Energy Crop Premium of €80 per hectare and a Bioenergy Scheme providing establishment



grants of €1,450 per hectare to grow willow and miscanthus. An additional premium of €45 per hectare is also available under the EU Energy Crops Scheme.

There is also potential to supply energy through the use of grass or farm wastes as feedstock. In 2007, my Department awarded grants of €4m to ten anaerobic digestion projects under the ‘Scheme of Investment Aid for Demonstration On Farm Waste Processing Facilities’. The table below details the number of farmers who were awarded grants for anaerobic digestion facilities in 2007 and who have applied for energy crops grants in 2008:

No. of applicants	Type of production	County
31	Biomass/energy crops	Carlow
7	Biomass/energy crops	Cavan
1	Biomass/energy crops	Clare
763	Biomass/energy crops Anaerobic Digestion Facilities	Cork
101	Biomass/energy crops Anaerobic Digestion Facilities	Donegal
4	Biomass/energy crops	Dublin
10	Biomass/energy crops	Galway
6	Biomass/energy crops	Kerry
361	Biomass/energy crops Anaerobic Digestion Facilities	Kilkenny
321	Biomass/energy crops Anaerobic Digestion Facilities	Kildare
18	Biomass/energy crops	Laois
232	Biomass/energy crops Anaerobic Digestion Facilities	Limerick
7	Biomass/energy crops	Louth
3	Biomass/energy crops	Mayo
17	Biomass/energy crops	Meath
4	Biomass/energy crops	Monaghan
6	Biomass/energy crops	Offaly
2	Biomass/energy crops	Roscommon
1	Biomass/energy crops	Sligo
371	Biomass/energy crops Anaerobic Digestion Facilities	Tipperary
191	Biomass/energy crops Anaerobic Digestion Facilities	Waterford
7	Biomass/energy crops	Westmeath
104	Biomass/energy crops	Wexford
27	Biomass/energy crops	Wicklow

In addition, forestry has significant capacity to contribute to the production of alternative energy. Currently, Ireland’s forest resource amounts to approximately 710,000 hectares. Farmers privately own approximately 320,000 hectares of this land and they are already supplying wood biomass to the energy sector. The above table does not include details of farmers engaged in wood energy, as the information is not readily available.

*Question No. 1558 answered with Question No. 1539.*



### **Fishing Industry Development.**

1559. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the entitlements of Irish vessels to quota in the Kattegat and Skaggeak fishing zones; and if he will make a statement on the matter. [29936/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Ireland does not have any fishing quotas in the Kattegat and Skaggeak fishing zones. These fishing grounds are to the north and east of Denmark and Irish vessels had no history of fishing in these areas.

1560. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the position between his Department and the E.U. Commission regarding approval of the operational programme for fisheries; and if he will make a statement on the matter. [29940/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Following negotiations between officials from the Department and officials from DG Mare, the Seafood Development Operational Programme 2007-2013 was adopted by the EU Commission on 9 September 2008 under the EU Commission decision (C/2008/4993).

### **Decentralisation Programme.**

1561. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the position regarding his Department's Decentralisation Programme detailing the locations throughout the country; the expenditure involved; the contractual agreements entered into; the agreements reached with the staff; and if he will make a statement on the matter. [29941/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Government decision on the decentralisation of my Department is that some 600 headquarters staff will move to Portlaoise, the local offices in Cork city will move to Fermoy, involving some 100 staff; and the laboratories in Cork and Limerick will move to Macroom, involving up to 100 staff. The move of the Fisheries function of my Department to Clonakilty, involving over 80 staff, is now substantially complete.

My Department's original Decentralisation Implementation Plan allowed for a phased movement to Portlaoise. The 2005, 2006 and 2007 advance phases of decentralisation to Portlaoise were completed on schedule. There has been an increase of some 300 full-time posts to bring the total posts in Portlaoise to almost 500 since the programme began. To date, the Department has met its targets as set out in its original plan. The initial estimate for completion of the plan was 2008, to coincide with the availability of the permanent accommodation. The Office of Public Works (OPW) announced last December that a consortium, the Macquarie Partnership, has won the tender for the project to build the permanent offices in Portlaoise (as part of a public private partnership including offices in Mullingar and Carlow) and planning permission for the new building has now been granted. A revision to the Department's Decentralisation Implementation Plan is now being considered, to reflect the changes to the timetable and the progress so far, as well as the evolving operating environment. An additional advance phase has been agreed and planning and preparations for this phase are currently underway.

Separate implementation plans for Fermoy and Macroom are in place. The plans allow for a phasing of the recruitment of staff but no physical move until the permanent accommodation is in place. The acquisition of property is primarily a matter for OPW and they have supplied the following details of the site acquisition at the four locations.

Location	Site Area	Cost	Purchase completed
Portlaoise	9.13 acres	€1.028m	2007
Clonakilty	3.1 acres	€3.875m	2005
Macroom	Site of 5 acres identified. Planning issue on appeal to An Bord Pleanála.	Price agreed in principle subject to contract, outcome of planning appeal and Government approval.	
Fermoy Teagasc Moorepark	4.1 acres	Price agreed in principle subject to contract and Government approval.	

The Clonakilty offices are due to be completed in Quarter 1 2009, at a cost of approximately €21m.

Pending delivery of the permanent accommodation, the OPW has leased accommodation for the Department in Portlaoise on a temporary basis, as set out below:

Premises	Lease	Rent p.a.	Area	Fit-out
		€		€
2nd and 3rd Floors Eircom Building, Knockmay Industrial Estate	5 years from 25 April 2005 — Expires 24 January 2010	191,000	14,224 sq. ft plus 80 car spaces	Nil
Blocks A and B Grattan Business Centre, Dublin Road	5 years from 20 January 2006 — Option to terminate lease every 3 months from 20 January 2009	264,640	15,920 sq. ft plus 100 car spaces	106,000
Ground and 1st Floors Grattan House, Grattan Business Centre, Dublin Road	5 years from 30 November 2007 — Option to terminate lease every 6 months from 29 November 2010	75,000	4,359 sq. ft plus 35 car spaces	Nil

Pending delivery of the permanent accommodation, the OPW has leased accommodation for the Department in Clonakilty on a temporary basis, as set out below:

Premises	Lease	Rent p.a.	Area	Fit-out
		€		€
Block C, West Cork Technology Park	2 years from 1 July 2006 Extended to coincide with delivery of permanent offices	159,480	12,400 sq. ft.	134,900
Block G, West Cork Technology Park	2 years from 1 June 2007	118,910	9,363 sq. ft.	116,744

All of the foregoing, however, need to be considered against the background of the Government decision on 8th July last that no further expenditure on the acquisition of accommodation for decentralisation should be sanctioned pending detailed consideration by the Government of two reports: one from the Decentralisation Implementation Group on the feasibility of phased moves by the State Agencies; and one from the Implementation Group of Secretaries General on the governmental and cross-Departmental issues arising from the need to provide facilities for Minister, Ministers of State and officials while in Dublin on business. It is expected that the Minister for Finance will present these to Government over the coming weeks.

The Department of Finance deal centrally with staff agreements relating to decentralisation through a dedicated sub-committee of General Council. My Department is guided by the agree-

[Deputy Brendan Smith.]

ments and initiatives that arise there including agreements on promotion, recruitment and the re-assignment of non-decentralising staff.

### **Sheep Tagging.**

1562. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if he will request the E.U. Commission not to proceed with the regulations regarding the compulsory tagging of sheep; and if he will make a statement on the matter. [29942/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Deputy is referring to the introduction of electronic identification (EID) for sheep on a mandatory EU wide basis as provided for in Council Regulation (EC) No. 21/2004 which will come into force on 31st December 2009.

I can tell the Deputy that I have already expressed major concerns with regard to the introduction of EID for a sheep sector that is clearly under pressure. In this regard, I wrote to Commissioner Vassiliou last May stating that proceeding with compulsory EID cannot be justified until it can be demonstrated clearly that the costs involved for the majority of producers are clearly outweighed by the benefits to be derived in terms of more efficient flock management, traceability and disease control. I also requested that the Commission undertake an impact assessment and review the introduction of the compulsory electronic identification system for sheep in the light of that. Furthermore, when I met the Commissioner in Dublin in July 2008 I again reiterated our difficulty with the proposal. I must inform the Deputy, however, that the Commission for its part continues to be firmly attached to the mandatory introduction of EID, as are the majority of Member States.

### **Grant Payments.**

1563. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if he will report on the financial ability of his Department to meet grant payments on demand for the remainder of 2008 under the farm waste management scheme; if payments will be in compliance with the farmers charter; and if he will make a statement on the matter. [29943/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Grant-aid will be paid to all farmers who complete work in accordance with the terms and conditions of the Farm Waste Management Scheme. To date this year, in excess of €180 million has been paid. My Department continues to make every effort to ensure that the timescales set out in the Farmers' Charter are as closely adhered to as possible.

### **Pigmeat Sector.**

1564. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the benefits arising from the aid for private storage scheme and refunds for fresh and frozen pig meat products approved by the E.U. Commission in November, 2007; the further benefits it has brought to the pig industry; and if he will identify the beneficiaries under these schemes; and if he will make a statement on the matter. [29944/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Aids to Private Storage Scheme was in place during November 2007 and export refunds were available from December 2007 to August 2008. During this time the average price paid to pig producers in the EU increased from €130 to €174/100 kgs. The corresponding increase in Ireland was from €138 to €158.

The ultimate beneficiaries of these schemes were pig farmers throughout the EU as evidenced by the above figures. The schemes had the effect of stemming the severe losses arising from exceptionally high feed costs and restoring profitability to the industry. Feed prices have now eased somewhat. The actual recipients of monies were exporters in the case of refunds and owners of the meat in the case of Aids to Private Storage.

#### **Farm Waste Management.**

1565. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the plans he has to extend the deadline for payment of the farm waste management scheme to 30 June 2009; and if he will make a statement on the matter. [29945/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The deadline of 31 December 2008 for completion of work by farmers under the revised Farm Waste Management Scheme introduced by my Department in March 2006 is a condition of the EU state aid approval for the Scheme. I have raised this issue with the European Commission, as recently as July and the Commission has since reaffirmed that it expects Ireland to respect this deadline strictly.

#### **Animal Diseases.**

1566. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the number of cases of BSE outbreaks to date in 2008; the consequences of extending the testing of bovines from 30 to 42 months; and if he will make a statement on the matter. [29946/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The number of confirmed cases of BSE to date in 2008 is 14. The requirement that all cattle over 30 months of age slaughtered for human consumption and all casualty and fallen animals over 24 months, as provided for in the TSE regulation (Regulation (EC) No. 999/2001), applies throughout the Community and Member States do not have discretion to raise the age limits for testing for BSE.

However, under the recently amended TSE regulation, there is provision for a possible revision of Member's States monitoring programmes (including changes to the age at which healthy slaughtered animals for human consumption must be tested for BSE) following evaluation of applications by Member States in response to their improved BSE situation.

I have warmly welcomed the very recent agreement of the EU Commissioner for Public Health to a proposed increase in the minimum age for BSE testing of both animals slaughtered for human consumption as well as emergency slaughtered and fallen animals to 48 months. This decision will deliver very significant savings to farmers who currently pay to have healthy slaughtered animals over 30 months tested for BSE.

This has been a particular priority of mine since my appointment and I have consistently pressed for a significant increase in the age limit. I am very pleased at this recent development and I am confident that Ireland's application to apply testing at the higher age will be approved and that the new testing regime will be in place from early 2009.

#### **Proposed Legislation.**

1567. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food when he will publish the Animal Health and Welfare Bill; and if he will make a statement on the matter. [29953/08]

1577. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 304 of 29 April 2008, the number of submissions received regarding the consultation paper; the position regarding the Bill; when he expects it to be published; and if he will make a statement on the matter. [30203/08]

1629. **Deputy Seán Sherlock** asked the Minister for Agriculture, Fisheries and Food the timeline for the publication of the Animal Welfare Bill; and if he will make a statement on the matter. [31210/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** I propose to take Questions Nos. 1567, 1577 and 1629 together.

Work is continuing on drafting the new Animal Health and Welfare Bill, which gives effect to a number of commitments, in the area of animal health and welfare, contained in the Programme for Government.

Following the public consultation process initiated by me earlier in the year on the draft bill, almost 400 submissions/comments were received containing wide-ranging observations and these are now being examined. A number of those who contacted the Department asked that they be given an opportunity to elaborate further on their submissions before finalisation of the draft legislation and my officials are now examining these requests. Arrangements will then proceed with drafting of the legislation having regard to all comments received.

#### **Grant Payments.**

1568. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food when he will announce allocations under the capital investment scheme for the marketing and processing of agricultural products; the number of applications submitted; the value of such applications; the funding available in 2008; and if he will make a statement on the matter. [29955/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** A total of 104 eligible applications involving possible investment of €91 million were submitted under my Department's Capital Investment Scheme for the marketing and processing of agricultural products.

All eligible applications are going through a competitive evaluation process in which the strengths of the various proposals are being assessed and ranked in line with the objectives of the Scheme. It is expected that this process will be completed in the near future and applicants will be informed of the outcome. The Scheme will have no budgetary impact in 2008.

#### **Farm Waste Management.**

1569. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food if he will extend the date for completion of works under the farm waste management scheme; and if he will make a statement on the matter. [29960/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The deadline of 31 December 2008 for completion of work by farmers under the revised Farm Waste Management Scheme introduced by my Department in March 2006 is a condition of the EU state aid approval for the Scheme. I have raised this issue with the European Commission, as recently as July and the Commission has since reaffirmed that it expects Ireland to respect this deadline strictly.

*Question No. 1570 answered with Question No. 1528.*

### Departmental Expenditure.

1571. **Deputy Leo Varadkar** asked the Minister for Agriculture, Fisheries and Food the number of staff sent from his Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if he will make a statement on the matter. [29986/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** No members of staff from my Department attended the conference referred to by the Deputy in his Question. Attendance at conferences by staff in Agencies under the remit of this Department is an operational matter for the agencies and I have no function in the matter.

### Grant Payments.

1572. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food if a person (details supplied) in County Galway will be approved for a farm improvement grant; and if he will make a statement on the matter. [30011/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** I assume the Deputy is referring to the applications by the person concerned for grant-aid under the Farm Improvement Scheme. Applications received under the Farm Improvement Scheme prior to its suspension on 31 October 2007 are being processed by my Department up to the level of funding provided for the Scheme in the 2006 Partnership agreement, Towards 2016.

1573. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Galway will be awarded a grant under the REP scheme; and if he will make a statement on the matter. [30012/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Payment to the person named will issue within the next 10 working days.

1574. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food the plans he has to extend the deadline for the farm improvement scheme in view of the weather this year; and if he will make a statement on the matter. [30122/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The deadline of 31 December 2008 for completion of work by farmers under the revised Farm Waste Management Scheme introduced by my Department in March 2006 is a condition of the EU state aid approval for the Scheme. I have raised this issue with the European Commission, as recently as July and the Commission has since reaffirmed that it expects Ireland to respect this deadline strictly.

### Departmental Records.

1575. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food the procedures in place to ensure that personal data stored by his Department is secure. [30123/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** My Department has put in place a robust Information Technology infrastructure, at both the hardware and software levels, to ensure the safety of its computer systems and data including personal data. Personal data is held within the Department's Corporate Client System. This would include names, addresses, dates of birth, PPSN, etc. Access to this system together with the Department's other corporate systems is controlled by a sophisticated data access control (Single Sign On)



[Deputy Brendan Smith.]

system that includes user profiles. This provides for tailored access appropriate to the individual user's needs.

There are procedures in place for handling requests for extracts of this data. All such requests are submitted to a central administration unit on a standard form for clearance. This form includes the purpose for which the data is required, and an undertaking that it will be used for the stated purpose only. All such requests are verified by the central administration unit to ensure that all of the data items requested are necessary for the purpose declared.

1576. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from his Department in 2007 and to date in 2008; and if he will make a statement on the matter. [30138/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The table below sets out the number of Department owned laptops, data storage devices and USB memory sticks reported lost or stolen from my Department in recent years:

Year	Lost/Stolen	Recovered/Found
2007	1 Laptop reported stolen	None
2008	5 Laptops reported stolen	None

All laptops are protected by use of a user-id and password. In all cases, the theft was reported to the Gardaí. To date, no personal information concerning members of the public has been compromised. As an added security measure the Department has begun a programme of encrypting all laptops used by its staff.

*Question No. 1577 answered with Question No. 1567.*

### **Farm Inspections.**

1578. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the number of farm inspections carried out in 2007. [30292/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The position is that my Department, in the context of delivering the Single Payment Scheme and the Disadvantaged Areas Compensatory Allowance Scheme, is required to carry out on-the-spot inspections on a number of farms covering such issues as eligibility under the Schemes, and compliance with the cross-compliance regime.

Each year a minimum of 5% of Scheme applicants must be inspected for eligibility. These checks are carried out to verify that the actual area claimed in the application form corresponds to the area held by the farmer and to ensure there are no overlapping, or duplicate claims. Up to two-thirds of these inspections are carried out without a farm visit and using the technique of remote sensing via satellite.

The rate of on-farm inspection required for cross-compliance is 1% of those farmers to whom the Statutory Management Requirements or Good Agricultural and Environmental Condition apply. However at least 5% of farmers must be inspected under the Bovine Animal Identification and Registration requirements as this level is prescribed under the relevant Regulations while 3% of sheep farmers must be inspected

For the 2007 Schemes there were a total of 7098 farm inspections. 4087 of these involved establishing eligibility for the schemes by remote sensing while 2677 farms were visited on the ground to establish eligibility. 4456 inspections concerned the Identification and Registration of Animals with a further 1406 farm inspections covering the full range of Cross Compliance Statutory Management Requirements. The on-the-spot inspections for eligibility and cross-compliance are integrated to the greatest extent possible with a view to ensuring that there is only one visit to the farm.

### **Fisheries Protection.**

1579. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the number of the 3,614 inspections of fishing vessels in 2007 by the Sea Fisheries Protection Authority and the Naval Service that were of Irish owned boats. [30322/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Since the establishment of the Sea-Fisheries Protection Authority (SFPA) on 1 January 2007, the provision of the information requested is a matter for that Authority, which is an independent statutory body. I have asked that body to respond directly to the Deputy on this matter.

### **Grant Payments.**

1580. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food when a slatted house grant will be awarded to a person (details supplied) in County Galway; and if he will make a statement on the matter. [30335/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The claim for payment lodged by the person concerned is being processed by my Department. I would expect that payment will be made in the near future provided that the claim is in compliance with the terms and conditions of the Scheme.

### **Common Fisheries Policy.**

1581. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food if the Common Fisheries Policy has benefitted the fishing sector here. [30384/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Common Fisheries Policy (CFP) is the European Union's instrument for the management of fisheries and aquaculture. It was set down in 1983 and has been reviewed on a 10 year basis since then (in 1992 and 2002). It embraces such key areas as access to resources, conservation, control and enforcement structures and fleet policy.

Since Ireland joined the European Community, landings by Irish vessels increased substantially. In 1975 landings amounted to 81,473 tonnes and the landings in 2007 amounted to 210,791 tonnes.

There is ongoing work and proposals in relation to strengthening and improving the CFP. There will be further discussions on this issue at next week's EU Fisheries Council.

*Question No. 1582 answered with Question No. 1555.*

### **Departmental Advertising.**

1583. **Deputy John Deasy** asked the Minister for Agriculture, Fisheries and Food the amount spent on advertising in the Irish language by his Department and by agencies under the aegis

[Deputy John Deasy.]

of his Department since the enactment of the Official Languages Act 2003; and if he will make a statement on the matter. [30386/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The amount spent on advertising in the Irish language by my Department from 2003 to date was approximately €45,650. Expenditure on advertising by agencies under the aegis of my Department is an operational matter for the bodies themselves.

*Question No. 1584 answered with Question No. 1539.*

#### **Rural Environment Protection Scheme.**

1585. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the number of REP scheme applicants that have been inspected in the western region in each of the past five years; the percentage of participants that have been inspected; and the number of REP scheme participants inspected on more than one occasion during their specific REP scheme period. [30428/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Details for the counties of Galway, Mayo, Roscommon, Sligo and Leitrim are set out in tabular form below. The percentage figures are expressed as a proportion of farmers active in REPS at the end of each calendar year.

Year	Number of REPS farm Inspections	% of western applicants inspected
2003	3,631	26
2004	3,809	24
2005	4,637	27
2006	2,966	13
2007	1,633	9

The number of farmers inspected more than once between 1/1/03 and 31/12/07 during the same REPS contract is as follows:

Galway — 1,104

Mayo — 1,188

Sligo — 384

Leitrim — 315

Roscommon — 517.

#### **Rural Environment Protection Scheme.**

1586. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the number of penalties and average percentage penalty imposed on REP scheme participants in each of the counties in the western region in each of the past five years. [30429/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The figures sought are presently being compiled and my Department will provide them to the Deputy within the next 2 weeks.

### Planning Issues.

1587. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the position regarding complaints he received from persons (details supplied) in County Mayo. [30438/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Mayo County Council applied for a licence under the Foreshore Acts to construct a temporary bridge at Achill Sound in March 2006. A licence to facilitate the construction of the temporary bridge was granted to the Council in October 2006. The licence included specific conditions relating to the methodology to be employed in the construction of the bridge. My Department has received complaints in relation to the construction of the bridge and these complaints have been referred to our Engineering Division for investigation. The complaints have also been referred to the County Council.

A foreshore lease to facilitate construction of the permanent bridge is also being processed by my Department. This lease will also contain specific conditions regarding construction methodology and environmental protection

My Department is in close contact with the Council to ensure that all the conditions of the foreshore licence issued are being complied with. My Department would regard with utmost seriousness any breaches of the conditions of the foreshore licence issued. My Department's engineers are continuing to remain actively engaged with this matter.

### Grant Payments.

1588. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food his plans to amend the proposal to publish details of individual beneficiaries of schemes funded or co-funded by Europe in view of the safety concerns raised by farmers living in isolated rural areas; and if he will make a statement on the matter. [30444/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The publication of certain details of payments to individual beneficiaries under schemes funded or co-funded by the European Agricultural Guarantee Fund (EAGF) or the European Agricultural Fund for Rural Development (EAFRD) is a mandatory requirement under Council Regulation (EC) 1290/2005. The Regulation is binding and directly applicable in all Member States. My Department, as the EU paying agency in Ireland for EAGF and EAFRD payments, is required to implement the Regulation in its entirety and has no flexibility in regard to the publication requirement. Names, addresses and information on amounts paid will be published. The addresses which will be published will be the county and the address line immediately above county as supplied by the payment beneficiaries to my Department.

1589. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food if he will approve applications under the farm improvement scheme lodged prior to the suspension of the scheme in order to enable those applicants to proceed with grant aided work; and if he will make a statement on the matter. [30465/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Applications received under the Farm Improvement Scheme prior to its suspension on 31 October 2007 are being processed by my Department up to the level of funding made available for the Scheme by the 2006 Partnership agreement, Towards 2016.

### **Special Areas of Conservation.**

1590. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the impact on the Connemara sheep brand due to the destocking requirements on those hills; his plans to liaise with the Minister for the Environment, Heritage and Local Government on this matter; and if he will make a statement on the matter. [30467/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Agreement was reached between the National Parks and Wildlife Service (NPWS) of the Department of the Environment, Heritage and Local Government and the farm bodies on additional measures to reduce the grazing pressure on the Twelve Bens/Garraun Complex and Maumturk Mountains Special Areas of Conservation (SACs). The objective of this agreement, for which NPWS are making additional payments to farmers, is to establish a sustainable grazing regime to allow for regeneration of overgrazed areas which, in turn, will satisfy the European Commission that a judgement of the European Court of Justice against Ireland is being fully respected. The success of this new agreement is essential to safeguard sheep production in the area into the future.

In the context of Partnership and the agricultural agreement made under Towards 2016, a formal consultation mechanism is in place between my Department, the Department of the Environment, Heritage and Local Government and the farming representative bodies. This facilitates regular consultations with the appropriate bodies in relation to issues involving designated land and the interface between nature conservation and agri-environment.

### **Afforestation Programme.**

1591. **Deputy John Deasy** asked the Minister for Agriculture, Fisheries and Food his policy regarding the issuing of felling licences in respect of forest plantations in private ownership and the mandatory replanting of that land; the extent of ministerial discretion in this respect; and if he will make a statement on the matter. [30490/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** In the new Forestry Bill, which will replace the 1946 Forestry Act, it is proposed to take a more flexible approach regarding the question of replanting after harvesting. However, the general principle of replanting after felling will remain in order to ensure that the national forest estate is maintained.

Under the Forestry Act 1946, it is illegal to fell a tree of any age or uproot trees under 10 years of age without a felling licence. Felling of large scale afforestation is covered under a General Felling Licence which, under the Act, carries a compulsory requirement to replant the cleared area. Felling of small scale forestry or individual trees is covered by a Limited Felling Licence under which a replanting condition may, at the discretion of the Minister, be attached to the licence. The replanting condition contained in a Limited Felling Licence can apply to any suitable land owned by the licensee on the date the licence is granted; it does not have to apply specifically to the land where the trees are felled.

The current policy is to apply a replanting condition in all but the most exceptional cases in order to ensure that the national forest estate is maintained, and that the many economic and environmental benefits that our forests provide are sustained for future generations.

### **Food Industry.**

1592. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food if a

licence is a requirement for the importation of lobsters into Ireland from the United States and Canada; and if he will make a statement on the matter. [30530/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** In order to import fish or fishery products into Ireland from a non EU country the importer is required to register with the Sea Fisheries Protection Authority (SFPA). Fish or fishery products coming from a non EU country must go through an approved Border Inspection Post (BIP). There are three approved BIPs in Ireland, namely Dublin Port, Dublin Airport and Shannon Airport.

The relevant BIP must be notified 24 hours in advance of the arrival of the fishery products. Pre-notification must be in the form of a completed Part I of a document known as the Common Veterinary Entry Document (CVED), which gives necessary information on the product being imported. This form is available from my Department. A signed original health certificate issued by the Competent Authority of the third country must also accompany the consignment.

I am advised by the SFPA that the fish or fishery products must come from an EU-authorised exporting country and an EU approved fishery product establishment within that country. Both the United States and Canada are approved to export fish/fishery products to the EU.

In the specific case of lobsters a licence is not required for commercial imports of lobsters into Ireland from the United States and Canada. The importer would, as outlined above, require to be registered with the SFPA. A health certificate would need to accompany the lobsters and a completed (part I) of CVED forwarded to relevant BIP 24 hours in advance of arrival of consignment. On arrival at the BIP the consignment would be subject to identity, documentary and physical checks.

#### **Farm Waste Management.**

1593. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food when a waste management grant will be awarded in respect of an application by a person (details supplied) in County Tipperary. [30554/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The claim for payment lodged by the person concerned is being processed by my Department. I would expect that payment will be made in the near future provided that the claim is in compliance with the terms and conditions of the Scheme.

#### **Registration of Title.**

1594. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a title will be rectified for a person (details supplied) in County Mayo in view of the fact that this matter has been ongoing for some time. [30556/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Legal Services Division of my Department is in ongoing contact with a Solicitor for the person named in the details in an attempt to rectify the title to the plot of land concerned. This is a complicated matter but will be brought to a conclusion as soon as possible.

#### **Veterinary Inspection Service.**

1595. **Deputy Finian McGrath** asked the Minister for Agriculture, Fisheries and Food if he will support a matter (details supplied). [30581/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** There is a large number of AHCS forms and it is not clear which forms the Deputy has in mind. In any event,



[Deputy Brendan Smith.]

such forms can be rejected for a variety of reasons unrelated to fraud and my Department does not maintain records of the number of forms rejected in the 28 District Veterinary Offices throughout the country.

There is no evidence of widescale corruption by farmers in relation to TB testing. My Department has a firm policy of prosecuting any illegal activity and payment of compensation in respect of a disease outbreak is withheld from, or paid at a reduced to, farmers who are in breach of relevant legislation or who attempt to defraud the Department.

My Department has always been aware of the risk of fraud in the context of the TB test and has strong and effective quality control measures in place to minimise this risk. These include Veterinary Inspectors from the local DVO carrying out yearly unannounced field inspections of tests being carried out by each private veterinary practitioner, post test evaluation of reactor animals on farms and follow-up supplementary testing and evaluation of herds selected on a risk basis. Breaches of the tuberculin testing procedures, where identified, trigger a range of remedial actions and/or sanctions, up to and including the initiation of proceedings in respect of fraudulent behaviour or professional misconduct.

In view of the foregoing, I am satisfied that there is not widescale corruption by farmers in relation To the TB test and I would ask the Deputy to provide any evidence of illegal practices to my Department.

#### Departmental Agencies.

1596. **Deputy Joan Burton** asked the Minister for Agriculture, Fisheries and Food the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of his Department; and if he will make a statement on the matter. [30605/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The following is the information requested by the Deputy in relation to the salaries and other benefits of the Chief Executive Officers of the commercial and non-commercial State sponsored bodies under the aegis of my Department:

Agency	Current Basic Salary	Pension Scheme	Ancillary Benefits
Coillte Teoranta	€ 297,024	Yes	Performance Related Bonus Scheme Expenses incurred on behalf of the company Health Insurance Car
Irish National Stud	104,668	Yes	Performance Related Bonus Scheme Expenses incurred in or about the performance of duties Accommodation Car
Teagasc	162,795	Yes	Performance Related Award Scheme Expenses incurred in or about the performance of duties Car
National Milk Agency	90,346	Yes	Expenses incurred in or about the performance of duties
Bord Bia	162,795	Yes	Performance Related Bonus Scheme Expenses incurred in or about the performance of duties Car

Agency	Current Basic Salary	Pension Scheme	Ancillary Benefits
COFORD	€ 103,389	Yes	Expenses incurred in or about the performance of duties
Sea Fisheries Protection Authority	117,446	Yes	Expenses incurred in or about the performance of duties
Bord Iascaigh Mhara	130,234	Yes	Performance Related Award Scheme Expenses incurred in or about the performance of duties
Marine Institute	147,036	Yes	Performance Related Bonus Scheme Expenses incurred in or about the performance of duties

### Departmental Staff.

1597. **Deputy Joan Burton** asked the Minister for Agriculture, Fisheries and Food the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of him and each Minister of State within his Department; and if he will make a statement on the matter. [30620/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The relevant information is presently being collated and will be forwarded to the Deputy as soon as possible.

### Grant Payments.

1598. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food when the single farm payment will issue to a person (details supplied) in County Galway; if his attention has been drawn to the fact that a 3% penalty was imposed as a result of a compliance test, that the herd owner has no objection to the penalty being imposed and that they would appreciate prompt payment; and if he will make a statement on the matter. [30635/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The position is that an application under the Single Payment Scheme/Disadvantaged Area Compensatory Allowance Scheme was received from the person named on the 1st May 2008. As part of the control procedures under EU legislation, governing these Schemes the application was selected for and was the subject of a ground eligibility and full cross compliance inspection.

The inspection was carried out on the 3rd September and the details of the inspection are currently being examined by my Department officials. Once the inspection details have been entered on the system the application will be cleared for payment.

Under the provisions of Council Regulation 1782/2003 governing the implementation of the Single Payment Scheme, it is laid down that payments shall be made once a year between 1st December and 30th June of the following year. In exceptional circumstances, where farmers face severe financial difficulties, the Commission may, taking account of the budgetary situation, authorize advance payments of up to 50% prior to 1 December. Due to circumstances experienced by Irish farmers this year I have asked the Commission to approve an advance payment of 50% in Ireland to be paid after 15 October and I am optimistic of a favourable response. In the meantime payments of some €250m to over 100,000 farmers under the Disadvantaged Areas' Compensatory Allowance Scheme are commencing this week.

### Farm Debt.

1599. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the level of farm debt over the past five years. [30644/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Central Bank's Quarterly Bulletins (Statistical Annex Table C8 and C9) contain data on the aggregate level of deposits and credit in the agriculture sector (including forestry). Taken together these data-sets give an indicative level of aggregate indebtedness in the sector. In December 2007 deposits for the sector stood at €2,904m with credit advances standing at €4,761m. This equates to an estimated aggregate level of indebtedness of €1,857m in the sector. Data for the years 2003-2007 inclusive is contained in the table below:

Deposits, Credit, and indebtedness in the agriculture\* sector 2003-2007

Year	Deposits (€M)	Credit	Indebtedness
2003	2,019	3,155	-1,136
2004	2,583	3,379	-796
2005	3,208	3,690	-482
2006	3,407	4,401	-994
2007	2,904	4,761	-1,857

\* Includes Forestry.

### Alternative Energy Projects.

1600. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food his views on allowing farmers to grow energy crops such as willow on set aside land. [30645/08]

1601. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the number of farmers involved in growing energy crops with a break down among different counties. [30646/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** I propose to take Questions Nos. 1600 and 1601 together.

Under the terms and conditions of the Non-Food Set-aside Scheme, farmers are entitled to grow energy crops on lands otherwise required to be set-aside. However, given that the requirement for set-aside land was reduced to 0% under the 2008 Single Payment Scheme, those farmers concerned are now participating under the 2008 Energy Crops Scheme.

Willow has considerable potential to produce renewable energy and can also contribute to climate change abatement. Production of willow is relatively undeveloped in Ireland mainly due to high initial establishment costs. My Department launched a new Bio-energy Scheme in 2007 to grant aid growers interested in growing willow and miscanthus. The Scheme provides establishment grants to farmers for up to 50% of the costs of establishment, subject to a maximum establishment grant of €1,450 per hectare. The aid is payable on set aside land and on areas declared under the EU Energy Crops Scheme.

Willow is also eligible for the National Energy Crop Premium of €80 per hectare and the EU premium of €45 per hectare. In addition, farmers can receive adjusted payments under REPS and the Disadvantaged Areas Scheme for growing willow subject to some restrictions on the areas planted.

A total of 488 farmers are participating under the 2008 Energy Crops Scheme; the following is a county breakdown:

County	No.
Carlow	31
Cavan	7
Clare	1
Cork	76
Donegal	10
Dublin	4
Galway	10
Kerry	6
Kildare	32
Kilkenny	36
Laois	18
Leitrim	0
Limerick	23
Longford	0
Louth	7
Mayo	3
Meath	17
Monaghan	4
Offaly	6
Roscommon	2
Sligo	1
Tipperary	37
Waterford	19
Westmeath	7
Wexford	104
Wicklow	27
Total	488

### Grant Payments.

1602. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Roscommon will receive their payment; the reason for the delay in same; and if he will make a statement on the matter. [30664/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The claim for payment lodged by the person concerned is being processed by my Department, and assuming the claim is in compliance with the terms and conditions of the Scheme the payment will be made as soon as possible.

1603. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food if he will review a grant aid claim by a person (details supplied) in County Mayo in respect of mats for a slatted shed that has internal agitation points. [30727/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** I have asked my officials to review the case referred to by the Deputy. The person concerned will be notified of the outcome when the review has been completed.

### **Poultry Industry.**

1604. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food the measures he is taking to protect the poultry industry here in view of recent closures in the industry; if he has plans to introduce proper labelling for poultry; and if he will make a statement on the matter. [30811/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The main challenge facing the indigenous Irish poultry industry is competition from imports of fresh poultry from other EU countries. Under single market rules unrestricted volumes can be traded between Member States and, for various reasons, they are very competitively priced. The primary outlet for Irish-produced poultry is the fresh retail trade where Irish product is still dominant. The Bord Bia Poultry Quality Assurance Scheme is a recognised quality mark in that market and the Bord has been very active in growing and enhancing the Scheme over the years. In addition to the Quality Assurance Scheme, assistance is available from Enterprise Ireland for certain types of activities undertaken by poultry processors.

In 2004 the poultrymeat labelling regulations were extended to cover meat sold loose in retail outlets. These were the maximum measures allowable under harmonised EU labelling legislation. Last year my Department decided to extend these by drafting new national regulations that would require the country of origin to be indicated on pigmeat, poultry and sheepmeat and on processed foods containing at least 70% of these meats. In December 2007 these were notified to the European Commission as required by legislation. The Commission adopted a negative opinion in March on the grounds that the proposed legislation was not in compliance with EU food labelling regulations. It did, however, afford us the opportunity to provide further information in support of our case and to this end there has been an exchange of correspondence and a meeting between Department and Commission officials to advance the subject. The Commission's definitive position on our proposed regulations is expected by the end of this month.

### **Rural Environment Protection Scheme.**

1605. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food if there is sufficient funding in place to meet the REP scheme four applications on hand; and if he will make a statement on the matter. [30813/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** I expect that the funding available to my Department in 2008 will be adequate to meet REPS 4 payment obligations that are likely to arise this year.

### **Farm Waste Management.**

1606. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the amounts paid out on a county basis to applicants under the farm waste management scheme; the number of applications that were submitted by month; the number that were issued with a payment; and if he will make a statement on the matter. [30814/08]

1625. **Deputy Jimmy Deenihan** asked the Minister for Agriculture, Fisheries and Food the number of applications approved under the farm waste management programme in County

Kerry; the number completed at this stage; the number of farmers who actually received payment; the number of units approved but not yet commenced; and if he will make a statement on the matter. [31137/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** I propose to take Questions Nos. 1606 and 1625 together.

A total of 46,132 complete applications were received by my Department under the Farm Waste Management Scheme by the end-June 2007 deadline. To date, over 42,000 approvals have been issued by Department. €113.8 million was paid out in grant-aid in 2007 and €181.8 million has been paid out in 2008 to-date. It is not possible to provide a breakdown on a county basis.

1607. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food if there is funding for the farm waste management scheme; and if there is sufficient funding in place to pay out on the applications received under this scheme. [30815/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Grant-aid will be paid to all farmers who complete work in accordance with the terms and conditions of the Farm Waste Management Scheme. To date, in excess of €180 million has been paid this year.

#### **Transfer of Entitlements.**

1608. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the action that should be taken to have all of the entitlements of a person (details supplied) in County Mayo registered in the name of another person; and if he will make a statement on the matter. [30818/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The herdnumber quoted is registered in the sole name of the first person named. An application was received on the 3rd of April 2006 requesting the Transfer of 7.86 standard entitlements by way of sale with land from the Representatives of the deceased to the first person named.

The total number of entitlements available for transfer was 6.17 valued at €195.28 each. An official from my Department wrote to the first person named and the Representatives of the deceased in 2006, 2007 and again in 2008 outlining the number of entitlements available for transfer and requesting written confirmation in respect of the number of entitlements to be transferred.

The requested confirmation was received on the 15th May 2008 and the application was fully processed. EU Regulations governing the transfer of Single Payment entitlements provide that the Member State may apply a claw-back in respect of entitlements sold with or without land in order to replenish the National Reserve.

This transfer application was subject to a claw-back rate of 5%, which resulted in the transfer of entitlements being reduced by 0.31 entitlements. The number of entitlements subsequently transferred to the first person named was 5.86 valued at €195.28 each giving a total value of €1,144.34. A letter outlining the transfer details and level of claw-back, issued to the first person named and the Representatives of the deceased on 17th July 2008.

#### **Rural Environment Protection Scheme.**

1609. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the number of applications received for REP scheme four on a monthly basis to date; if this scheme is fully operational; and if he will make a statement on the matter. [30820/08]



**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The number of applications received for REPS 4 is set out in the table below:

	No.
Sep-08	21
Aug-08	44
Jul-08	698
Jun-08	99
May-08	5,934
Apr-08	1,589
Mar-08	905
Feb-08	727
Jan-08	588
Dec-07	543
Nov-07	429
Oct-07	73
Sep-07	19
Aug-07	1

Applications for REPS 4 are currently being processed and payment for valid applications will issue in accordance with the new EU Regulations.

#### **Fishing Fleet Modernisation.**

1610. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Fisheries and Food the number of vessels that have been decommissioned under the decommissioning programme from the date of introduction of decommissioning and from the date of the adoption of the Report of the Seafood Industry Strategy Review Group; the amount paid out from the date of introduction of decommissioning and from the date of the adoption of this report; and if he will make a statement on the matter. [30871/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Following the launch of the report “Decommissioning Requirements for Ireland’s Demersal and Shellfish Fleets” a total of 36 vessels were decommissioned and permanently left the fleet. The total cost of the 2005/2006 scheme was €15,966,786.

From the date of the 2008 Scheme “Steering a new course — Strategy for a restructured, sustainable and profitable Irish seafood industry 2007-2013” 39 vessels have permanently left the fleet. A further 7 vessels have been offered a decommissioning grant but have not formally accepted that offer at this time. A total of €4,652,801 has been paid to date to successful applicants under the 2008 scheme.

1611. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Fisheries and Food the terms of eligibility and conditions of the decommissioning programme for owners of fishing vessels; and if he will make a statement on the matter. [30872/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The terms and conditions of the 2008 decommissioning scheme launched on the 20th February this year are as outlined in the brochure published by BIM to accompany the launch. The closing date for the scheme has passed.

This brochure entitled “Building a Sustainable Future for Ireland’s Fishing Fleet” — a scheme to permanently withdraw capacity from the whitefish sector of the Irish Fishing Fleet is available from BIM on their web site [www.bim.ie](http://www.bim.ie) .

1612. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Fisheries and Food the position regarding the implementation of the recommendations by the Report of the Seafood Industry Strategy Review Group to bring in a targeted decommissioning scheme for vessels less than 18 metres in length; and if he will make a statement on the matter. [30873/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Steering a New Course, the Strategy for a Restructured, Sustainable and Profitable Irish Seafood Industry 2007-13 (The Cawley Report) recommended a restructured fishing fleet, consistent with the sustainable exploitation of available resources and economic requirements of vessel owners and the shore-based industries dependent on it.

The Cawley report prioritised in the first instance a decommissioning scheme targeting the larger vessels (18 metres and over) in the whitefish fleet to deliver a basis for both stock recovery and long term viability. This scheme was launched in February of this year and is nearing completion.

The report also noted that, taking account of the impact of the current decommissioning scheme, a specific economic or social impact analyses should be carried out in relation to vessels under 18 metres to determine the eligibility, urgency scope and cost of carrying out a targeted decommissioning scheme for such vessels. Such an analysis has yet to be carried out.

#### **Coastal Zone Management.**

1613. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Fisheries and Food his views on the need to develop an integrated coastal zone management policy in line with European Union policy; and if he will make a statement on the matter. [30874/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Government decided on 2 October 2007 that responsibility for foreshore licensing functions under the Foreshore Act 1933 in respect of port companies and harbour authorities governed by the Harbours Acts 1946, 1996 and 2000 and any other harbour or harbour related developments intended for commercial trade, and for all energy developments (including oil, gas, wave, wind and tidal energy) and aggregate and mineral extraction developments on the foreshore would transfer to the Department of the Environment, Heritage and Local Government. In addition the Government also decided that the Department would assume responsibility for coastal protection and coastal flooding and all other aspects of coastal zone management.

My Department is currently putting in place the necessary arrangements to ensure the efficient and effective transfer of the appropriate legislation and associated functions. In the interim, all foreshore functions under the Foreshore Acts 1933 to 2005 rest with my Department.

My Department will carry forward responsibility for all other foreshore licensing functions under the Foreshore Act 1933, including in respect of all aquaculture developments and piers and harbours, other than in respect of port companies and harbour authorities governed by the Harbours Acts 1946, 1996 and 2000 and any other harbour or harbour related developments intended for commercial trade.

The Department of the Environment, Heritage and Local Government and my Department will continue to work closely together to provide a modern, effective and integrated legal

[Deputy Brendan Smith.]

framework for the management of the State's foreshore estate in the future including having regard to the principles of integrated coastal zone management.

### **Tax Reliefs.**

1614. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Fisheries and Food the position regarding the implementation of the recommendation contained in the Report of the Seafood Industry Strategy Review Group to bring in a fisherman's tax free allowance that could also be availed of by crew members; and if he will make a statement on the matter. [30875/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Strategy for a Restructured, Sustainable and Profitable Irish Seafood Industry 2007-13 (the Cawley Report (recommendation 7.7)) recognised that the extension of the Seafarers Tax Free Allowance already granted to Irish merchant seamen would be an incentive for crew retention.

Under current legislation fishing vessels are not considered seagoing ships for the purposes of the scheme. The Federation of Irish Fishermen (FIF) has brought forward proposals in this regard and I have undertaken on their behalf to bring the matter to the attention of the Minister of Finance. Any change in legislation is a matter for the Minister of Finance and would have to be provided for in the Budget and the 2009 Finance Act.

### **Fishing Fleet Protection.**

1615. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Fisheries and Food the position regarding the implementation of the recommendation in the Report of the Seafood Industry Strategy Review Group and in particular that an approach be taken at EU level to ensure EU regulations on compliance and control are strictly enforced throughout the community; and if he will make a statement on the matter. [30876/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The need for a level playing field across the EU on fisheries control has been recognised as a national priority both by industry and by Government. We have consistently pushed at EU level for a level playing field on controls. Following the Review of the CFP in 2002, a new EU Control Agency to promote co-ordination and co-operation on control at EU level was established which is working to promote a level playing field at operational level. Following pressure from Ireland, new rules for the electronic reporting of fish catches were agreed which include a requirement that the Coastal Member State has real time access to such records. One of the key benefits of electronic reporting of catches, which will apply to all large vessels from 1 January 2010, is that it will allow the Control Authorities of a Coastal State to have access to the logbook information of any fishing vessel operating in its waters. This allows the Control Authorities to make informed decisions on the activities of vessels and on how best to deploy and focus their resources.

Irish Ministers have consistently argued that our objective must be to raise control levels across the EU if we are to protect the future of stocks in the Irish zone and fishing communities in Ireland who are wholly dependent on those stocks. A Court of Auditors report earlier this year identified substantial control failures across Member States. As Ireland is completely dependent on fish stocks around our coast, we must be at the forefront in having measures in place that are effective and not rewarding illegal fishing if we are to protect these stocks and give a long term future to our fishing communities. On foot of the Court of Auditor findings, the Commission has prioritised control and has stated that it intends to review the regulatory regime and to bring forward specific proposals for a new regulatory regime this autumn. It is

clearly in the interests of the Irish fishing industry and fishing communities that there is strong and effective implementation of the quotas and other conservation measures on all fishing vessels fishing on stocks in our zone. I am committed to this in the interest of our fishermen.

### Tax Reliefs.

1616. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Fisheries and Food the position regarding the implementation of the recommendation in the Report of the Seafood Industry Strategy Review Group, that a tax life for qualifying fishing vessels be introduced; and if he will make a statement on the matter. [30877/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Strategy for a Restructured, Sustainable and Profitable Irish Seafood Industry 2007-13 (the Cawley Strategy — recommendation 7.8) recommends that consideration be given to the introduction of a tax life for fishing vessels in the context of any future decommissioning scheme.

The 2008 Finance Act contains a number of measures specifically designed to reduce the tax burden on fishermen taking up the decommissioning scheme, which was announced in February, including qualifying for capital gains tax exemption (retirement relief) for proceeds up to €750,000 with marginal relief applying above this limit. There is also a reduction in the qualifying age requirement for an individual making such a disposal from 55 years of age to 45 years of age, and the required period of ownership and usage of the asset is reduced from 10 years to 6. Also, if balancing charges arise (in relation to income tax) these can now be spread over 5 years commencing in the year in which the payment is received.

### Aquaculture Development.

1617. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Fisheries and Food the position regarding the implementation of the recommendation in the Report of the Seafood Industry Strategy Review Group, that a committee under the chairmanship of his Department be established to co-ordinate State support to the processing sector; and if he will make a statement on the matter. [30878/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** While no formal structure has been established, my Department is working closely with the relevant agencies (Bord Iascaigh Mhara, Udaras Na Gaeltachta and Enterprise Ireland) to develop a co-ordinated approach for the support of the seafood processing sector.

1618. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the volume and value of aquaculture production here in 2007. [30960/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The final data for 2007 is still being collected and collated in preparation for the publication of the “Status of Irish Aquaculture” report which is due out in November.

The figures for 2006 are as follows:

	Year	Volume (tonnes)	Value ('000)
Shellfish	2006	43,224	€63.2M
Finfish	2006	12,726	€61.4M
Totals	2006	55,950	€124.6M

### Grant Payments.

1619. **Deputy Frank Feighan** asked the Minister for Agriculture, Fisheries and Food when payment will issue to person (details supplied) in County Roscommon under the farm waste management scheme; the reason for the delay; and when a cheque will issue. [31058/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The claim for payment lodged by the person named is being processed by my Department. I would expect that payment will be made in the near future provided that the claim is in compliance with the terms and conditions of the Scheme.

1620. **Deputy Frank Feighan** asked the Minister for Agriculture, Fisheries and Food the position regarding the case of a person (details supplied) in County Leitrim; and if he will ensure this applicant will get slaughter premium and single payment. [31063/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Under the 2002 EU Slaughter Premium Scheme, animals were required to be eight months or over on the date of slaughter and recorded on the Department's Cattle Movement Monitoring System, i.e. fully registered, showing, inter alia, date of birth of each animal.

While the eleven animals in question were slaughtered on 15 August 2002, they were found at that time not to be recorded on the CMMS system and, therefore, were ineligible for the Slaughter Premium, as they did not fulfil the Scheme requirements.

Furthermore, a subsequent examination of the case revealed contemporaneous records showing four of the animals as being three months of age at time of slaughter; no ages were recorded for the other animals.

### Fish Quotas.

1621. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food if his Department has ever argued for Ireland to be awarded an equivalent quota in ICES divisions IV, VIII and IX comparable to that which other EU States have in the ICES zones VI and VII closest to Ireland's coast. [31072/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The position in regard to Ireland's quota allocations is that Ireland's share of the main fish stocks were set in the early 1980's when fish stocks were being shared out between Member States. The share allocations were based on catch records and reflected the fishing levels by the Irish fleet at that time. Ireland did not have any record of fishing activity in ICES divisions IV, VIII and IX. The percentage shares held by each Member State have generally remained the same for over 20 years under the principle of relative stability.

Since then it has been a priority of successive Irish Ministers with to try to have these shares improved. Ireland has repeatedly put forward the case for an increase in quota share but have received no support from other Member States for changes in the allocation keys for the share out of stocks. The practical reality is that to achieve an increase in Ireland's share of catches, other Member States would have to take a cut in their shares.

I will continue to use every opportunity to improve the arrangements for Irish fishermen under the Common Fisheries Policy.

### Farm Waste Management.

1622. **Deputy Frank Feighan** asked the Minister for Agriculture, Fisheries and Food the reason the grant payment under farm waste management due to a person (details supplied) in

County Leitrim has not been granted; and when they can expect to receive their cheque. [31076/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The claim for payment lodged by the person named is being processed by my Department. I would expect that payment will be made in the near future provided that the claim is in compliance with the terms and conditions of the Scheme.

1623. **Deputy Jimmy Deenihan** asked the Minister for Agriculture, Fisheries and Food if he will make a special case to the EU Commission to have the closing date of the farm waste management programme extended in view of the delays of completion on commencement, in many cases due to the poor weather conditions over the summer of 2008 and the difficulty in some cases of getting a qualified contractor; and if he will make a statement on the matter. [31101/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The deadline of 31 December 2008 for completion of work by farmers under the revised Farm Waste Management Scheme introduced by my Department in March 2006 is a condition of the EU state aid approval for the Scheme. I have raised this issue with the European Commission, as recently as July and the Commission has since reaffirmed that it expects Ireland to respect this deadline strictly.

#### Departmental Staff.

1624. **Deputy Lucinda Creighton** asked the Minister for Agriculture, Fisheries and Food the number of civil service staff dealing with constituency matters in his office; the number of civil service staff dealing with constituency matters in the offices of Junior Ministers within his Department; and the cost in salaries for these staff per annum. [31122/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The following table sets out the information requested by the Deputy:

	Minister Brendan Smith	MoS Trevor Sargent	MoS Tony Killeen
No. of Civil Servants	5 Clerical Officers (2 of whom are involved in job-sharing arrangements)	2 Staff Officers 0.75 Temp CO's	2 Clerical Officers
Salary Scale	€23,174 – €35,660	€34,941 – €44,025 €24,397 – €37,536 (full PRSI)	€24,397 – €37,536 (full PRSI)

*Question No. 1625 answered with Question No. 1606.*

#### Food Labelling.

1626. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food the reason Ireland has not adopted a mandatory food policy labelling regime with particular relevance to the importation of chicken fillets which would have a clear brand indicating that the meat in question is of Irish origin; and if he will make a statement on the matter. [31160/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Minister for Health & Children has overall responsibility for the general food labelling legislation.



[Deputy Brendan Smith.]

In relation to poultry meat, there are EU Regulations which provide for the labelling of unprocessed poultry meat at retail level. The Regulations require such poultry meat to be labelled with the information regarding class, price, condition, registered number of slaughterhouse or cutting plant and, where imported from a Third Country, an indication of country of origin.

My Department, in conjunction with the Department of Health and Children, drafted regulations that would require the country of origin to be indicated on pigmeat products, poultry products and sheep meat products. This was notified to the EU Commission in December 2007 as required by legislation. The Commission was not prepared to adopt the draft regulations in their present format on the grounds that the proposed legislation is not in compliance with EU food labelling regulations. However, it indicated that it would reconsider the draft measures once we have submitted additional explanatory information. This information was forwarded to the Commission and the Department expects a reply shortly.

### **Departmental Bodies.**

1627. **Deputy Leo Varadkar** asked the Minister for Agriculture, Fisheries and Food the bonuses, merit awards and other payments above the basic salary they have approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which they made the decision to approve such awards; and if he will make a statement on the matter. [31186/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** As the Deputy is aware, responsibility for the pay and other entitlements of CEOs of State boards rests with the board of the relevant bodies.

My Department does, however, play a role in monitoring performance-related awards for CEOs of the commercial and non-commercial bodies under the aegis of my Department.

The table below sets out the total bonus/performance awards paid to CEOs of the bodies under the aegis of my Department for the years 2005, 2006, 2007 and to date in 2008.

2005	2006	2007	To date in 2008
€180,603	€212,640	€133,231	€24,504

### **Poultry Industry.**

1628. **Deputy Seán Sherlock** asked the Minister for Agriculture, Fisheries and Food the action he will take in view of the closure of Cappoquin Chickens to ensure the future viability of the Irish poultry sector; and if he will make a statement on the matter. [31209/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The primary outlet for Irish-produced poultry is the fresh retail trade where Irish product is still dominant. A very important instrument in that market is the Bord Bia Poultry Quality Assurance Scheme (PQAS). The Quality Assurance mark is recognised by consumers as a guarantee of traceability and reliability and is sought after by Irish retailers. Bord Bia has been very active in growing and enhancing the Scheme over the years. Both the processor and producer standards of the PQAS have been accredited under EN45011 by the Irish National Accreditation board. Training of participants in the operation of the scheme (plant personnel, processors' farm inspectors, producers and Bord Bia auditors) is ongoing.

I believe better labelling of poultry meat to indicate its origin would assist the marketing of Irish produced poultry. To this end my Department drafted new national regulations that would require the country of origin to be indicated on pigmeat, poultry and sheep meat and on processed foods containing at least 70% of these meats. In December 2007 these were notified to the European Commission as required by legislation. The Commission adopted a negative opinion in March on the grounds that the proposed legislation was not in compliance with EU food labelling regulations. It did, however, afford us the opportunity to provide further information in support of our case and to this end there has been an exchange of correspondence and a meeting between Department and Commission officials to advance the subject. The Commission's definitive position on our proposed regulations is expected by the end of this month.

An area of importance for the future of the poultry sector is compliance with legislation on the protection of the environment which will have cost implications and give rise to operational complexities. The Intensive Livestock Group was established in my Department to assist poultry and pig producers in finding viable solutions to manure disposal problems. Producers, processors and Teagasc are represented on the Group, whose work is continuing.

There is good demand for poultry produced under free range systems and my officials are active in supporting producers who wish to engage in this activity.

Assistance is available from Enterprise Ireland for certain types of activities undertaken by poultry processors. The rules of the EU single market, however, prohibit the provision of operating aid for the producer sector.

*Question No. 1629 answered with Question No. 1567.*

#### **Bovine Disease Controls.**

1630. **Deputy Seymour Crawford** asked the Minister for Agriculture, Fisheries and Food when he will end or at least increase the 30 month age limit for BSE testing; his views on whether this age limit is very disruptive to the market place and leads to unnecessary losses to farmers as well as the cost of the testing; and if he will make a statement on the matter. [31239/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The existing requirement that all cattle over 30 months of age slaughtered for human consumption must be tested for BSE is provided for under Regulation (EC) No. 999/2001 of the European Parliament and of the Council, laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (The TSE Regulation). Accordingly I do not have the discretion to raise this age threshold.

However, under the recently amended TSE regulation, there is provision for a possible revision of Member States' monitoring programmes (including changes to the age at which healthy slaughtered animals for human consumption must be tested for BSE) following evaluation of applications by Member States in response to their improved BSE situation.

Having a significant increase in the age threshold for BSE testing has been a priority of mine since my appointment and I am, therefore, particularly pleased that the EU Commissioner for Public Health has now accepted the argument and agreed to a proposed increase in the minimum age for BSE testing of both animals slaughtered for human consumption as well as emergency slaughtered and fallen animals to 48 months. This decision will deliver very significant savings to farmers who currently pay to have healthy slaughtered animals over 30 months tested for BSE.

[Deputy Brendan Smith.]

I am confident that Ireland's application to apply testing at this higher age will be approved and that the new testing regime will be in place from early 2009.

#### **Cattle Identification Scheme.**

1631. **Deputy Seymour Crawford** asked the Minister for Agriculture, Fisheries and Food the information available on-line to the meat industry regarding individual farmers herds; his views on whether industry should have access to the full herd records, that is, dates of calf births and so on; and if he will make a statement on the matter. [31240/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** During the course of 2008, my Department replaced the Cattle Movement Monitoring System (CMMS) with the online Animal Identification and Movement (AIM) system in all export approved meat plants. My Department now provides the registration details and movement history electronically for the animals presented at the meat plant. This information replicates the data already available to the meat plant on passports. However it is important to note that meat plants do not have access to the herd details of any farmer.

#### **Grant Payments.**

1632. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food if there is data available on the way Irish farmers feel their situation has improved or disimproved since the introduction of the single farm payment. [31299/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Single Payment Scheme, which was introduced in 2005, replaced the various coupled schemes, each of which had different application periods and eligibility requirements. The main benefit for farmers of the introduction of the Single Payment Scheme was, therefore, that it allowed farmers greater freedom-to-farm, with individual farmers free to choose which farming enterprise best suited their own circumstances. The introduction of the Single Payment Scheme also radically changed the application process for farmers, in that under the new scheme farmers only have to submit one application form, in lieu of the variety of forms previously required when there were a number of different schemes in operation.

During 2007, the EU Commission engaged consultants to conduct a review in five Member States, one of which was Ireland, to measure the administrative burden of the CAP — specifically the Single Payment Scheme — on farmers. The consultants conducted a series of workshops with farmers from a variety of farming backgrounds. The study itself found that Irish farmers have the lowest per hectare administrative cost for participation in the Scheme of the five Member States involved. The consultants found farmers' attitudes towards the Single Payment Scheme itself to be quite positive and similarly so in relation to the administration of the scheme by my Department. Farmers did, however, have many worthwhile suggestions regarding improvements to the running of the scheme, many of which have since been implemented, for example: longer application periods, in order to avoid bottlenecks — the application period in 2008 opened in Ireland in February, with the closing date set at the latest allowable under Regulation, 15 May; earlier payments — while this issue is being pursued as part of the Health Check, agreement of the EU Commissioner is being sought for an advance payment for 2008, in line with the earlier advance payment date agreed for 2007.

#### **Consultancy Contracts.**

1633. **Deputy Arthur Morgan** asked the Minister for Agriculture, Fisheries and Food the

amount that was spent by his Department on consultants in 2007 and to date in 2008. [31640/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** It was not possible to compile details as requested by the Deputy within the time permitted. I will forward the information to the Deputy as soon as it is available.

#### **Grant Payments.**

1634. **Deputy James Bannon** asked the Minister for Agriculture, Fisheries and Food the reason for the delay in the awarding of grants, previously approved, under the farm waste management grant for the building of waste storage facilities; and if he will make a statement on the matter. [29633/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** My Department continues to process payment claims under the Farm Waste Management Scheme. As I stated recently, grant-aid will be paid to all farmers who complete work in accordance with the terms and conditions of the Scheme.

#### **Fishing Industry Development.**

1635. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Fisheries and Food the position regarding the implementation of the recommendation in the Report of the Seafood Industry Strategy Review Group that a budget of €55 million be allocated for marketing over the seven year period amounting on an annual basis to €7.8 million; and if he will make a statement on the matter. [30879/08]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Strategy for a Restructured, Sustainable and Profitable Irish Seafood Industry 2007-13 (The Cawley Report) is the blueprint for the development of the seafood sector going forward.

The recommendations and indicated funding contained in the report are underpinned by the National Development Plan (NDP) 2007-2013, which provides for their roll out over the time-frame of the plan. Annual funding allocations will be determined by the Estimates and priorities determined within allocated budgets.

The Deputy will be aware that I established the Irish Seafood Market Initiative to identify and maximise the opportunities for the domestic seafood supply to the Irish Market, and to develop a shared understanding of the key market issues impacting on the sector.

This forum under the Chairmanship of Jason Whooley, Chief Executive, BIM comprises a broad spectrum of stakeholders. I am happy to inform you that the group had its inaugural meeting on the 23rd July.

#### **Schools Building Projects.**

1636. **Deputy Olivia Mitchell** asked the Minister for Education and Science the progress made regarding the commitment in the Programme for Government to provide a dedicated fund of at least €100 million over five years from within the allocation for school buildings within the national development plan; and if he will make a statement on the matter. [29354/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Over €2.6 billion has been provided for school building infrastructure between 2000 and 2006 and a further €4.5 billion is to be invested under the current National Development Plan 2007-2013. Close to €600m of this

[Deputy Batt O’Keeffe.]

will be provided this year alone. These capital allocations include provision for PE facilities as an intrinsic part of the design for new school buildings or refurbishment/extension projects in existing buildings.

### School Curriculum.

1637. **Deputy Olivia Mitchell** asked the Minister for Education and Science the progress made regarding the commitment in the Programme for Government to work towards making physical education mandatory at second level and the putting in place of a revised PE curriculum for senior cycle students; and if he will make a statement on the matter. [29355/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** In accordance with the Rules and Programme for Secondary Schools, all second-level schools should provide Physical Education as part of the curriculum. The programme that each school plans and delivers should be based on my Department’s approved syllabuses and the teaching hours should be registered in the school timetable. The syllabuses have been developed on the basis of a time allocation of two hours per week.

A revised syllabus in Physical Education as a non-examinable subject at Junior Cycle was introduced in post-primary schools in September 2003 and implemented on a phased basis over the period to 2005. No implementation dates have been set as yet for further reforms in this area.

This Government has worked hard to improve the opportunities for young people to get physical exercise both in school and in their local communities. In a new school building or refurbishment/extension, PE facilities are included as part of the design, and new PE equipment such as balancing benches and gym mats are funded as part of any major building programme.

A special PE funding package of €3 million issued to post-primary schools in 2007, providing a grant of €4,000 per school towards the cost of replacing and upgrading PE equipment. This grant was issued, as a once-off measure, to enable schools to replace older equipment such as goalposts, PE mats, benches etc.

So, through an increased focus on exercise in school and in the community, we are working to encourage more children and young people to get active. Indeed, the ‘State of the Nation’s Children’ report published by the Minister for Children recently, found that children in Ireland are doing well on physical activity, ranking second across the 32 WHO countries in being physically active for at least 4 hours per week.

### Special Educational Needs.

1638. **Deputy Bernard J. Durkan** asked the Minister for Education and Science if a one to one resource or a special needs assistant will be arranged for a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29869/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers, for allocating resource teachers and special needs assistants to schools to support children with special needs. The NCSE operates within my Department’s criteria in allocating such support. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child’s special educational needs, using the contact details available on [www.ncse.ie](http://www.ncse.ie).



### Research Funding.

1639. **Deputy Michael D'Arcy** asked the Minister for Education and Science the grant aid available for a person undertaking a research project on species conservation in Nepal and India as part of their UCD degree course; and if he will make a statement on the matter. [29983/08]

1687. **Deputy Michael D'Arcy** asked the Minister for Education and Science the grant aid available for a person undertaking a research project in Nepal and India as part of their UCD degree course; and if he will make a statement on the matter. [29984/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** I propose to take Questions Nos. 1639 and 1687 together.

My Department provides annual funding to the Irish Research Council for Humanities and Social Sciences (IRCHSS) and the Irish Research Council for Science, Engineering and Technology (IRCSET) to award a number of post graduate scholarships. An application should be made directly to the appropriate Research Council and the terms and conditions of the schemes are available from the Councils websites. The terms and conditions of these post graduate schemes recognise that Scholars may benefit from spending part of the term of the Scholarship away from their registered institutions, including spending part of the academic year engaged in research in Ireland or abroad.

### Schools Building Projects.

1640. **Deputy Paul Gogarty** asked the Minister for Education and Science if a cost benefit analysis has been carried out in terms of funding allocations being provided for new buildings; his views on whether an accelerated school building and extension programme and energy efficient refurbishment programme would be beneficial, in view of the fact that it would stimulate the construction sector; if no such analysis has been carried out if he will commence such a study; and if he will make a statement on the matter. [31089/08]

1767. **Deputy Paul Gogarty** asked the Minister for Education and Science the constraints being placed on his Department by the Department of Finance in terms of much needed funding for school building projects; if he is satisfied with these constraints; and if he will make a statement on the matter. [31079/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** I propose to take Questions Nos. 1640 and 1767 together.

Almost €4.5bn has been allocated to the school building programme under the current National Development Plan. This allocation was the result of discussions and analysis between officials in my Department and officials in the Department of Finance.

The school building programme is primarily focussed on meeting the demand for new school places across the state and the issue of energy efficiency is addressed at the design stage for all new buildings. Value for money is a key criterion in the implementation of the school building programme and competitive tendering, in line with public procurement procedures, ensures that this is achieved. As I have indicated publicly, the current decline in activity in the construction industry is an opportunity for my Department to continue to pursue value for money in the procurement and construction of school buildings. Issues relating to the acceleration of the school building programme must have regard to current financial circumstances and cannot be considered in isolation.



### **Millennium Partnership Fund.**

1641. **Deputy Róisín Shortall** asked the Minister for Education and Science if his attention has been drawn to the fact that applicants for the Millennium Fund are not being entertained by some local area partnerships on the basis of their address due to the lack of funding to extend the fund into new locations; the action he will take to address this; and if he will make a statement on the matter. [31162/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Millennium Partnership Fund has been in operation since 2000. The objective of the fund is to support students from disadvantaged areas with regard to retention and participation in further or higher education. Area Partnership Companies and Community Partnerships manage the fund locally. The Fund is administered by Pobal on behalf of the Department and the National Office for Equity of Access to Higher Education. The 2008-9 allocation of €2.180m was distributed among 56 Partnerships/community groups around the country. 4,091 students benefited from the Fund in the 2006-7 academic year.

The Millennium Partnership Fund contracts are addendums to the Local Development Social Inclusion Plans (LDSIP) contracts entered into between Partnerships and Pobal. Currently these contracts cover the existing designated areas only.

My Department is currently working with the National Access Office and Pobal in relation to the re-orientation of the Millennium Partnership Fund to support the development of a whole-community approach to equity of access to higher education. In this regard, a consultation process with community partnerships and other stakeholders is currently under way.

### **Schools Building Projects.**

1642. **Deputy Michael Kennedy** asked the Minister for Education and Science the position regarding all school building projects relating to a school (details supplied) in County Dublin in view of the number of young children waiting on a confirmed school place for 2008/2009; and if he will make a statement on the matter. [29276/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Department is aware of the accommodation pressures being experienced by the school referred to by the Deputy. The project at this school has a band rating of 1, the highest priority that the Department assigns to major capital projects. A design team has yet to be appointed to the project.

The progression of the schools major capital project will be considered on an on-going basis in the context of the Department’s Multi-Annual School Building and Modernisation Programme and is of course subject to the availability of capital resources.

### **Special Educational Needs.**

1643. **Deputy Seán Ó Feargháil** asked the Minister for Education and Science his views on correspondence regarding a child (details supplied) in County Kildare with dyslexia; if he will ensure that the educational requirements of this child will be met in view of their particular circumstances; and if he will make a statement on the matter. [29307/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As the Deputy is aware, the general allocation system was introduced in schools in September 2005, under which schools were provided with resource teaching hours, based on their enrolment figures, to cater for children with high incidence special needs such as dyslexia and those with learning support needs.

It is a matter for the school authorities to determine how these hours are utilised to support eligible pupils, including the pupil in question. Research shows that some pupils with learning needs will respond better with one-to-one tuition. Others, however, do better when taught in small groups. Often it is best for resource/learning support teachers to work with pupils in the classroom rather than taking them away to a separate room, as the pupils then have to catch up on work done by the rest of the class in their absence.

### **School Curriculum.**

1644. **Deputy Catherine Byrne** asked the Minister for Education and Science if there is an alternative to the established junior certificate programme; if there are plans to roll out a junior certificate applied programme; and if he will make a statement on the matter. [29444/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Junior Certificate School Programme (JCSP) was introduced in September 1996 as an intervention within the Junior Certificate specifically aimed at students who are potential early school leavers. It is designed to assist schools and individual teachers in adopting a student-centred approach to education and to provide students with a programme to meet their individual needs. There are currently 225 schools/centres offering the Programme.

The DEIS (Delivering Equality of Opportunity in Schools) Action Plan for Educational Inclusion provides for extended access to the JCSP for second-level schools with the highest concentrations of disadvantage. My Department decided to extend the Programme, on a phased basis over three school years, to those schools which are participating in DEIS. The first phase commenced in September 2007 with an additional 30 schools selected to offer the Programme. A further 24 schools were selected to join in 2008. It is intended that all DEIS schools will be approved to offer JCSP by 2010.

Participation in the programme is supported by an enhanced pupil:teacher ratio and a once-off per capita grant. In addition, professional development support to schools and teachers offering the Programme is provided through the Second Level Support Service (SLSS) by the JCSP Support Service which is located in the Curriculum Development Unit of the City of Dublin VEC.

### **Teachers’ Remuneration.**

1645. **Deputy James Bannon** asked the Minister for Education and Science the reason a person (details supplied) in County Longford continues to be deprived of their full entitlements in respect of part-time work that they carried out; and if he will make a statement on the matter. [29502/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The terms and conditions including pay entitlements of casual and non-casual post primary teachers under the Protection of Employees (Part-Time Work) Act, 2001 were negotiated and agreed in 2005 between the Education Partners and my Department.

Casual and non-casual teachers in Secondary and Community/Comprehensive schools have been paid on my Department’s payrolls since January 2006 and the appropriate rates of pay in accordance with the agreement referred to are applied.

Arrears, where applicable, for service in a casual/non-casual capacity in Secondary and Community/ Comprehensive schools between 2001 and 2006 under the terms of the Act were issued to post primary teachers on the 29th March 2007.

[Deputy Batt O’Keeffe.]

According to my Department’s records, the teacher referred to by the Deputy has received all arrears due to him under the terms of the Act. The gross amount owed less the statutory deductions issued to him on the 29th March 2007.

### **Special Educational Needs.**

1646. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support the case of a person (details supplied) in County Cork. [29504/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I am pleased to advise the Deputy that home tuition has been sanctioned for the child in question.

### **Schools Recognition.**

1647. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support a matter (details supplied). [29507/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The body mentioned by the Deputy is not recognised as a patron for post-primary schools.

My Department is currently considering a number of issues relating to the recognition process for second-level schools and the matter raised by the Deputy will be examined in that context.

### **School Accommodation.**

1648. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support in the case of a school (details supplied) in Dublin 9. [29511/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The school in question submitted an application to my Department for funding for the items listed.

Following assessment of the application and in the light of the large number of projects seeking funding from my Department from the capital budget, unfortunately, it is not possible to provide funding for these items on this occasion.

### **Third Level Funding.**

1649. **Deputy Ruairí Quinn** asked the Minister for Education and Science his views on the role of higher education in meeting economic and social challenges; his further views on whether the sector is resourced adequately to meet these challenges in view of the reported falls in the level of core grant per student; and if he will make a statement on the matter. [29524/08]

1835. **Deputy Ruairí Quinn** asked the Minister for Education and Science his views on the financial stability of the university sector in view of reports of the emergence of substantial deficits in this sector; his further views on the sector’s capacity to meet the challenges facing it; and if he will make a statement on the matter. [29523/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1649 and 1835 together.

There have been substantial improvements in the funding of higher education in recent years. Overall provision to the third level sector (capital, recurrent, student grants etc) amounted to some €1.5 billion in 2004, €1.9 billion in 2007 and some €2 billion in 2008. This is an increase of some 33% since 2004 and an increase of some 135% since 1997 levels (€850m). Substantial

funding continues to be provided for research and development. In 2007 the recurrent funding allocated under the research programmes amounted to some €83.7million.

In recent years, recurrent funding allocated to the University sector (including funding to meet the cost of free undergraduate tuition fees) has increased from €631m in 2004 to some €831m in 2008. This excludes separately provided programmes of funding for capital, for research and development and from the Strategic Innovation Fund. It represents an increase of some 32% since 2004 and an increase of some 150% since 1997 levels. In the circumstances, it is a matter for the universities to manage their resources and where necessary to effect economies in order to keep expenditure within the approved budget.

Support for reform and development at third level and the creation of world class excellence at fourth level are central Government priorities. The National Development Plan 2007-2013, recognises the critical role of higher education in the national innovation system that will be the basis of Ireland's economic and social development. The Plan identifies the full funding of the sector — over €13 billion through the period — as a key strategic investment under the Plan. In contributing to the achievement of national policy goals for social and economic development, it can be anticipated that there will be continuing significant resource needs for the sector.

As you will be aware, I have indicated my intention to launch a process to develop a new strategy for higher education that will provide a vision and strategic direction for the future development of the sector in contributing to Ireland's economic and social development. In developing that strategy, it is appropriate that we examine how well our higher education system is performing currently and how the system can be best supported to meet the challenges that lie ahead.

When I met with the Heads of the Universities I emphasised the need to ensure effective use of existing resources in the context of the future development of the sector.

#### **Departmental Transport.**

1650. **Deputy Fergus O'Dowd** asked the Minister for Education and Science the number, type and purchasing and leasing cost and CO<sub>2</sub> emissions of vehicles acquired by his Department for each of the past three years; and if he will make a statement on the matter. [29550/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** My Department does not purchase or lease any vehicles. Ministerial vehicles are provided to my Department by the Department of Justice Equality and Law Reform.

#### **Special Educational Needs.**

1651. **Deputy Brian Hayes** asked the Minister for Education and Science the percentage of students within the primary education system that obtain extra support or remedial support, either in a mainstream class or away from the mainstream class, to deal with specific issues that may arise regarding language, learning difficulties and so on; and if he will make a statement on the matter. [29571/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The Deputy will be aware of my Department's commitment to ensuring that all children including those with special needs can have access to an education appropriate to their needs preferably in school settings through the primary school network. This facilitates access to individualised education programmes, fully qualified professional teachers, special needs assistants and the appropriate school curricu-

[Deputy Batt O’Keeffe.]

lum with the option, in line with each child’s ability, of full/partial integration and interaction with other pupils.

The Deputy will also be aware that my Department implemented a new scheme for allocating learning support / resource teachers to schools to cater for the needs of children with high-incidence special educational needs in all primary schools in September 2005. The general allocation model was designed to ensure that each school has learning support/resource teaching support available to meet the needs of children with high incidence special needs.

It is a matter for school authorities to determine how these hours are utilised to support eligible pupils. My Department does therefore not hold details of the percentage of students being supported through this mechanism. However, it can be assumed generally that pupils who perform at or below the 10th percentile on a standardised test of reading and/or mathematics would qualify for such support. Pupils with more significant needs may qualify for additional teaching and special needs assistant support through the National Council for Special Education.

All schools in Ireland with migrant children for whom English is a second language are entitled to specific resources, irrespective of geographic location. Schools with high numbers of immigrant children for whom English is not their first language are given special supports by way of additional teaching staff and teaching materials. Since summer 2007, the level of additional teacher support allocated to primary and post-primary schools is determined by the number of pupils enrolled for whom English is a second language and the associated assessed levels of pupils’ language proficiency. Schools with less than 14 pupils will have their needs addressed through the provision of financial resources, again based on the number of pupils. The resources available are set out in circular 53/2007 and can be accessed on my Department’s website [www.education.ie](http://www.education.ie).

There are now over 1,500 language support teachers at primary level providing support to approximately 21,000 pupils.

#### **Teachers’ Remuneration.**

1652. **Deputy Michael D’Arcy** asked the Minister for Education and Science if the award granted to principals and vice principals in primary schools in benchmarking two applies to retired principal teachers; and if so, when the award will be implemented. [29582/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The implementation of the recommendations of the Second Report of the Public Service Benchmarking Body is the subject of current discussions between the social partners at national level in the context of the successor to the public service pay element of Towards 2016. The issue of the application of the award to retired Principals and Deputy Principals will be addressed following the conclusion of those discussions.

#### **Site Acquisitions.**

1653. **Deputy Leo Varadkar** asked the Minister for Education and Science if he will acquire the designated primary school site at Hollywoodrath, Dublin 15 as the site for the proposed Tyrrelstown Gaelscoil; and if he will make a statement on the matter. [29591/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I can confirm that Fingal County Council has reserved a site, in the region of 5 acres, for educational provision in the Hollywoodrath Local Area Plan. In general, the Department considers site acquisition in accordance as needs arise, taking into account the availability of capital resource and in the



overall context of the Departments Multi-Annual School Building and Modernisation Programme.

The Department was made aware of proposals to establish a new Gaelscoil to serve Tyrrellstown/Hollystown in August 2008. A formal 'Notification of Intent' to establish this new school was received from the proposed Patron, An Foras Patrúnachta in September 2008.

However, as the Deputy will be aware, I announced a review of the procedures for recognising primary schools on 14th September last. I also announced that for the interim period it is not planned to recognise any new primary schools except those in developing areas where there is a clear need demonstrated for such schools. The application to establish a new Gaelscoil to serve Tyrrellstown/Hollystown will be considered in this context.

### **Schools Building Projects.**

1654. **Deputy Leo Varadkar** asked the Minister for Education and Science if funding has been approved to construct permanent primary school buildings in Tyrrellstown, Dublin 15; and if he will make a statement on the matter. [29592/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** My Department is aware of the accommodation pressures being experienced by the schools in the Tyrrellstown area and is also cognisant of the ever-increasing demand for school places.

To meet this need, my Department has provided significant additional capacity in rapidly developing areas this year, particularly the Dublin 15 area.

The progression of further major capital project will be considered on an on-going basis in the context of the Department's Multi-Annual School Building and Modernisation Programme and is of course subject to the availability of capital resources.

### **Site Acquisitions.**

1655. **Deputy Leo Varadkar** asked the Minister for Education and Science if he has sanctioned the purchase of a permanent site for primary schools in Tyrrellstown, Dublin 15; and if he will make a statement on the matter. [29593/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The acquisition of the site for the school referred to by the Deputy will be considered in the context of the capital budget available to my Department for school buildings generally. In light of many competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the acquisition of the site at this time.

### **Schools Building Projects.**

1656. **Deputy Leo Varadkar** asked the Minister for Education and Science when he will lodge a planning application for permanent buildings for a school (details supplied) in Dublin 15; and if he will make a statement on the matter. [29595/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The project at the school to which the Deputy refers is currently at 'Stage 1' (i.e. site report and preliminary sketch scheme) of the Architectural Planning Process.

Planning permission will be lodged once the detailed design has been approved. I am not in a position to say at this stage when this will be done.



1657. **Deputy Leo Varadkar** asked the Minister for Education and Science when construction will begin on permanent buildings for a school (details supplied) in Dublin 15; and if he will make a statement on the matter. [29596/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Department is aware of the accommodation pressures being experienced by the school to which the Deputy refers and is also cognisant of the ever-increasing demand for school places.

The question of when this school can proceed to construction is being considered in the context of the overall school building programme. It is not possible at this stage to say when construction will commence.

#### **Site Acquisitions.**

1658. **Deputy Leo Varadkar** asked the Minister for Education and Science the arrangements he is making in view of the fact that Fingal County Council has designated a site for a new secondary school in the Kellystown area of Dublin 15; and if he will make a statement on the matter. [29597/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As the Deputy may be aware, the Department intends acquire sites in the Dublin 15 area for the purposes of providing additional school places.

My Department is aware of a need for further post primary provision in the Dublin 15 area.

Due to the commercial sensitivities attaching to site acquisitions generally, the Deputy will appreciate that I am not in a position to comment on the details of the matter until such a time as the acquisitions have been completed.

#### **School Staffing.**

1659. **Deputy Richard Bruton** asked the Minister for Education and Science if he will introduce changes in the staffing policy in schools whereby substitute teachers who are proving successful can secure continuity of employment through a more open recruitment system; and if he will make a statement on the matter. [29598/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The recruitment and appointment of teachers to fill teaching posts is a matter for the individual school authority subject to agreed procedures. All State funded teaching posts in primary and post primary schools must be filled by means of a public competition. In accordance with the terms of Circular Letters 82/2007 and 55/2008 all appointments to teaching posts for periods in excess of 26 weeks must be advertised.

#### **Educational Projects.**

1660. **Deputy Joe Costello** asked the Minister for Education and Science if funding has been obtained to enable the Dublin 7 Schools’ Cultural Mediation Project to complete its three year pilot phase; and if he will make a statement on the matter. [29645/08]

**Minister of State at the Department of Education and Science (Deputy Conor Lenihan):** The Dublin 7 Schools’ Cultural Mediation Project was financed under the Department of Justice, Equality and Law Reform/ Pobal Integration Initiative. It was provided with funding for one year only. Funding has been sought for a further two years.

I regret, however, that resources for this project are not available to me at this time. In the deployment of resources to cater for migrant pupils, I have prioritised support for schools and

teachers in relation to the teaching of English as an Additional Language (EAL). In 2008, there were almost 2,000 English-Language Support Teachers in primary and post-primary schools at a cost of some €120m. per annum, compared to 997 in 2006 and 262 in 2001/2.

This autumn the Primary Professional Development Service has brought together a team to provide training and support to the English-Language Support Teachers in primary schools. In addition, a Primary School Assessment Kit was circulated by the Department to all primary schools last June. This kit will enable teachers to carry out initial and on-going assessments of the language proficiency of newcomer children. It is proposed to have an assessment kit for post-primary schools available later in the year.

*Question No. 1661 withdrawn.*

### **Schools Recognition.**

1662. **Deputy Michael McGrath** asked the Minister for Education and Science if a school (details supplied) in County Cork is officially recognised by his Department. [29656/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The school in question is registered with my Department. However, it is not an officially recognised school and does not receive funding from my Department.

### **School Accommodation.**

1663. **Deputy Jan O’Sullivan** asked the Minister for Education and Science if he will allocate funding in respect of an extra classroom for a school (details supplied) in County Limerick in view of the increasing demands on the school concerned; and if he will make a statement on the matter. [29670/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The school in question has received sanction for an all-in grant for conversion works at the school to provide a mainstream classroom, in accordance with their application.

### **School Transport.**

1664. **Deputy Joe Costello** asked the Minister for Education and Science if he will respond to the correspondence from a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [29681/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** Under the terms of my Department’s Post Primary School Transport Scheme, a pupil is eligible for transport if s/he resides 4.8 kilometres or more from her/his local post primary education centre.

An application for transport for the pupil, attending the school referred to by the deputy in the details supplied was received in the School Transport Section of my Department on the 16 September 2008. Bus Éireann, which operates the School Transport Scheme, has been requested to provide a report on this case and a decision on the pupil’s eligibility for school transport will be made on receipt of this report.

In general eligible pupils attending this school are facilitated with travel permits for public scheduled services.

### **School Enrolments.**

1665. **Deputy Finian McGrath** asked the Minister for Education and Science if he will assist a person (details supplied) in Dublin 5. [29690/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Enrolment decisions are the responsibility of the Board of Management of each individual school.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The NEWB can be contacted at National Educational Welfare Board, National Headquarters, 16-22 Green Street, Dublin 7 or by telephone at 01-8738700.

Section 29 of the Education Act 1998, provides parents with an appeal process where a Board of Management of a school or a person acting on behalf of the Board refuses enrolment to a student. Where a school refuses to enrol a pupil, the school is obliged to inform parents of their right under Section 29 of Education Act 1998 to appeal that decision to the Secretary General of my Department. Where an appeal under Section 29 is upheld, the Secretary General of my Department may direct a school to enrol a pupil.

### **School Transport.**

1666. **Deputy Pat Breen** asked the Minister for Education and Science if persons (details supplied) in County Clare will be facilitated; and if he will make a statement on the matter. [29696/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** Under the terms of my Department’s Post Primary School Transport Scheme, a pupil is eligible for transport if s/he resides 4.8 kilometres or more from her/his local post primary education centre, that is, the centre serving the catchment area in which s/he lives.

The scheme is not designed to facilitate parents who choose to send their children to a post-primary centre outside of the catchment area in which they reside. However, children who are fully eligible for transport to the post-primary centre in the catchment area in which they reside may apply for transport on a concessionary basis to a post-primary centre outside of their own catchment area — otherwise known as catchment boundary transport. These children can only be facilitated if spare seats are available on the bus after all other eligible children travelling to their ‘own’ post-primary centre have been catered for. Such children have to make their own way to the nearest pick up point within that catchment area.

The family in question should liaise with the Transport Liaison Officer in Co. Clare VEC regarding the availability of catchment boundary seats.

### **Consultancy Contacts.**

1667. **Deputy Leo Varadkar** asked the Minister for Education and Science if a company (details supplied) has been awarded contracts by his Department, or any of its agencies, since 2000; the value of the contracts and the length of contract signed; and if he will make a statement on the matter. [29709/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The information relevant to the Deputy’s question is being compiled and will be forwarded to him as soon as possible.

### **School Accommodation.**

1668. **Deputy Pat Breen** asked the Minister for Education and Science further to Parliamentary Question No. 134 of 1 May 2008, (details supplied) if funding was facilitated; and if he will make a statement on the matter. [29721/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The position is that an application by the school referred to by the Deputy for grant-aid under the Parent Rooms Measure of the Dormant Accounts/Rapid Leverage Fund small-scale capital grant scheme for schools has been approved. My Department advised the school of the position by letter dated 18 June, 2008.

The first instalment of 70% of the approved amount will be paid on commencement of the project and receipt by my Department of a completed ‘Grant Aid Commencement Claim Form’. The second instalment of 30% will be paid on satisfactory completion of the project and submission of a ‘Grant Aid Completion Claim Form’ to my Department.

#### **School Transport.**

1669. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support a person (details supplied) in Dublin 17. [29732/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** My Department has sanctioned a transport service for the pupil referred to by the Deputy, in the details supplied. Bus Éireann, which operates the school transport service on behalf of my Department, has advised that the service commenced on Wednesday, 3rd September, 2008.

#### **School Accommodation.**

1670. **Deputy Pat Breen** asked the Minister for Education and Science the status of an application by a school (details supplied) in County Clare; and if he will make a statement on the matter. [29737/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department received an application for funding under the emergency works scheme from the school in question. A decision on the application will be made as soon as possible and the school authorities will be advised of the outcome.

#### **School Transport.**

1671. **Deputy Michael Noonan** asked the Minister for Education and Science if school transport will be provided to children (details supplied) in County Limerick in view of the circumstances of their mother; and if he will make a statement on the matter. [29750/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** Under the terms of my Department’s Primary School Transport Scheme, pupils who reside 3.2 kilometres or more from, and are attending, their nearest suitable national school as determined by my Department, are eligible for free school transport.

The position in this case is that the children referred to by the Deputy are not attending their nearest national school and, therefore, are not eligible for school transport.

It is open to pupils who are not attending their nearest school to apply for concessionary transport to the school which they are attending. Concessionary transport is offered subject to a number of terms and conditions, including the availability of spare seating on an existing service.

Parents of the pupils should liaise with their local Bus Éireann office to establish whether their children may avail of fare-paying transport under the terms of the scheme.

### Higher Education Grants.

1672. **Deputy Fergus O'Dowd** asked the Minister for Education and Science if a person (details supplied) in County Louth will be considered for a higher education grant; and if he will make a statement on the matter. [29752/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The decision on eligibility for student maintenance grants is a matter for the relevant assessing authority, either the local authority or VEC, as appropriate. These bodies do not refer individual applications to my Department, except in exceptional circumstances.

If an individual applicant considers that she/he has been unjustly refused a maintenance grant, or that the rate of maintenance grant awarded is not the correct one, she/he may appeal, in the first instance, to the relevant local authority or VEC.

Where an individual applicant has had an appeal turned down, in writing, by the relevant local authority or VEC and remains of the view that the body has not interpreted the schemes correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to my Department.

### Child Abuse.

1673. **Deputy Joe Costello** asked the Minister for Education and Science if the legal advisors of victims of abuse who have been awarded compensation are entitled to charge for the legal services or other services carried out in relation to the preparation of the case; the deductions the legal advisors can make from the award; the reason the State deducts stamp duty from the award; and if he will make a statement on the matter. [29875/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** I wish to advise the Deputy that there are two means by which former residents of institutions which were subject to State regulation or inspection can apply for and be awarded compensation — The Residential Institutions Redress Board and the Court system.

The Residential Institutions Redress Board was established to make fair and reasonable payments to persons who, as children, were abused whilst resident in industrial schools, reformatories and other institutions which were subject to State inspection or regulation. Awards made by the Redress Board are payable in full to the applicant with no deductions for costs. The Board is entirely independent in the performance of its functions and its operation is governed by the terms of the Residential Institutions Redress Act 2002.

Section 27 of the aforementioned Act provides that all reasonable legal costs and other costs associated with the preparation and presentation of an application to the Board will be met by the Board. In the event that agreement cannot be reached between the Board and the applicant's legal representative, the matter is referred to the Taxing Master of the High Court for determination.

The Redress Board's published guidelines and other publicity material on the redress scheme specifically highlight the fact that all reasonable legal costs incurred in respect of applications for redress are payable by the Board. Furthermore, as solicitors are required by law to fully inform their clients, in writing, of the legal costs payable in their case, it is incumbent on the individual solicitors to inform applicants to the Board that all reasonable legal costs will be met by the Board and that the applicant should not have to pay any legal costs. The Law Society of Ireland is the body responsible for the regulation of the profession and, as such, it is a matter for the Society to investigate complaints about the conduct of a solicitor.

Aside from the Redress Board, victims of abuse also have recourse to the Court system. Claims taken by victims of institutional abuse against the State are handled by the State Claims Agency. Where cases are processed through the Court system, it is the presiding Judge who will decide on liability for payment of costs in the normal course. The issue of legal fees being charged by a Solicitor is a matter between the solicitor and client. However, I understand that there are clear guidelines set down by the Law Society in relation to the charging of fees and, where a client has any cause for concern, s/he can have the matter referred to the Law Society. A document entitled “Information in Relation to Legal Charges” is available to download from the Law Society’s website and sets out all relevant information.

In relation to the issue of deduction of stamp duty or other forms of taxation from the awards, I wish to advise the Deputy that, under Section 22 of the Residential Institutions Redress Act 2002, income consisting of an award under the terms of the Act shall be disregarded for the purposes of income tax assessment. In relation to the deduction of taxes from awards made by the Courts, this is a matter for the Revenue Commissioners.

### **Site Acquisitions.**

1674. **Deputy Michael Creed** asked the Minister for Education and Science the situation regarding a site for a new school (details supplied) in County Cork; his views on a press article on the matter; and if he will make a statement on the matter. [29887/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department is in the process of completing a technical evaluation of a site which was identified for the school referred to in the article referenced by the Deputy. In order to complete the technical evaluation an independent valuation report is required. The independent valuation has recently been commissioned and a report is awaited.

The acquisition will be considered in the context of the capital budget available to my Department for school buildings generally. In light of many competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the acquisition of the school site at this time.

### **Special Educational Needs.**

1675. **Deputy Pat Breen** asked the Minister for Education and Science further to Parliamentary Question No. 398 of 8 May 2008, if details have been forwarded to the National Council for Special Education for their attention (details supplied); when he expects to have the facility in place; and if he will make a statement on the matter. [29890/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** An ASD unit has been sanctioned by the National Council for Special Education for the school referred to by the Deputy. A Band 1 rating has been assigned to the project under the published prioritisation for large scale building projects. This is the highest Band rating possible, which reflects the urgency which the Department attaches to the project.

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. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the further progression of the project at this time.



### Third Level Scholarship Schemes.

1676. **Deputy Brian Hayes** asked the Minister for Education and Science his views on detailed correspondence sent to his Department on 11 August, 2008 (details supplied), dealing with the issue of the anomalies between the three third-level scholarship schemes operated by his Department; if in the first instance he will agree to meet with the group from An Ghaeltacht, who have clearly outlined the nature of the anomalies concerned; and if he will make a statement on the matter. [29893/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** It is proposed to carry out a review of the three existing third-level Irish scholarship schemes in the course of the current academic year to determine their continuing effectiveness in meeting their objectives. A range of issues will be considered in the context of this review, including those raised in the correspondence referred to by the Deputy. In the circumstances, a meeting at this time would not be warranted as I have no additional information to add to that which has already been supplied.

### School Placement.

1677. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when school placement for September 2008 will be offered to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29902/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The compulsory school starting age in a National School is 6 years of age. Enrolment in individual schools is the responsibility of the managerial authority of those schools and my Department does not seek to intervene in decisions made by schools in such matters. My Department’s main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. This may result, however, in some pupils not obtaining a place in the school of their first choice.

It is the responsibility of the managerial authorities of schools that are not in a position to admit all pupils seeking entry to implement an enrolment policy in accordance with the Education Act. In this regard a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. In formulating an admissions policy a school must, however, ensure it is lawful. In particular, it must act in accordance with section 7 of the Equal Status Act 2000.

Where a Board of Management refuses to enrol a student in a school, the parent of the student or, where the student has reached 18 years of age, the student himself or herself, following the conclusion of any appeal procedures at school level, has a statutory entitlement under section 29 of the Education Act to appeal that decision to the Secretary General of the Department of Education and Science. A committee is established to hear the appeal with hearings conducted with a minimum of formality. In most cases appeals must be dealt with within 30 days. Where appropriate, the Secretary General may give whatever directions to the Board of Management that are considered necessary to remedy the matter complained of.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The NEWB can be contacted at National Educational Welfare Board, National Headquarters, 16-22 Green Street, Dublin 7 or by telephone at 01-8738700.

### Home Tuition.

1678. **Deputy Bernard J. Durkan** asked the Minister for Education and Science if an application for transition hours to his Departments home tuition section will be successful in the

case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29904/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I am pleased to advise the Deputy that my Department has liaised with the family in question in the context of the matter raised by him.

#### **Site Acquisitions.**

1679. **Deputy Deirdre Clune** asked the Minister for Education and Science the position regarding the acquisition by his Department of a site for a school (details supplied); and if he will make a statement on the matter. [29911/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Deputy will be aware that a suitable site has been identified for the school in question. The site comprises of three plots of land with three separate vendors. Officials from my Department are in contact with key stakeholders with a view to exploring the options open to advancing the proposed acquisition. The progression of this project will be considered in the context of the capital budget available to my Department for school buildings generally. In light of the many competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the acquisition at this time.

#### **School Uniforms.**

1680. **Deputy Denis Naughten** asked the Minister for Education and Science when he will publish the report on the wearing the hijab in classrooms; and if he will make a statement on the matter. [29951/08]

**Minister of State at the Department of Education and Science (Deputy Conor Lenihan):** I jointly issued a press statement on this topic with the Minister for Education and Science, Batt O’Keeffe, T.D. yesterday. We have agreed recommendations on school uniform policy. These recommendations are based on extensive consultations I made this summer. The report containing the recommendations will be published on the Department of Education and Science website in the near future. The agreed recommendations are as follows:

1. The current system, whereby schools decide their uniform policy at a local level, is reasonable, works and should be maintained.
2. In this context, no school uniform policy should act in such a way that it, in effect, excludes students of a particular religious background from seeking enrolment or continuing their enrolment in a school. However, this statement does not recommend the wearing of clothing in the classroom which obscures a facial view and creates an artificial barrier between pupil and teacher. Such clothing hinders proper communication.
3. Schools, when drawing up uniform policy, should consult widely within the school community.
4. Schools should take note of the obligations placed on them by the Equal Status Acts before setting down a school uniform policy. They should also be mindful of the Education Act, 1998. As previously mentioned, this obliges boards of management to take account of “the principles and requirements of a democratic society and have respect and promote respect for the diversity of values, beliefs, traditions, languages and ways of life in society”.

These recommendations will be formally conveyed to schools shortly.

### Special Educational Needs.

1681. **Deputy Denis Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 390 of 27 May 2008, if the behavioural specialist support team led by a person with a PhD in Applied Behaviour Analysis has been put in place and is available to support teachers; and if he will make a statement on the matter. [29956/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department is currently in the process of recruiting specialist behaviour advisors to form part of a Behavioural Specialist Support Team. Following a recent competition, the Special Education Support Service (SESS) is working to recruit a number of candidates. While this process is ongoing the person that will lead this team is working with the SESS in an advisory capacity and in addition to providing in-school support has also provided access to programmes of Continuing Professional Development covering the area of Applied Behaviour Analysis. The following courses have been provided on two occasions and will be provided again in the current academic year:

- Contemporary Applied Behaviour Analysis (10-week course)
- Applied Behaviour Analysis (2-day).

Once the remaining members of the team are in place it will continue to consolidate teachers’ knowledge and skills in the application of behavioural principles to learning.

The Deputy may also be interested to note that the SESS is providing a wide range of supports and interventions in the area of Autism via on-line training, face-to-face training, phone advice and individualised support for school’s identified continuing professional development needs. The approaches include Language and Communication, Managing Inclusion, Curriculum Access for Pupils with General Learning Disabilities and Autism, Sensory Integration, PECS, TEACCH, Social Stories, and Applied Behaviour Analysis.

### Early School Leavers.

1682. **Deputy Róisín Shortall** asked the Minister for Education and Science if the School Completion Programme will be affected by the 3% reduction in public service payroll costs; if he will reduce funding to SCPs; and, if so, the impact this reduction will have on young people attending SCPs in Dublin north west. [29962/08]

1773. **Deputy Paul Gogarty** asked the Minister for Education and Science if his attention has been drawn to the knock on effect caused by his proposed reduction in payroll costs within the school completion project and that as a result services will have to be withdrawn to some of the most vulnerable people; if he will review his decision and provide compensatory funding; if he has to adhere to the dictates of the Department of Finance; and if he will make a statement on the matter. [31085/08]

1855. **Deputy Brian Hayes** asked the Minister for Education and Science the number of schools under the school completion programme that will have services curtailed in some or all of the programmes (details supplied); if the 3% cut in these programmes as proposed by him has led to either a closure or an amalgamation or curtailment of any of the existing programmes that are operational throughout the country; and if he will make a statement on the matter. [30569/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1682, 1773 and 1855 together.

The School Completion Programme encompasses both primary and post-primary levels and focuses on young people between the ages of 4 and 18 years and is designed to deal with issues of both concentrated and regionally dispersed disadvantage. SCP is a key component of DEIS ( Delivering Equality of Opportunities in Schools) the action plan for educational inclusion, which discriminates positively in favour of children and young people who are at risk of early school leaving.

At present there are 124 projects, comprising 692 schools participating in the School Completion Programme.

As you are aware the Government announced on 8th July 2008 a series of public spending measures in response to the deterioration in the public finances.

In common with other Departments, my Department is required to reduce its payroll bill and that of its agencies by 3% by the end of 2009, through all appropriate measures identified by local management in the light of local circumstances. The exceptions to this requirement is certain frontline teaching staff and Special Needs Assistants.

In the Department's letter of 21st August, all SCP projects were advised that they have the authority to manage how the savings are to be achieved. This is to facilitate projects in their efforts to ensure that these necessary steps will be applied in such a manner as to minimise their effect on young people targeted and to prioritise those activities which are found to be of most value in supporting the young people concerned.

In implementing this decision local Managers will have an opportunity to consider measures which might include the control of premium pay, the management of existing or future vacancies, the organisation of work processes and the levels at which work is carried out, as well as control of numbers through recruitment and other measures. This requirement will not have a universal effect on all 124 projects, as projects vary in size, number of schools involved and the number and status of personnel employed and the types of interventions in place.

Under the terms of the Government decision, the allocation for the pay element of the School Completion Programme in 2009 will be framed on the basis that a saving of 3% will be achieved when the pay bill is adjusted to include the full-year cost of Towards 2016 increases payable in 2008. In line with the above, the 2008/09 allocation for SCP projects will be adjusted to reflect increases due under Towards 2016 in 2008 and a saving of 3% in payroll costs for 2009. As this process is ongoing, there has been no effect to date on the services provided by any of the participating projects.

It is envisaged that the savings requested, will lead to rationalisation, with more efficient and cost effective measures being implemented. In this way, it is not expected that there will be any significant diminution of front-lines services.

### **Third Level Fees.**

1683. **Deputy James Bannon** asked the Minister for Education and Science the reason a person (details supplied) in County Longford should be denied free third level fees; and if he will make a statement on the matter. [29965/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** Under the terms of the Free Fees Initiative the Exchequer meets the tuition fees of eligible students who are pursuing full-time undergraduate courses of study. The main conditions are that students must be first-time undergraduates and hold E.U. nationality and have been ordinarily resident in an E.U. Member State for at least three of the five years preceding their entry to an approved third level course.

[Deputy Batt O’Keeffe.]

The residency requirement applies to all E.U. nationals, including Irish nationals in accordance with the judgement of the European Court of Justice that access to vocational training must apply equally to all E.U. nationals.

On the date of entry to the course, the person referred to by the Deputy did not hold E.U. nationality and had not been ordinarily resident in an E.U. Member State for at least three of the five years preceding entry to a third level course and therefore does not qualify for free tuition fees under the terms of the Free Fees Initiative.

Section 473A, of the Taxes Consolidation Act, 1997, provides tax relief, at the standard rate of tax, for tuition fees paid in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in E.U. Member States and in non EU countries.

### **Special Educational Needs.**

1684. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support the case of a person (details supplied) in Dublin 5. [29972/08]

1697. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support the case of a person (details supplied) in Dublin 5. [30099/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1684 and 1697 together.

The Deputy will be aware of the Government’s ongoing commitment to ensuring that all children with special educational needs, including those with autism, can have access to an education appropriate to their needs preferably in school settings through the primary and post primary school network. This facilitates access to individualised education programmes, fully qualified professional teachers, special needs assistants and the appropriate school curriculum. Funding is also provided for assistive technology and specialist equipment as required and special school transport arrangements may also be put in place.

Some students with autism require further support in school. The establishment of a network of autism-specific special classes in schools across the country to cater for these children with autism has been a key educational priority in recent years. In excess of 330 classes have now been approved around the country at primary and post primary level, including many in special schools. The National Council for Special Education (NCSE) will continue to establish more classes as required.

Children in these classes benefit from having a reduced pupil-teacher ratio of 6:1; fully-qualified teachers who have access to training in a range of autism-specific interventions, including Applied Behavioural Analysis (ABA), the Treatment and Education of Autistic and Related Communication Handicapped Children (TEACCH) and the Picture Exchange Communication System (PECS) and there is a minimum of 2 special needs assistants in each class. Other special needs assistant posts may be allocated in line with the needs of the enrolled children. These students have the option, where appropriate, of full/partial integration and interaction with other pupils.

The Deputy is aware that the home tuition scheme provides a grant to parents to facilitate the provision of education at home for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children awaiting an educational placement and provide early education intervention for pre-school children with autism.



My officials will liaise with the NCSE in the context of the availability of a school placement for the child in question and request that it clarify the position to the family.

### **School Placement.**

1685. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support the case of a person (details supplied) in Dublin 9. [29975/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Enrolment decisions are the responsibility of the Board of Management of each individual school.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The NEWB can be contacted at National Educational Welfare Board, National Headquarters, 16-22 Green Street, Dublin 7 or by telephone at 01-8738700.

Section 29 of the Education Act 1998, provides parents with an appeal process where a Board of Management of a school or a person acting on behalf of the Board refuses enrolment to a student. Where a school refuses to enrol a pupil, the school is obliged to inform parents of their right under Section 29 of Education Act 1998 to appeal that decision to the Secretary General of my Department. Where an appeal under Section 29 is upheld, the Secretary General of my Department may direct a school to enrol a pupil.

### **School Books.**

1686. **Deputy Richard Bruton** asked the Minister for Education and Science his plans to introduce measures to prevent needless changes in school books that force parents to discard perfectly useable books in order to get the latest edition; and if he will make a statement on the matter. [29980/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Apart from a small number of prescribed texts at second-level, mainly in the case of language subjects, decisions on which textbooks to use in first and second-level schools are taken at school level. My Department does not have a role in recommending, endorsing or approving textbooks.

Syllabus planners are conscious of the need to avoid over frequent changes, primarily in order to minimise increases in the cost burden for parents. School authorities have been advised that books should be changed only to the extent that is absolutely necessary. However, textbooks have to be changed periodically to enable teachers to keep their own and their students’ work educationally stimulating and to ensure that content and methodology are kept up to date.

My Department operates a grant scheme towards the cost of providing school textbooks for pupils from low-income families in schools at first and second-level. Schools are notified of the scheme each year by circular letter.

Principal teachers administer the book grant schemes in schools in a flexible way under the terms of the schemes based on their knowledge of particular circumstances in individual cases. Many schools operate book rental schemes and second-hand book exchanges. My Department actively supports the establishment of book rental schemes with enhanced grants at primary level and a seed capital scheme at second level.

A total of €8m has been provided in my Department’s Estimate in 2008 in respect of the School Books Grant Scheme at second-level and a further €6.35m has been provided at primary level.

*Question No. 1687 was answered with Question No. 1639.*



### Departmental Staff.

1688. **Deputy Leo Varadkar** asked the Minister for Education and Science the number of staff sent from his Department and its agencies to a conference (details supplied); the cost of sending staff to the conference; and if he will make a statement on the matter. [29991/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** One member of my Department’s Professional and Technical Staff attended the conference referred to by the Deputy at a total cost to the Department of €743.63.

The Chief Executive Officer of the Grangegorman Development Agency was a speaker at one of the workshops and there was no cost incurred by the Agency.

### School Transport.

1689. **Deputy Fergus O’Dowd** asked the Minister for Education and Science his plans to introduce a replacement fuel rebate scheme for school transport operators; and if he will make a statement on the matter. [30009/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** The Finance Act 2008 provided the legislative changes to withdraw relief in respect of fuel used for public transport vehicles with effect from 1 November 2008 in line with the European Union Energy Tax Directive. The appropriate full excise duties will apply from that date.

My Department is in discussions with the Department of Finance on the impact of the withdrawal of the relief in respect of fuel used by school transport operators in the context of the 2009 Estimates.

### Music Education.

1690. **Deputy Joe Costello** asked the Minister for Education and Science his proposals for the implementation of the Music Network Feasibility Report for the provision of local music education services; and if he will make a statement on the matter. [30016/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Among the recommendations contained in the Music Network report was that a series of Music Education Partnerships would be developed between the County/City Development Boards and the Vocational Education Committees on a phased basis.

In 2004, my Department began funding a pilot programme in both Dublin City and in Donegal VECs to test approaches to delivery of the proposed model. Resources are not available at present to expand this programme to other areas. However, the matter will be kept under review.

I believe that the arts have an important role to play in the education of the individual. Music, the visual arts and drama provide for sensory, emotional, intellectual and creative enrichment and contribute to the young person’s holistic development and self esteem. Arts education (visual arts, music and drama) is one of the seven curriculum areas that comprise the primary curriculum, which was revised in 1999. At second level there are approved syllabuses for Junior Certificate in Music and Art, Craft and Design. In the senior cycle there are syllabuses in Music and Art. Modules in the Arts are also available as part of the Leaving Certificate Applied and in the Transition Year programme. In the delivery of these programmes, schools are encouraged to interact with practising artists in their own classrooms and in out of school settings.

In addition to supporting Music in the curriculum an additional allocation of the equivalent of 93 whole time teaching posts are allocated to a range of VECs to support Music education. This takes the form of individual tuition in instrumental and vocal music education, and provision of supports for choirs, orchestras and ensembles. Through this some 68,000 hours of music tuition are provided annually.

#### **Site Acquisitions.**

1691. **Deputy Leo Varadkar** asked the Minister for Education and Science his plans for a site (details supplied) in Dublin 15; and if he will make a statement on the matter. [30048/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The formalities relating to the acquisition of the site in the location referred to by the Deputy are currently in train. I am not in a position to say when the matter will be concluded.

#### **School Transport.**

1692. **Deputy Pat Breen** asked the Minister for Education and Science if a person (details supplied) in County Clare will be facilitated; and if he will make a statement on the matter. [30070/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** Under the terms of my Department’s Post Primary School Transport Scheme, a pupil is eligible for transport if s/he resides 4.8 kilometres or more from her/his local post primary education centre, that is, the centre serving the catchment area in which s/he lives.

Pupils who are eligible for transport to the education centre in the catchment area in which they reside may avail of ‘catchment boundary’ transport to an education centre in another catchment area provided spare seats are available on the school bus.

In general, such tickets are allocated on a “first come first served” basis. The family should liaise with the Transport Liaison Officer in Co. Clare VEC in relation to the availability of catchment boundary tickets.

#### **Schools Building Projects.**

1693. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support a school (details supplied) in Dublin 5 which is on a waiting list for works. [30093/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The proposed building project for the school to which the Deputy refers is at an advanced stage of architectural planning.

The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

#### **School Accommodation.**

1694. **Deputy Finian McGrath** asked the Minister for Education and Science the position regarding a school (details supplied) in Dublin 13. [30094/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** In August 2007, the City of Dublin Vocational Educational Committee (CDVEC) became the

[Deputy Seán Haughey.]

anchor tenant of the school referred to by the Deputy. It ceased operating as a post primary school on the 31 August 2007.

Currently, part of the accommodation is being used by CDVEC to accommodate Post Leaving Certificate (PLC) courses operated by Coláiste Dhulaigh. In addition, Killester College has temporarily moved into the premises while its own accommodation is being developed.

It is proposed to set up an autistic unit in the school from September 2009 and St. Michael's House is currently at the design stage in establishing these facilities.

### **School Transport.**

1695. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support the case of a person (details supplied) in Dublin 3. [30095/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** My Department has received an application for a change in the transport arrangements for the pupil referred to by the Deputy, in the details supplied.

A report has been requested from Bus Éireann, which operates the school transport scheme on behalf of the Department. When this report is received and considered, my Department will be in contact with the family.

### **Special Educational Needs.**

1696. **Deputy Ruairí Quinn** asked the Minister for Education and Science his plans to fund the services needed to provide education to students with physical disabilities as outlined in the article (details supplied) in view of the commitments in section 7 of the Education Act 1998. [30098/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** My Department provides an extensive range of supports to schools to enable them meet the needs of pupils with special educational needs, including those with a physical disability. Depending on the needs of the pupil(s), these supports may include additional resource teaching and/or care support; specialist equipment; assistive technology and special school transport arrangements.

The Deputy will be aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers and special needs assistants (SNAs) to schools to support children with special needs, including pupils with a physical disability. Applications for SNAs may be considered by the NCSE where a pupil has a significant medical need for such assistance, a significant impairment of physical or sensory function or where their behaviour is such that they are a danger to themselves or to other pupils. A pupil's level of care may diminish over time as the child matures. Pupils may move to a different school or on to post-primary school. In such situations, the NCSE will review and adjust the SNA support required in the school. The NCSE operates within my Department's criteria in allocating such support.

My officials have been in contact with the NCSE and have been advised that the school in question has requested a review of its allocation of resources. I understand that the local SENO will be in contact with the school regarding this matter shortly.

*Question No. 1697 was answered with Question No. 1684.*

### Higher Education Grants.

1698. **Deputy Ruairí Quinn** asked the Minister for Education and Science the reason foreign nationals have been excluded from the higher education grants system in spite of the fact that they are parents of Irish citizens (details supplied). [30100/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Under the terms of the maintenance grants scheme grant assistance is awarded to students who meet the prescribed conditions of funding including those which relate to nationality, residency, means and previous academic attainment.

The Nationality requirement as set out in the 2008 Grant schemes states that candidates must:

- hold E.U. Nationality; or
- have Official Refugee Status; or
- have been granted Humanitarian Leave to Remain in the State (prior to the Immigration Act 1999); or
- be a person in respect of whom the Minister for Justice, Equality and Law Reform has granted permission to remain following a determination not to make a deportation order under section 3 of the Immigration Act 1999; or
- have permission to remain in the State by virtue of marriage to an Irish national residing in the State, or be the child of such person, not having EU nationality; or
- have permission to remain in the State by virtue of marriage to a national of another EU Member State who is residing in the State and who is or has been employed, or self-employed, in the State, or be the child of such a person, not having EU nationality; or
- be nationals of a member country of the European Economic Area (EEA) or Switzerland.

A non-EU national who has been granted permission to remain in the State on the basis of an Irish born child does not comply with the above conditions and is ineligible for grant assistance under the nationality requirements of the Schemes.

Any extension to the scope of the maintenance grants schemes can be considered only in the light of available resources and in the context of competing demands within the education sector.

### Data Protection.

1699. **Deputy John O’Mahony** asked the Minister for Education and Science the procedures in place to ensure that personal data stored by his Department is secure. [30128/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The protection of personal data is a fundamental and ongoing aspect of the work of my Department. My Department is committed to protecting personal data and takes all reasonable steps to ensure that the data it holds is protected.

Data protection compliance is part of induction training for all new staff. In addition, 256 members of staff have completed records management training, which includes training in data protection.

[Deputy Batt O’Keeffe.]

A Data Protection Policy, which was approved by the Office of the Data Protection Commission is in place, this has been circulated to all staff and is available to staff for download from our intranet. In June this year, my Department published a Policy for Protection of Data while using Laptops and other Mobile Data Devices and this was circulated to all staff and is available to staff for download from our intranet. My Department is about to commence deploying encryption software for use on laptops and portable storage devices, this will ensure that any data which may be stored on such devices will have a reduced risk of compromise in the event of loss or theft.

Access to offices is restricted to staff working in the area and swipe cards are required to gain access to Department buildings. Access to sections holding sensitive information is further restricted through the use of swipe cards and digital locks. Access to paper files is restricted to staff in the business area, segregation of duties controls are in place along with differing levels of authorisation. Files with particularly sensitive information are stored in a strong room with a digital lock.

My Department’s technical network architecture is regularly reviewed in order to seek to ensure continued compliance with changing standards of best practice. Dual firewalls are in place to protect my Department’s systems from unauthorised access by outside organisations/individuals. A global “strong password” policy is in place for the network. Access to systems is controlled, in that staff are given access rights to systems based on their job role rather than having access to all systems holding personal data. PCs and servers are securely disposed of in accordance with the Data Protection Acts and the ISO 9001:2000 standard.

My Department is currently participating on a working group which will develop guidelines (including a template code of practice) governing the treatment of sensitive and personal data by public sector organisations, including procedures for the storage, transmission, transportation, exchange and appropriate use and access of personal data (in the areas of paper records, remote access, laptops, mobile storage devices, email, data transfers). My Department will consider any changes required to existing procedures arising from the work of this group.

1700. **Deputy John O’Mahony** asked the Minister for Education and Science the number of laptop computers, data storage devices and USB memory sticks that have been stolen or lost from his Department in 2007 and to date in 2008; and if he will make a statement on the matter. [30143/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The information requested by the Deputy is as follows:

- 2007 — 2 laptop computers were stolen and 1 USB memory card was reported lost;
- 2008 — to date no laptop computers, data storage devices or USB memory sticks were lost or stolen.

#### **Schools Building Projects.**

1701. **Deputy Fergus O’Dowd** asked the Minister for Education and Science the position regarding a new national school (details supplied) in County Louth; and if he will make a statement on the matter. [30163/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project for the provision of a new 8-classroom building for the school referred to by the Deputy is currently at stage 2b of the architectural planning process (detailed design). The current position is that planning

permission for the new school has been granted by Drogheda Borough Council subject to a number of onerous conditions which the Department has appealed to An Bord Pleanála.

The Department is currently awaiting the outcome of this appeal.

### **Higher Education Grants.**

1702. **Deputy Fergus O'Dowd** asked the Minister for Education and Science the grant aid available to a person (details supplied) in County Louth who wishes to pursue a third level course; and if he will make a statement on the matter. [30164/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** Generally, student grants may not be paid to candidates who already hold a Level 8 (Honours Bachelor Degree or equivalent) qualification and are pursuing a second such qualification.

The decision on eligibility for student maintenance grants is a matter for the relevant assessing authority, either the local authority or VEC, as appropriate. These bodies do not refer individual applications to my Department, except in exceptional circumstances. If an individual applicant considers that she/he has been unjustly refused a maintenance grant, or that the rate of maintenance grant awarded is not the correct one, she/he may appeal, in the first instance, to the relevant local authority or VEC.

Where an individual applicant has had an appeal turned down, in writing, by the relevant local authority or VEC and remains of the view that the body has not interpreted the schemes correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to my Department.

### **Schools Refurbishment.**

1703. **Deputy Denis Naughten** asked the Minister for Education and Science when a school (details supplied) in County Westmeath will be advised of the outcome of its application for an emergency works grant; and if he will make a statement on the matter. [30181/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** My Department received an application for funding under the emergency works scheme from the school in question. A decision on the application will be made as soon as possible and the school authorities will be advised of the outcome.

### **Schools Building Projects.**

1704. **Deputy Denis Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 327 of 29 April 2008, when an announcement will take place; the status of the application in question; and if he will make a statement on the matter. [30182/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The need for a new school building for school in question is acknowledged by my Department.

The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department's Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

### **Special Educational Needs.**

1705. **Deputy Denis Naughten** asked the Minister for Education and Science further to



[Deputy Denis Naughten.]

Parliamentary Question No. 664 of 8 July 2008, the progress made between officials in his Department and groups representing centres participating in ABA pilot schemes; and if he will make a statement on the matter. [30185/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Deputy will be aware of the Programme for Government commitment to the long-term funding for the centres that are currently in the ABA pilot scheme subject to agreement with my Department on standards that will enable them to be supported as primary schools for children with autism.

The Deputy will appreciate that I am not in a position to comment while the discussions are ongoing between officials in my Department and groups representing the centres.

#### **Decentralisation Programme.**

1706. **Deputy Denis Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 269 of 9 July 2008, if the decentralisation of posts has been completed; and if he will make a statement on the matter. [30189/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Further to my response of 9 July, 2008, I can confirm to the Deputy that my Department has completed the process of decentralising all sections due to relocate to Athlone.

#### **Schools Refurbishment.**

1707. **Deputy Denis Naughten** asked the Minister for Education and Science when the funding for a school extension (details supplied) in County Roscommon will be released; and if he will make a statement on the matter. [30191/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The development of a building project for the school in question is at an advanced stage. A tender report for the project is currently under examination by my Department. The contract for the project has not yet been awarded.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered on an on-going basis in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

#### **Schools Building Projects.**

1708. **Deputy Denis Naughten** asked the Minister for Education and Science if a school (details supplied) in County Leitrim will be included in the forthcoming bundle of public private partnership school projects; and if he will make a statement on the matter. [30192/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The make up and timing of further school bundles in my Department’s PPP school building programme will be determined by my Department in consultation with the National Development Finance Agency (NDFA). The issues to be considered in the timing and bundling of these schools include site availability for each school, geographical spread and the estimated total cost of the proposed school bundle.

My Department is examining the feasibility of allowing the school referred to by the Deputy proceed in the 3rd Bundle of school projects to be procured via Public Private Partnership. This examination is nearing completion.

The indicative timeframe for the delivery of a PPP schools currently stands at approximately 4 years from the date the bundle is formally announced.

### **Schools Refurbishment.**

1709. **Deputy Denis Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 501 of 1 July 2008, when funding for the school extension will be awarded; and if he will make a statement on the matter. [30196/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

1710. **Deputy Denis Naughten** asked the Minister for Education and Science the steps he will take to upgrade facilities and the capacity of science laboratories at second level; and if he will make a statement on the matter. [30201/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As part of the multi-annual school building programme, the Government has invested heavily in the modernisation of school facilities throughout the country including science facilities in post-primary schools. Provision of science facilities is an intrinsic part of all major projects at post-primary level. Typically this investment involves the provision of modern science facilities in new post-primary schools or the upgrading of science facilities in existing schools either as part of a school building project or as a dedicated investment to facilitate the teaching of science. Under the current NDP, €4.5 billion will be spent on school infrastructure between 2007 and 2013.

Schools have also received funding under the Summer Works Schemes 2004 -2007 to refurbish science laboratories. In the 2006 application form for the Summer Works Scheme, post-primary schools were asked to identify specifically, and provide details of, any science and technology upgrade or refurbishment projects separate from any other projects being applied for, so that consideration could be given to approving these projects for 2006. Over 60 schools were approved for funding in 2006 and 2007 under my Department’s Summer Works Scheme to enable them to get science laboratories refurbished on a devolved basis.

Additionally, my Department has funded the provision of class materials, basic general equipment and chemicals for practical work for the Sciences. My Department also spent in excess of €13m in 2004 to facilitate the introduction of a revised Junior Science syllabus. Schools received a basic grant of €3,500 per science laboratory to enable them to provide the new curriculum. Additional funding was made available to schools where other specified equipment was required. In addition, certain schools identified as needing new or refurbished science laboratories as a result of a 1998 national survey received funding.

### **School Transport.**

1711. **Deputy Pat Breen** asked the Minister for Education and Science the reason school transport in respect of a person (details supplied) in County Clare was refused; and if he will make a statement on the matter. [30218/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):**

Under the terms of my Department's Post Primary School Transport Scheme, a pupil is eligible for transport if s/he resides 4.8 kilometres or more from her/his local post primary education centre, that is, the centre serving the catchment area in which s/he lives.

The pupil referred to by the Deputy resides less than 4.8 kilometres from the Post Primary Centre serving the catchment area in which he resides, therefore he is not eligible for school transport.

**Pupil-Teacher Ratio.**

1712. **Deputy Jack Wall** asked the Minister for Education and Science the average class size in primary schools in County Kildare; the average class size in other counties; and if he will make a statement on the matter. [30257/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The data in relation to class size which the Deputy requested is included in tabular form.

Average Class Size by County 2007/2008

County	Average Class Size
CARLOW	25.5
CAVAN	23.7
CLARE	23.4
CORK CITY	22.6
CORK COUNTY	24.7
DONEGAL	22.9
DUBLIN CITY	22.6
DUN LAOGHAIRE/RATHDOWN	25.2
FINGAL	26.3
GALWAY CITY	22.9
GALWAY COUNTY	21.9
KERRY	23.2
KILDARE	26.3
KILKENNY	24.7
LAOIS	24.3
LEITRIM	21.6
LIMERICK CITY	22.4
LIMERICK COUNTY	24.1
LONGFORD	22.6
LOUTH	25.0
MAYO	21.5
MEATH	25.6
MONAGHAN	23.4
OFFALY	24.2
ROSCOMMON	21.1
SLIGO	22.8
SOUTH DUBLIN	24.1
TIPPERARY N.R.	23.2
TIPPERARY S.R.	23.3
WATERFORD CITY	24.8

County	Average Class Size
WATERFORD COUNTY	24.5
WESTMEATH	23.9
WEXFORD	24.5
WICKLOW	24.9

The mainstream staffing schedule allocates teachers within enrolment bands and the current bands are based on an average of 27 pupils. While the schedule allocates on the basis of an average each individual school decides how to arrange its classes. This means for example that two different schools that have the same enrolment and as a result are allocated the same number of teachers may choose to configure their classes differently. Depending on a school's own circumstances one school may aim for a very even distribution across all class groups while another school may chose to have lower numbers in a particular class group or groups with consequently larger numbers in other classes. With over 20,000 individual classes spread across all schools throughout the country there will always be differences in individual class sizes.

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

Multi-grade classes are the norm in the majority of our primary schools given the number of relatively small schools that have 4 teachers or less and there is no evidence whatsoever that being taught in a multi-grade setting is to the detriment of the child. I think more principals should consider multi-grade classes where they are in the best interests of pupils who might otherwise find themselves in a single grade large class.

### **Schools Refurbishment.**

1713. **Deputy Jack Wall** asked the Minister for Education and Science the position regarding a new secondary school (details supplied) in County Kildare; and if he will make a statement on the matter. [30258/08]

1840. **Deputy Seán Ó Feargháil** asked the Minister for Education and Science his views on correspondence regarding ongoing structural deficiencies at a school (details supplied) in County Kildare; when the new community college project will commence construction; the health and safety issues that will be dealt with at the existing school pending transfer to the new campus; and if he will make a statement on the matter. [30072/08]

1854. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when provision will be made for the replacement of facilities at a school (details supplied) in County Kildare; when he was first alerted to the overcrowding; the timescale for the works required; and if he will make a statement on the matter. [30482/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** I propose to take Questions Nos. 1713, 1840 and 1854 together.

The Department has received a Tender Report for the project. Progress on individual projects, including this one, will be considered in the context of the multi-annual School Building and Modernisation Programme.

[Deputy Batt O’Keeffe.]

I am not in a position to say at this stage when construction is likely to commence on the project in question.

My Department has made contact with the school’s management authority regarding the possibility of carrying out repairs on the prefabricated accommodation as an interim measure.

### **Schools Building Projects.**

1714. **Deputy Jack Wall** asked the Minister for Education and Science the position regarding a new primary school (details supplied) in County Kildare; and if he will make a statement on the matter. [30259/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project to which the Deputy refers is currently at an advanced stage of architectural planning.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

### **Schools Building Projects.**

1715. **Deputy Jack Wall** asked the Minister for Education and Science the position regarding an extension to a primary school (details supplied) in County Kildare; and if he will make a statement on the matter. [30260/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The proposed building project for the school to which the Deputy refers is at an early stage of architectural planning.

The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

1716. **Deputy Jack Wall** asked the Minister for Education and Science the position regarding an extension to a primary school (details supplied) in County Kildare; and if he will make a statement on the matter. [30261/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The proposed building project for the school to which the Deputy refers is at an advanced stage of architectural planning.

The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

1717. **Deputy Jack Wall** asked the Minister for Education and Science the number of applications for extensions and new buildings received from primary schools and secondary schools in County Kildare; the number of extensions completed in County Kildare in each of the past three years; and if he will make a statement on the matter. [30262/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** There are currently 56 applications submitted by primary schools and 15 for post primary schools for major capital works in Kildare.

In the last three years 31 extension projects and six new schools have been completed at primary level while at post primary level eight extension projects have been completed over the same period in Co. Kildare.

### **Special Educational Needs.**

1718. **Deputy Jack Wall** asked the Minister for Education and Science the number of special needs assistants employed in County Kildare; the funding provided for such assistants; the plans he has to increase the number of assistants; and if he will make a statement on the matter. [30263/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** There are currently 414 Special Needs Assistants (whole-time equivalents) employed in schools in County Kildare. Three hundred and fifty four are serving in Primary schools and sixty in Post Primary schools.

The National Council for Special Education is responsible, through its network of local Special Educational Needs Organisers, for allocating Special Needs Assistants (SNAs) to schools and for reviewing such allocations.

Special Needs Assistants are intended to support children who have care needs arising from a disability. The nature and level of support provided is based on the assessed needs of the individual child having regard to the criteria set out in my Department’s circulars.

Special Needs Assistants in primary, voluntary secondary, community and comprehensive schools are employed by the individual school authority and paid centrally on my Department’s payroll. In the case of VEC schools, the Special Needs Assistants are employed and paid directly by the VEC concerned. A common salary scale applies across all sectors.

### **Information and Communications Technology.**

1719. **Deputy Jack Wall** asked the Minister for Education and Science the funding provided to purchase computers for schools; the funding provided to schools in County Kildare; the plans he has to extend this scheme; and if he will make a statement on the matter. [30264/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I recently published the ICT Strategy Group Report, Investing Effectively in ICT in Schools 2008-2013, together with the evaluation report undertaken by my Department’s Inspectorate, ICT in Schools, which represents the first major study of the impact that ICT is having on teaching and learning in our schools. While acknowledging the progress made since the ICT in Schools Programme was first launched some ten years ago, these Reports set out a substantial agenda to be pursued to fully integrate ICT into teaching and learning in our classrooms.

The Government’s commitment to pursuing the integration of ICT in teaching and learning is set out in the Programme for Government. The National Development Plan envisages investment of some €252m in this area over the period of the Plan. While we face significant challenges in implementing some of the recommendations made in these Reports having regard to the current public finance position, I am committed to investing in this area as resources permit and I am anxious that we progress a number of key deliverables as soon as possible.

The role of the individual school ICT co-ordinator will be prioritised along with support for school principals. Nationwide seminars on e-Learning for these personnel will be held and handbooks on planning and implementing e-Learning in Schools are in preparation. A pro-



[Deputy Batt O’Keeffe.]

Professional development course for ICT co-ordinating teachers on the development of e-Learning Plans will also be available. The National Centre for Technology in Education will collaborate with the various school support agencies to integrate ICT into the delivery of all support services. New on-line and blended ICT professional courses will be offered and ICT will be integrated into all curriculum development activities. My Department will shortly issue a tender for the next round of the Schools’ Broadband Programme and the range of services available to schools will be expanded. A free website hosting service will be provided to schools, which will provide a unique ‘.scoilnet.ie’ website address to schools.

The specific information sought by the Deputy in relation to schools in Kildare is not readily available. Since its introduction, some €200m has been invested in the ICT in Schools Programme and schools have received specific ICT equipment grants and networking grants under the various initiatives of the ICT in Schools Programme.

Outside of the specific ICT in Schools Programme, new post-primary school buildings projects include ICT equipment budgets and since 2004, all new school building projects must comply with the Department’s ICT Infrastructure Guidelines. The Grant Scheme for Minor Works to National School Properties includes ICT equipment within the range of approved school expenditure. Disadvantaged schools are also benefiting from the €3.4m ICT Grant scheme for DEIS (Delivering Equality of Opportunity in Schools) Schools from the Dormant Accounts (Educational Disadvantage) Fund. A further €1m Fund is being supported from the Dormant Account Fund to assist up to 100 DEIS schools achieve digital schools status. The arrangements for the initiative are being finalised with the NCTE. Grants have also been issued to some 500 post-primary schools to enable them to upgrade their facilities to enable them to provide the new Technology syllabus and the revised Design and Communication Graphics syllabus with effect from September 2007.

### **Higher Education Grants.**

1720. **Deputy Fergus O’Dowd** asked the Minister for Education and Science if higher education grants will be awarded in respect of persons (details supplied) in County Louth; and if he will make a statement on the matter. [30268/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The decision on eligibility for student maintenance grants is a matter for the relevant assessing authority, either the local authority or VEC, as appropriate. These bodies do not refer individual applications to my Department, except in exceptional circumstances.

If an individual applicant considers that she/he has been unjustly refused a maintenance grant, or that the rate of maintenance grant awarded is not the correct one, she/he may appeal, in the first instance, to the relevant local authority or VEC.

Where an individual applicant has had an appeal turned down, in writing, by the relevant local authority or VEC and remains of the view that the body has not interpreted the schemes correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to my Department.

### **School Staffing.**

1721. **Deputy Michael McGrath** asked the Minister for Education and Science the outcome of an appeal by the board of management of a primary school (details supplied) in County Cork regarding the mainstream staffing allocation in respect of the 2008/09 school year. [30271/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** It is open to the Board of Management of a primary school to submit an appeal under certain criteria to an independent Appeal Board which was established to adjudicate on appeals on mainstream staffing allocations in primary schools. Details of the criteria and application dates for appeal are contained in the staffing schedule, (Circular 0010/2008) which is available on my Department’s website at *www.education.ie* and a hard copy of which has issued to all primary schools. The criteria are also available in Circular 0024/2007 (Appeal Board for Mainstream Staffing in Primary Schools) which is also available on my Department’s website.

The first meeting of the Appeal Board took place on 20th May, 2008. However I understand that no appeal application was submitted by the school to which the Deputy refers on that occasion.

The next meeting of the Appeal Board is scheduled to take place on 28th October 2008. The closing date for receipt of appeals is 10 October 2008. Appeals must be submitted to Primary Payments Section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made. The application form is available from Primary Payments Section or on my Department’s website.

The Appeal Board operates independently of my Department and its decision is final.

#### **Vocational Educational Committees.**

1722. **Deputy Bernard Allen** asked the Minister for Education and Science if he has received a request for an additional €55,000 to fit out a new premises (details supplied) in Cork; and if so, when the €55,000 will be allocated to the City of Cork Vocational Education Committee. [30278/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** City of Cork Vocational Education Committee submitted a request for €55,000 for the fit out of the new premises referred to by the Deputy. In consultation with the VEC, it was agreed that funding for these works would be met from surplus funds available at the end of 2007. A letter to this effect was issued to the VEC on 27 June 2008.

#### **Schools Building Projects.**

1723. **Deputy Dinny McGinley** asked the Minister for Education and Science if his attention has been drawn to a report that found that electrics in a school (details supplied) in County Donegal are in a dangerous state; and his plans to make the school safe for both pupils and teachers. [30317/08]

1762. **Deputy Ruairí Quinn** asked the Minister for Education and Science the reason a primary school (details supplied) has been kept in a queue for nearly eleven years and has not been given an indication from his Department which would allow the board of management to proceed to the next stages of tender and construction in view of the serious condition of the existing building and the need to upgrade; and if he will make a statement on the matter. [30869/08]

1841. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science if his attention has been drawn to the fact that an application for a building project in respect of a school (details supplied) in County Donegal was made more than 11 years ago; if his attention has been further drawn to the fact that the electrical contractor has concluded that the electrics are unsafe, that there is no fire alarm system in the school, and that the electrical consumer

[Deputy Caoimhghín Ó Caoláin.]

board does not have proper tripping protection; when this project will progress to the next stages of tender and construction; and if he will make a statement on the matter. [30084/08]

1844. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science if his attention has been drawn to the fact that an application for a building project in respect of a school (details supplied) in County Donegal was made more than 11 years ago; if his attention has been further drawn to the fact that the electrical contractor has concluded that the electrics are unsafe, that there is no fire alarm system in the school, and that the electrical consumer board does not have proper tripping protection; when this project will progress to the next stages of tender and construction; and if he will make a statement on the matter. [30319/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1723, 1762, 1841 and 1844 together.

The project to which the Deputies refer is currently at an advanced stage of architectural planning.

The progression of the project to construction will be considered the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the commencement of construction at this time.

1724. **Deputy Catherine Byrne** asked the Minister for Education and Science the position of a school building project (details supplied); when this school can expect works to begin; and if he will make a statement on the matter. [30353/08]

1744. **Deputy Mary Upton** asked the Minister for Education and Science if he will review the decision to halt the promised extension at a school (details supplied) in Dublin 6W; if he will ensure that the work of this extension commences as promised; and if he will make a statement on the matter. [30504/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1724 and 1744 together. The proposed building project for the school to which the Deputies refer is at an advanced stage of architectural planning.

The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

1725. **Deputy Catherine Byrne** asked the Minister for Education and Science the position of a school building project (details supplied) in Dublin 8; when this school can expect works to begin; and if he will make a statement on the matter. [30354/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department has received an application for major capital funding from the school to which the Deputy refers.

The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

### Home-School Liaison Scheme.

1726. **Deputy Catherine Byrne** asked the Minister for Education and Science the position of an application for a home school community liaison co-ordinator (details supplied); and if he will make a statement on the matter. [30356/08]

1728. **Deputy Catherine Byrne** asked the Minister for Education and Science the position of an application for a home school community liaison coordinator by a school (details supplied) in Dublin 8; and if he will make a statement on the matter. [30358/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** I propose to take Questions Nos. 1726 and 1728 together.

My Department has recently completed a full review of the allocation of posts and clustering arrangements under Home School Community Liaison (HSCL). As a result, posts are allocated to schools on the basis of their levels of disadvantage and enrolment, having regard to geographic proximity or 'association' (where children from the same family attend different schools, ie boys and girls or primary and post primary aged siblings) and to facilitate local HSCL coordinators working with families of disadvantaged children across both primary and second level.

I am pleased to advise that both schools mentioned by the Deputy have been allocated one full HSCL post following the review. Schools were advised of this outcome on 21 August 2008.

### Schools Building Projects.

1727. **Deputy Catherine Byrne** asked the Minister for Education and Science the position of a school building project (details supplied); when this school can expect works to begin; and if he will make a statement on the matter. [30357/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The proposed building project for the school to which the Deputy refers is at an advanced stage of architectural planning.

The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department's Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

*Question No. 1728 was answered with Question No. 1726.*

### Departmental Expenditure.

1729. **Deputy John Deasy** asked the Minister for Education and Science the amount spent on advertising in the Irish language by his Department and by agencies under the aegis of his Department since the enactment of the Official Languages Act 2003; and if he will make a statement on the matter. [30391/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The Official Languages Act, 2003 was signed into law on 14th July 2003. Section 9(1) of the Act refers to the duty on public bodies to ensure that either Irish or Irish and English languages are used on oral advertisements, on stationery, on signage and on advertisements. However while Section 9(1) of the 2003 Act has not yet been signed into law, in the context of my Department's role in the promotion of Irish, my Department has, where appropriate, been placing advertisements in Irish and English or Irish only.

[Deputy Batt O’Keeffe.]

Prior to 2006 a breakdown of advertising placed in the Irish Language is not readily available in my Department. The amount spent on advertising, in the Irish language, placed by my Department in each of the years since 2006 was as follows;

Expenditure on Advertising in the Irish Language	Total Advertising Expenditure
2008 €48,000 — to end August	€342,000 — to end August
2007 €176,000	€816,000
2006 €271,000	€800,000

The amount spent on advertising, placed by my Department in the years from 2003 to 2005 was as follows:

	Total Expenditure
	€
2005	504,000
2004	790,000
2003	416,000

Day to day expenditure details for the Agencies under the aegis of my Department are a matter for the individual Agencies.

#### **Special Educational Needs.**

1730. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science the number of special needs assistants employed in primary and secondary schools in County Monaghan in September 2008; the corresponding figure for September 2007; and if he will make a statement on the matter. [30402/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** There are currently 94 special needs assistants (whole-time equivalents) employed in schools in County Monaghan.

Sixty four are employed in Primary and thirty are employed in Post Primary schools.

There were ninety two special needs assistants employed in Primary and Post Primary schools during the 2007/2008 school year.

#### **Schools Building Projects.**

1731. **Deputy Pat Breen** asked the Minister for Education and Science the position regarding a school building project (details supplied) in County Clare; and if he will make a statement on the matter. [30411/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The process of appointing a design team to the school building project referred to by the Deputy has commenced.

In light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project to construction at this time.

1732. **Deputy Pat Breen** asked the Minister for Education and Science further to Parliamentary Question No. 432 of 2 July 2008, when a school building project (details supplied) in County Clare will be approved; and if he will make a statement on the matter. [30412/08]



**Minister for Education and Science (Deputy Batt O’Keeffe):** The project referred to by the Deputy is at an advanced stage of the design process.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the further progression of the project at this time.

### **School Staffing.**

1733. **Deputy Róisín Shortall** asked the Minister for Education and Science if his attention has been drawn to the case of a school (details supplied) in Dublin 9 that was notified by officials that it is to lose a teacher from September 2008; if his attention has further been drawn to the fact that this will result in a number of very large class sizes, in some cases a pupil teacher ratio of 38:1; and if he will undertake to review the staff allocation in this case. [30413/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The mainstream staffing of a primary school is determined by reference to the enrolment of the school on 30th September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued to all primary schools each year.

The staffing schedule allocates teachers within enrolment bands and the current bands are based on an average of 27 pupils. While the schedule allocates on the basis of an average each individual school decides how to arrange its classes.

Posts allocated on the basis of this staffing schedule are specifically for mainstream classes and should be deployed accordingly. School authorities are requested to ensure that the number of pupils in any class is kept as low as possible, taking all relevant contextual factors into account (e.g. classroom accommodation, fluctuating enrolment). In particular, school authorities should ensure that there is an equitable distribution of pupils in mainstream classes and that the differential between the largest and smallest classes is kept to a minimum.

Data submitted to my Department by the Board of Management of the school referred to by the Deputy, indicates that the enrolment in the school on 30th September 2006 was 236 pupils. In accordance with the staffing schedule (Circular 0020/2007), which is available on my Department’s website at [www.education.ie](http://www.education.ie), the mainstream staffing in the school for the 2007/08 school year was a Principal and 9 mainstream class teachers.

According to data submitted to my Department by the Board of Management of the school, the enrolment in the school on 30th September 2007 was 227 pupils. In accordance with the staffing schedule (Circular 0010/2008), which is available on my Department’s website at [www.education.ie](http://www.education.ie) and a hard copy of which has been issued to all primary schools, the mainstream staffing in the school for the current school year is a Principal and 8 mainstream class teachers.

It is open to the Board of Management to submit an appeal under certain criteria to an independent Appeal Board which was established to adjudicate on appeals on mainstream staffing allocations in primary schools. Details of the criteria and application dates for appeal are contained in the staffing schedule. The criteria are also available in Circular 0024/2007 (Appeal Board for Mainstream Staffing in Primary Schools) which is available on my Department’s website.

The first meeting of the Appeal Board took place on 20th May, 2008. The next meeting is scheduled to take place on 28th October 2008. The closing date for receipt of appeals is 10



[Deputy Batt O’Keeffe.]

October 2008. Appeals must be submitted to Primary Payments Section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made. The application form is available from Primary Payments Section or on my Department’s website.

The Appeal Board operates independently of my Department and its decision is final.

### **Schools Building Projects.**

1734. **Deputy Richard Bruton** asked the Minister for Education and Science the position regarding building works at a school (details supplied) in Dublin 3; and if he will make a statement on the matter. [30414/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The proposed building project for the school to which the Deputy refers is at an advanced stage of architectural planning.

The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

1735. **Deputy Pat Breen** asked the Minister for Education and Science further to Parliamentary Question No. 181 of 5 June 2008, the timeframe for the progression of all school projects in County Clare; his proposals in relation to the school building capital programme; and if he will make a statement on the matter. [30418/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The commencement and progression of all large scale building projects from initial design stage through to construction phase, including projects in County Clare, will be considered on an on-going basis in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

### **Higher Education Grants.**

1736. **Deputy Michael Ring** asked the Minister for Education and Science his plans to amend the reckonable income limits for the purposes of the special rate of maintenance grant in respect of the 2008 to 2009 academic year to ensure that families whose sole income is from social welfare will be eligible for the top-up payment; and if he will make a statement on the matter. [30436/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The process of reviewing income limits for the ordinary and Special Rate of Maintenance Grants has been recently completed in my Department and will apply for the 2008/09 academic year. The current income limit for the Special Rate of Maintenance Grant has been substantially increased by 1.6% from €18,055 to €20,147.

### **School Transport.**

1737. **Deputy Michael Ring** asked the Minister for Education and Science when a decision will be made in respect of a school transport amendment request (details supplied) in County Mayo. [30440/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** The School Transport Section of my Department has requested the Transport Liaison Officer for County Mayo to examine the background to the case referred to by the Deputy in the details supplied and to liaise directly with the families concerned.

#### **Higher Education Grants.**

1738. **Deputy Michael Ring** asked the Minister for Education and Science when a decision will be made on an appeal for a third level grant by a person (details supplied) in County Mayo. [30443/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The decision made on appeal in the case referred to by the Deputy is currently under review and it is anticipated a reply will issue to the student shortly.

#### **School Accommodation.**

1739. **Deputy Michael Ring** asked the Minister for Education and Science if he will provide additional funding to a school for the provision of the necessary services to educate a person (details supplied) in County Mayo. [30448/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Officials from my Department’s Modernisation and Policy Unit are currently arranging a meeting with the authorities of the school referred to by the Deputy to discuss their accommodation needs.

#### **Departmental Correspondence.**

1740. **Deputy Michael Ring** asked the Minister for Education and Science when a letter of consent (details supplied) in County Mayo will issue. [30459/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department has recently received correspondence to correct the Terms of Consent of a letter that issued in 1983. The Department is currently considering same.

#### **School Transport.**

1741. **Deputy Emmet Stagg** asked the Minister for Education and Science the reason for the delay in awarding suitable transport home for a person (details supplied) in County Kildare; and if he will make a statement on the matter. [30489/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** Bus Eireann, which operates the school transport service on behalf of my Department, has been asked to provide a report on the case referred to by the Deputy in the details supplied. When this report is received and considered, my Department will be in contact with the family.

#### **Educational Projects.**

1742. **Deputy John Deasy** asked the Minister for Education and Science if an application by Educate Together to be registered as a patron of second-level schools will be approved; and if he will make a statement on the matter. [30491/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I am currently considering a number of issues relating to the patronage of second-level schools and the matter raised by the Deputy will be considered in that context.

### **Schools Building Projects.**

1743. **Deputy Joanna Tuffy** asked the Minister for Education and Science the position regarding the proposed building project for a school (details supplied) in Dublin 20; and if he will make a statement on the matter. [30502/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The proposed building project for the school to which the Deputy refers is at an advanced stage of architectural planning. The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

*Question No. 1744 answered with Question No. 1724.*

### **Bogus Universities.**

1745. **Deputy Ruairí Quinn** asked the Minister for Education and Science the progress made in pursuing companies registered here purporting to be Irish universities which are not recognised in law as legitimate universities and which are in conflict with Section 52 of the Universities Act 1997; and if he will make a statement on the matter. [30512/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Section 52 of the Universities Act 1997 prohibits the use of the term “University” where the organisation is engaged in the provision of education services unless the Minister for Education and Science consents to the use of the term. The existence of organisations of the type referred to by the Deputy is contrary to the interests of Ireland’s higher education institutions, which have sought to preserve the high international standing and quality reputation of higher education in Ireland.

The Department has contacted a number of organisations which were using the title “university” without consent and in most cases when the legislative requirements were explained, the organisations concerned voluntarily agreed to stop using the title. Agreement has also been reached with the Companies Registration Office whereby any business name applied for which features the term ‘university’ will not be accepted without the express approval of the Department of Education and Science. The Irish Domain Registry has also agreed not to register web addresses using the title “university”. The Department’s website also contains a list of State-aided third level institutions, and other institutions or colleges where awards have been validated by HETAC. The Government also intends to take a number of steps to bring greater clarity and focus to the promotion of Irish educational programmes overseas. This will include the development and implementation of a Quality Mark for international education programmes, the award of which will be based on appropriate certification of educational programmes and implementation by institutions of a Code of Practice for the delivery of international education services. Responsibility for these functions will be assigned by the Government to an appropriate authority.

### **Educational Projects.**

1746. **Deputy Ruairí Quinn** asked the Minister for Education and Science if he has registered Educate Together as a patron of post-primary schools; and if he will make a statement on the matter. [30514/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department has not registered Educate Together as a patron of post-primary schools. As the Deputy will be aware, I have recently announced a review of the procedures for the establishment of new primary schools and my Department is currently examining the same issue in the context of the second-level sector. The matter raised by the Deputy will be considered in that light.

#### **Departmental Expenditure.**

1747. **Deputy Brian Hayes** asked the Minister for Education and Science the cost involved in the publication recently issued by his Department, Investing Effectively in Information and Communications Technology in Schools 2008-2013: The Report of the Minister’s Strategy Group; if a copy of this document was couriered to each school in the country; the cost involved for this; and if he will make a statement on the matter. [30570/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** In July this year, I published the report Investing Effectively in Information and Communications Technology in Schools 2008-2013, prepared by the Strategy Group appointed to advise on priorities for investment in ICT in Schools having regard to the critical success factors for successful integration of ICT into learning and teaching. It was published along with the ICT in Schools report on the evaluation of the impact of ICT on teaching and learning carried out by my Departments Inspectorate.

The report highlights the need for an integrated approach across a range of areas covering teacher professional development, digital content, broadband, technical support and ICT infrastructure in order to further the integration of ICT into teaching and learning in our schools.

The Government’s commitment to pursuing the integration of ICT in teaching and learning is set out in the Programme for Government. The National Development Plan envisages investment of some €252m in this area over the period of the Plan. While we face significant challenges in implementing some of the recommendations having regard to the current economic situation, I am committed to investing in this area as resources permit. Specific actions being taken include the planned publication by the National Centre for Technology in Education of a handbook for principals and ICT co-ordinating teachers Planning and Implementing e-Learning in your School. A professional development course for ICT coordinating teachers on the development of e-Learning Plans will also be available along with nationwide seminars on e-Learning for principals and ICT coordinating teachers to be run in the Autumn.

The report of the Strategy Group was distributed to school principals and board chairpersons in September; copies were also delivered to management organisations, libraries and other bodies. The report is also available on my department’s website. The outlay in relation to production/printing of the report (including Irish translation) and accompanying CDs has been €50,137.30. In the interests of cost effectiveness, the report was delivered in conjunction with a number of Inspectorate reports. The boxing, packing, storage and distribution outlay relating to the consolidated distribution operation has amounted to €66,163.10.

#### **Departmental Staff.**

1748. **Deputy Joan Burton** asked the Minister for Education and Science the total payroll and the total financial package including basic salary, performance, other bonuses and pension entitlements of the chief executive officer of every public agency or quango under the aegis of his Department; and if he will make a statement on the matter. [30610/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The information relevant to the Deputy’s question is being compiled and will be forwarded to her as soon as possible.

1749. **Deputy Joan Burton** asked the Minister for Education and Science the number of staff broken down by grade, the number of such staff who are full time civil servants, the number of such staff who are political appointees, the cost for 2007 of each such office in terms of salary, overtime and expenses and the projected cost for 2008 of each such office in terms of salary, overtime and expenses in respect of the private and the constituency office of him and each Minister of State within his Department; and if he will make a statement on the matter. [30625/08]

1778. **Deputy Lucinda Creighton** asked the Minister for Education and Science the number of civil service staff dealing with constituency matters in his office; the number of civil service staff dealing with constituency matters in the offices of Junior Ministers within his Department; and the cost in salaries for these staff per annum. [31127/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1749 and 1778 together.

The information in relation to the staffing and associated costs in terms of salary, overtime and expenses for my Private and Constituency offices and those of the Minister of State at my Department are as follows:

There are currently 8 officers in my Private Office, 1 of whom is a non-Civil Servant.

The grades of these officers are:

2 Special Advisers (one of whom is a non Civil Servant)

1 Higher Executive Officer/Private Secretary

2 Executive Officers

3 Clerical Officers

The total costs of this office in 2007 in terms of salary, overtime and expenses was €472,097.94. The total anticipated costs in 2008 in terms of salary, overtime and expenses are €460,664.43.

There are currently 5.5 officers in my Constituency Office, 2 of whom are non-Civil Servants. The grades of these officers are:

1 Personal Assistant (non Civil Servant)

1 Personal Secretary (non Civil Servant)

1 Higher Executive Officer

0.5 Staff Officer

2 Clerical Officers

The total costs of this office in 2007 in terms of salary, overtime and expenses was €228,608.32. The total anticipated costs in 2008 in terms of salary, overtime and expenses are €223,166.47.

There are currently 7 officers in the Private Office of the Minister of State at my Department, 2 of whom are non-Civil servants. The grades of these officers are:

1 Higher Executive Officer/Private Secretary

1 Executive Officer

3 Clerical Officers

2 Civilian Drivers (non Civil Servants)

The total cost of this office in 2007 in terms of salary, overtime and expenses was €303,437.97. The total anticipated costs in 2008 in terms of salary, overtime and expenses are €312,701.35.

There are currently 4.8 officers in the Constituency Office of the Minister of State at my Department, 2 of whom are non-Civil Servants. The grades of these officers are:

- 1 Personal Assistant (non Civil Servant)
- 1 Personal Secretary (non Civil Servant)
- 0.80 Staff Officer
- 2 Clerical Officers

The total costs of this office in 2007 in terms of salary, overtime and expenses was €191,052.52. The total anticipated costs in 2008 in terms of salary, overtime and expenses are €180,101.98. These staffing levels are within the Department of Finance Guidelines for the staffing of the Private and Constituency offices of a Minister and Minister of State. The salaries paid to the Civil Servants are in accordance with the Department of Finance salary scales for the relevant grades. The salaries paid to the non-civil servant staff are in accordance with the Department of Finance Instructions relating to the Appointment of Ministerial Private Office Staff.

The Deputies should note that the number of political appointments made by me to my staff is three, compared to five appointments made by the Minister for Education 1992-1997. In addition, the Minister of State at my Department does not have a special adviser, in contrast with the arrangements under the Rainbow Government, whereby the Minister of State 1995-97 had a special adviser.

### **Special Educational Needs.**

1750. **Deputy John Deasy** asked the Minister for Education and Science the reason a special needs assistant that was recommended for a child (details supplied) in County Waterford has not been appointed; if he will ensure that this appointment is made; and if he will make a statement on the matter. [30638/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers and special needs assistants to schools to support children with special needs. The NCSE operates within my Department’s criteria in allocating such support. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child’s special educational needs, using the contact details available on [www.ncse.ie](http://www.ncse.ie).

### **Education Welfare Service.**

1751. **Deputy Jack Wall** asked the Minister for Education and Science the assistance available to a person (details supplied) in County Kildare to assist with the cost of school books and school swimming lessons; and if he will make a statement on the matter. [30700/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department has a grant scheme in place for the provision of school books to eligible pupils. Schools that operate book rental arrangements get enhanced levels of grant. In total, over €6.3 million is allocated to schools under this grant scheme. The person referred to by the Deputy should contact the



[Deputy Batt O’Keeffe.]

Principal of the school for assistance under its book rental scheme. My Department does not provide specific grants to schools for swimming lessons.

### **Special Educational Needs.**

1752. **Deputy Michael Ring** asked the Minister for Education and Science if he will address the cutbacks in special needs assistants for special needs children; and if he will make a statement on the matter. [30707/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I wish to advise the Deputy that there have been no cutbacks in the provision of special needs assistants to support children with special needs. In fact, there are now 19,000 staff in our schools working solely with children with special needs. This includes over 10,000 SNAs — compared with just 300 in 1997.

The Deputy will be aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers and special needs assistants (SNAs) to schools to support children with special needs. Applications for SNAs may be considered by the NCSE where a pupil has a significant medical need for such assistance, a significant impairment of physical or sensory function or where their behaviour is such that they are a danger to themselves or to other pupils.

For some pupils, as they mature, their care needs may diminish over time. In such circumstances, the NCSE will review and adjust the overall level of SNA support in the school concerned. This may mean that some pupils who had previously been supported by a full time SNA may have their needs met through the shared support of an SNA or perhaps they may have no need for SNA support. The NCSE operates within my Department’s criteria in allocating such support. All schools have the names and contact details of their local SENOs. Parents may also contact their local SENOs directly to discuss their child’s special educational needs, using the contact details available on [www.ncse.ie](http://www.ncse.ie).

### **Vocational Training Opportunities Scheme.**

1753. **Deputy Michael Ring** asked the Minister for Education and Science if he will increase the allowances paid to VTOS course participants (details supplied); when these allowances were last reviewed; and if he will make a statement on the matter. [30724/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** The Vocational Training Opportunities Scheme (VTOS) is a second chance education initiative for unemployed persons, who are at least 21 years of age or over and in receipt of specified social welfare payments for at least six months. VTOS is operated through 33 VECs nationwide. VTOS students are paid a training allowance in lieu of their previous qualifying social welfare payment, at a rate equivalent to the maximum rate of jobseekers benefit. Students retain their social welfare secondary benefits and may also receive a payment for an adult or child dependant if appropriate. Social welfare rates are determined in the annual Government Budget.

VTOS students benefit from free tuition, books, materials and the VEC adult guidance service. The Adult Education childcare service, which is available to students on the VTOS, Youthreach, Senior Traveller Training and Back to Education Initiative (BTEI) programmes, now caters for 1,700 student-parents and their 2,300 children. VTOS students in receipt of their social welfare payment for one year prior to course commencement also receive a training bonus of €31.80. Students are entitled to a meal allowance and a travel allowance if they reside more than 3 miles from a centre. These allowances are equivalent to those paid to participants

on FÁS training courses and are increased periodically in line with increases in FÁS rates. The current rates have been in operation since 2002. There are currently no plans to increase these allowances.

### **Physical Education Facilities.**

1754. **Deputy Mary Upton** asked the Minister for Education and Science the number of primary schools and second level schools that have dedicated physical education halls and gym facilities; the number of primary schools and second level schools that have access to and use other State funded physical education halls and gym facilities; if these figures are not readily available if he will undertake to research the sports facilities and to revert to this Deputy once he has obtained these figures; and if he will make a statement on the matter. [30793/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The specific information sought by the Deputy is not readily available in my Department and in view of other competing priorities in the capital area, it is not possible to allocate staffing resources to the compilation of the information at this stage. My Department’s design guidelines for schools include guidance on the provision of PE Halls, general purpose rooms and outdoor hard play areas such as basketball courts. PE facilities have been provided, where appropriate, as part of my Department’s school building programme which, between 2000 and 2006, involved the delivery of over 7,800 projects, with an investment of €2.6 billion and a further €4.5 billion is to be invested under the current National Development Plan 2007-2013. Close to €600 million of this will be provided this year alone. This multi-annual funding will enable my Department to continue to take a proactive approach to the provision of modern school accommodation including PE facilities.

1755. **Deputy Mary Upton** asked the Minister for Education and Science if a sports hall will be provided for a school (details supplied) in Dublin 12; and if he will make a statement on the matter. [30798/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department has received an application for major capital funding from the school to which the Deputy refers. The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

### **Schools Refurbishment.**

1756. **Deputy Pat Breen** asked the Minister for Education and Science further to parliamentary Question No. 644 of 8 July 2008, the status of an application (details supplied); and if he will make a statement on the matter. [30812/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The school in question submitted an application to my Department for emergency funding. Emergency works grants are made available to schools most in need of resources as a result of unforeseen emergencies of a capital nature that may arise during the school year. Following assessment of the application from this school and in light of the large number of projects seeking funding from my Department for works of this nature from the budget allocated, unfortunately, it was not possible to provide funding under the Emergency Works Scheme on this occasion for the works sought.

### Higher Education Grants.

1757. **Deputy Joanna Tuffy** asked the Minister for Education and Science the funding, grant aid or fee remission available to third level part time students who have low incomes; and if he will make a statement on the matter. [30824/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Tax relief, at the standard rate of tax, is available on third-level tuition fees paid in respect of approved courses at approved higher education institutions including certain approved undergraduate courses in E.U. member states and approved postgraduate courses in E.U. member states and in non-E.U. countries. In the context of the recent social partnership discussions the Government has reaffirmed its commitment to working with the Social Partners and relevant agencies to actively encourage and support those at work, who have not previously pursued a third level qualification up to level 8 on the National Framework of Qualifications, to take up part-time courses in publicly funded third level institutions.

### Psychological Service.

1758. **Deputy Brian Hayes** asked the Minister for Education and Science the number of students waiting for a psychological assessment within both primary and post-primary education; and if he will make a statement on the matter. [30843/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I can inform the Deputy that all primary and post primary schools have access to psychological assessments either directly through my Department’s National Educational Psychological Service (NEPS) or through the Scheme for Commissioning Psychological Assessments (SCPA) which is administered by NEPS. NEPS does not keep waiting lists for assessments of children but in common with other psychological services encourages a staged assessment process whereby each school takes responsibility for initial assessment, educational planning and remedial intervention, in consultation with their assigned NEPS psychologist. Only if there is a failure to make reasonable progress in spite of the school’s best efforts, will a child be referred for individual psychological assessment. This system allows the psychologists to give early attention to urgent cases and also to help many more children indirectly than could be seen individually.

The introduction of the General Allocation model for primary schools in 2005/06 means that children with high incidence special needs now longer have to wait for an individual assessment before they can get access to extra support.

Children who manifest very special or urgent needs in school and who have not been previously assessed by a psychologist and are brought to the attention of a NEPS psychologist by the Principal teacher will usually be assessed by the psychologist within that school term. Normally, principals of schools prioritise those children in need of psychological assessment in consultation with the assigned psychologist.

In the case of schools that do not currently have dedicated NEPS psychologists assigned to them, as I already mentioned, such schools have access to psychological assessments through the SCPA. Under this Scheme, schools can commission assessments from a member of the panel of private practitioners approved by NEPS, and NEPS will pay the fees directly to the psychologist concerned. Should school authorities have specific difficulties with regard any of the foregoing I would suggest that they should contact the local NEPS Regional Director, contact details for whom are also available on my Department’s website.

### School Transport.

1759. **Deputy Brendan Howlin** asked the Minister for Education and Science the efforts in

relation to correspondence (details supplied) that his Department has made in conjunction with Bus Éireann to establish whether children who have school bus tickets are fully availing of this service; and if seats which are not regularly used by ticket holders can be re-assigned to families who are without school transport; and if he will make a statement on the matter. [30846/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** As the Deputy is aware, given the significant investment by the Department in this scheme — €175.2 million in 2008 — it is a matter of concern for the Department that some parents would reserve seats for their children and then not make full use of these seats during the full school year. Bus Éireann Inspectors and drivers provide feedback to Bus Éireann in this regard on a regular basis. Their reports indicate that the usage patterns for pupils can vary daily, there are very few pupils allocated tickets who never use their service but, given the number of routes in the network (6,000), it is difficult to specifically identify those pupils who use the service on an irregular basis.

Where a complaint of regular non use of a seat is received, Bus Éireann arranges to monitor the situation. Those pupils who are identified as using the school transport service on an irregular basis can be asked to surrender their tickets and make alternative transport arrangements. This facilitates the reallocation to other families of the seats in accordance with the terms of the school transport schemes.

#### **School Accommodation.**

1760. **Deputy Fergus O'Dowd** asked the Minister for Education and Science the position regarding a request for funding in respect of a school (details supplied) in County Louth. [30867/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The Department has recently processed the request for funding for the temporary accommodation at the school referred to by the Deputy. The funding is now in the school's accounts.

1761. **Deputy Fergus O'Dowd** asked the Minister for Education and Science the position regarding the proposed new building in respect of a school (details supplied) in County Louth; and if he will make a statement on the matter. [30868/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The proposed new building in respect of the school referred to by the Deputy has advanced to the stage that the Department has acquired the site for the new school and agreed the Schedule of Accommodation with the school authorities. In addition the process of appointing the design team for this project has commenced in that the Department published the advertisement seeking qualified consultants on the public procurement website in January 2008. These pre-qualification questionnaires have been received in the Department for assessment and the Department will be back in touch with the school authorities on this matter as soon as possible. In the interim period pending the provision of a new school building the Department has approved the rental of one further temporary classroom for this school for September 2008.

*Question No. 1762 answered with Question No. 1723.*

#### **Site Acquisitions.**

1763. **Deputy Niall Collins** asked the Minister for Education and Science the position regarding a project (details supplied) in County Limerick. [30893/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The acquisition of the site referred to by the Deputy is currently being processed in my Department. It is not possible to say at this stage when the matter will be concluded.

### State Examinations.

1764. **Deputy Paul Gogarty** asked the Minister for Education and Science the number of exemptions given to students in the junior and leaving certificate sitting Irish examinations for the past five years; the origin of these students, if not Irish; the other exemptions the same students were given during the same years; if these students studied French, Spanish, German or other languages; and if he will make a statement on the matter. [30902/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The statistical data requested by the Deputy is contained in the following document. These figures refer to all candidates who entered for Leaving Certificate and Junior Certificate in each of the years 2004 to 2008. The Leaving Certificate figures include school based candidates, external candidates and repeat candidates. The Junior Certificate figures include school based candidates and repeat candidates. The data is gathered through the Post-Primary Database returns from schools each October.

Exemptions from learning Irish are granted in accordance with the provisions of Circular M10/94, including:

- students whose primary education up to 11 years of age was received in Northern Ireland or outside Ireland
- students who were previously enrolled as recognised students in a primary school or post-primary school who are being re-enrolled after a period spent abroad, provided that at least 3 years have elapsed since the previous enrolment in the State and the student is at least 11 years of age on re-enrolment, and
- certain categories of students with special educational needs.

The scheme devolves decision making to school authorities who are required to operate strictly within the criteria. The figures therefore refer to the exemption from the study of Irish in a recognised school and not to the examination itself. The figures provided for exemptions refer, in each year, to the number of Leaving Certificate and Junior Certificate candidates from recognised schools who had an exemption from the study of Irish.

The post-primary data includes information on each student’s “country of origin”. This data is derived from the answers given by parents to the school authorities when enrolling their children. The country of origin field on the database defaults to “Ireland” unless otherwise indicated in the returns submitted by schools.

In compiling these data, the languages referred to in the attached tables are the modern languages French, Spanish, German and Italian. It should be noted that the data records the number of students studying each modern language and not the numbers studying a modern language.

The choice of subjects for post-primary students, including those for students with an exemption from the study of Irish, is a matter for the student and his or her parents in consultation with the school Principal in the context of the students overall educational needs and in accordance with policies and procedures obtaining in the school. In that context, students cannot ordinarily qualify for exemptions from modern languages except those students following the Leaving Certificate Vocational Programme and then only subject to consideration by the

inspectorate. Data on students which qualify for this exemption are not readily available and are not recorded on the Post-Primary Pupil Database.

Junior Certificate Students (including Junior Certificate Schools Programme) with an exemption from Irish

School Year	Irish Origin	Non Irish Origin	Total
2003/2004	2,562	1,214	3,776
2004/2005	3,070	1,278	4,348
2005/2006	3,620	1,459	5,079
2006/2007	3,662	1,751	5,413
2007/2008	3,544	2,138	5,682

Junior Certificate Students (including Junior Certificate Schools Programme) with an Irish Exemption Studying a modern European Language

School Year	Students
2003/2004	2,765
2004/2005	3,108
2005/2006	3,424
2006/2007	3,497
2007/2008	3,859

\* The same student may be studying more than one modern language.

Leaving Certificate Students (including Leaving Certificate Vocational Programme and Leaving Certificate Applied) with an Irish Exemption

School Year	Irish Origin	Non Irish Origin	Total
2003/2004	1,615	1,123	2,738
2004/2005	1,914	1,324	3,238
2005/2006	2,114	1,417	3,531
2006/2007	2,594	1,600	4,194
2007/2008	3,032	1,979	5,011

Leaving Certificate Students (including Leaving Certificate Vocational Programme and Leaving Certificate Applied) with an Irish Exemption Studying a modern European Language

School Year	Students
2003/2004	2,143
2004/2005	2,495
2005/2006	2,572
2006/2007	3,152
2007/2008	3,518

\* The same student may be studying more than one modern language.

**Schools Refurbishment.**

1765. **Deputy Paul Gogarty** asked the Minister for Education and Science the position



[Deputy Paul Gogarty.]

regarding the application for school refurbishment funding by a school (details supplied) in Dublin 3; and if he will make a statement on the matter. [30903/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project referred to by the Deputy is at an advanced stage of the design process. The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the further progression of the project at this time.

### Capitation Grants.

1766. **Deputy Ruairí Quinn** asked the Minister for Education and Science the reason his Department has failed to increase the grants provided to schools for information technology equipment since 2000, leaving them at €6,348.69; and his views on whether the grants should be raised to at least €8,200 to keep pace with inflation and that even this sum is insufficient to meet schools IT needs. [30956/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department is aware of the cost pressures involved in setting up new schools. However, any improvements in the start-up funding can only be considered in the context of the overall economic and budgetary position and the competing priorities for available resources. In order to alleviate some of the pressures on new schools my Department facilitates them with early payment of capitation and ancillary grants.

*Question No. 1767 answered with Question No. 1640.*

### Schools Recognition.

1768. **Deputy Paul Gogarty** asked the Minister for Education and Science the reason, in view of the fact that there are now five Educate Together schools in Lucan, his Department appears to be preventing Educate Together from setting up a second level school in the Lucan area, and that Educate Together has proven expertise; and if he will make a statement on the matter. [31080/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Educate Together is not recognised as a patron for post-primary schools. My Department is currently considering a number of issues relating to the recognition process for second-level schools and the matter raised by the Deputy will be examined in that context.

### School Placement.

1769. **Deputy Paul Gogarty** asked the Minister for Education and Science the work being carried out in the developing areas unit to progress further schools in the Lucan area, in particular to outline planned openings for the next two years in Clonburris and Adamstown; and if he will make a statement on the matter. [31081/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department has provided significant additional capacity at primary level in the Lucan area with the opening in September, 2008 of the new 8 classroom primary school in Clonburris. The long term plan for this school is the provision of a 16 classroom school and appropriate ancillary space as per

Department guidelines. Based on current demographic trends, my Department anticipates that there will be a need for a further post-primary school in Lucan in the medium term and it has asked South Dublin 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 the Department 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. My Department will also be making a post primary school available in the Adamstown SDZ which is adjacent to Lucan. This school building is planned to come on stream for the 2009/10 school year. This new post-primary school will operate under the patronage of County Dublin VEC and will cater for 1,000 pupils. Further school provision will be provided as the need arises in the Lucan area.

1770. **Deputy Paul Gogarty** asked the Minister for Education and Science the thought processes that existed which led to a school (details supplied), set up on an emergency basis to cater for students in south Lucan, being left without permanent accommodation, while it was effectively leapfrogged by another school in Clonburris; his views on whether both schools are in effect serving the same catchment area; if his attention has been drawn to the fact that the first school will only have one more year in its current location, where it is adding to traffic congestion by being located a good distance away from its core population area; if it will be provided with another Clonburris site as a matter of urgency; and if he will make a statement on the matter. [31082/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department has received correspondence from the school referred to by the Deputy on the extent of the school’s catchment area. The need for a site for the school in question has been determined. A suitable site will be sourced in the wider Lucan area taking cognisance of the school’s catchment area and the needs in Lucan generally. The acquisition of the site for the school will be considered in the context of the capital budget available to my Department for school buildings generally. In light of current competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the acquisition of the school site at this time.

#### **Site Acquisitions.**

1771. **Deputy Paul Gogarty** asked the Minister for Education and Science the position regarding developments in relation to the search for a site in respect of a school (details supplied) in County Dublin; and if he will make a statement on the matter. [31083/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Property Management Section of the Office of Public Works (OPW) was asked to source a site for the school to which the Deputy refers. The further progression of the site acquisition for the school will have to be considered in the context of the capital budget available to my Department for school buildings generally. In light of the many competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the acquisition of the school site at this time.

#### **Educational Disadvantage.**

1772. **Deputy Paul Gogarty** asked the Minister for Education and Science the instructions he has received from the Department of Finance regarding cutbacks in education; if he will

[Deputy Paul Gogarty.]

guarantee that the weakest and most vulnerable within the system will be protected in Budget 2009 and the Estimates; and if he will make a statement on the matter. [31084/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Deputy will appreciate that the preparation of the Estimates, which is ongoing, and which has recently been fast-tracked by the Government, is carried out on a strictly confidential basis. As such it would not be appropriate for me to comment specifically on this matter in advance of the formal announcements involved.

*Question No. 1773 answered with Question No. 1682.*

### **Third Level Fees.**

1774. **Deputy Paul Gogarty** asked the Minister for Education and Science the actual costed revenue raising potential of the reintroduction of school fees in view of various conflicting reports in the media; his views on whether the figures involved are worth the introduction of such a scheme; and if he will make a statement on the matter. [31086/08]

1775. **Deputy Paul Gogarty** asked the Minister for Education and Science if his attention has been drawn to the fact that the education community outside of the third level sector believes that even a very targeted fee system is actually a wedge for the extension of the scheme to those on lower incomes down the line; if he has carried out a cost-benefit analysis to find out whether such funds could be obtained through the existing tax system by making sure higher earners pay their fair share of tax by closing down loopholes and so on; his views on whether the benefits of third level education accrue to more than just the individual receiving the education and in this context make penalising a small cohort born at the wrong time fiscally imprudent; and if he will make a statement on the matter. [31087/08]

1776. **Deputy Paul Gogarty** asked the Minister for Education and Science if his attention has been drawn to the fact that there is no mention of third level fees in the programme for Government and that it is likely that such a proposal will be opposed by some members of the Government and by the Joint Committee on Education and Science; and if he will make a statement on the matter. [31088/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1774 to 1776, inclusive, together.

The issue of the re-introduction of third level fees should be viewed in the context of a wider debate on the funding of higher education. As the Deputy will be aware, I have indicated my intention to produce a new strategy for higher education that will provide a vision and strategic direction for the future development of the sector in contributing to Ireland’s economic and social development. In developing that strategy, it is appropriate that we examine how well our higher education system is performing currently, how existing resources are being used and how the system can be best supported to meet the challenges that lie ahead. The agreement of the Government will be sought on the draft terms of reference for the strategy which is expected to take some eighteen months to complete. The Government is investing unprecedented levels of public funding in higher education. In 2008 some €2 billion is being invested in our third level sector. In contributing to the achievement of national policy goals for social and economic development, it can be anticipated that there will be continuing significant resource needs for the sector. It is appropriate, however, to raise questions around how future additional resource needs can be met and how our higher education institutions can be sup-

ported in their development ambitions through a widening of their non-exchequer sources of income.

The introduction of a form of student contribution, which would only be applied to those who can absolutely afford to pay it, is one possibility that merits debate. In that regard, there are many complex and competing considerations that will fall to be taken into account in the estimation of revenue that might accrue from such an introduction. Any move towards the introduction of a student contribution in some form would require Government approval.

In shaping a new strategy for higher education, we have an important opportunity to set the sector on direction of development and change that will serve vital national economic and social interests in to the future. I look forward to engaging constructively with the sector and all of the wider interests in addressing some of these major policy issues.

### **Special Educational Needs.**

1777. **Deputy Edward O’Keeffe** asked the Minister for Education and Science if he will approve a special needs assistant in respect of a child (details supplied) in County Cork. [31103/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers and special needs assistants to schools to support children with special needs. The NCSE operates within my Department’s criteria in allocating such support. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child’s special educational needs, using the contact details available on [www.ncse.ie](http://www.ncse.ie).

*Question No. 1778 answered with Question No. 1749.*

### **Schools Building Projects.**

1779. **Deputy Dinny McGinley** asked the Minister for Education and Science when tenders were invited for a new school (details supplied) in County Donegal; if the tendering process has been completed; when it is expected that work will commence on the new project; and if he will make a statement on the matter. [31142/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** A tender report for the project referred to by the Deputy was submitted to my Department. The contract for the project has not yet been awarded. The progression of all large scale building projects, including this project, from initial design stage through to construction will be considered on an on-going basis in the context of the Department’s multi-annual School Building and Modernisation Programme. However, in light of the current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

1780. **Deputy M. J. Nolan** asked the Minister for Education and Science when approval will be given for a new building in respect of a school (details supplied) in County Carlow; and if he will make a statement on the matter. [31165/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project referred to by the Deputy is at an early stage of the design process. The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be

[Deputy Batt O’Keeffe.]

considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the further progression of the project at this time.

1781. **Deputy Willie Penrose** asked the Minister for Education and Science when the necessary upgrading and building project for a school (details supplied) in County Westmeath, which caters for the educational needs of about 800 young students will be given approval to proceed to construction in view of the fact that they have been waiting for more than 11 years for these facilities; and if he will make a statement on the matter. [31167/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The extension/refurbishment project to which the Deputy refers has a band rating of 2 and is currently at an advanced stage of architectural planning, stage 4/5 (Detailed Design/Bill of Quantities). As is the case with all large capital projects currently on hand within the Developing Areas Unit, its progression will be considered in the context of the multi-annual School Building and Modernisation Programme.

#### **Site Acquisitions.**

1782. **Deputy Ruairí Quinn** asked the Minister for Education and Science the situation regarding a new school (details supplied) in County Meath; the situation regarding the availability to his Department of the zoned site on the Navan Road for development of this new school; the procedure taken by Kells Town Council to rezone the alternative Cavan Road site for the development of the new school, if his Department were not to sanction the Navan Road site; and if he will make a statement on the matter. [31172/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** At the outset, I should point out that the procedures employed by the planning authorities in relation to the zoning of land is a matter for that authority in the first instance and I have no function in this matter. The Department has already acquired a site for a post-primary school under the Redress Scheme. The Department is currently examining the issue of the Navan Road site referred to by the Deputy and will revert to the local authority with its views on same.

#### **Schools Building Projects.**

1783. **Deputy Martin Ferris** asked the Minister for Education and Science if he will deliver on the commitment given to the staff at a school (details supplied) in County Kerry to provide funding under the school building programme to allow them proceed with their much needed new school. [31182/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** An 8 classroom Generic Repeat Design School building has been approved for the school referred to by the Deputy. The project is awaiting the appointment of a Design Team. The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the further progression of the project at this time.



### School Accommodation.

1784. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of primary schools whose buildings consist entirely of prefabricated buildings; the statistics on a county basis; and if he will make a statement on the matter. [31185/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** With the recent rapid increase in the school going population, a large number of new schools have been established in recent years, under the process for the recognition of new schools conducted by the New Schools Advisory Committee. It is the general practice of my Department not to provide permanent accommodation for schools which have only received temporary recognition. When the school receives permanent recognition, it is then open to the school to apply for funding for permanent accommodation. In the meantime, some new schools are accommodated in prefabricated buildings, while others rent permanent premises.

The information sought by the Deputy is not held by my Department in a readily-accessible format. However, the investment of almost €4.5 billion under the current National Development Plan is increasing the number of permanent school places across the country. This investment in schools includes the completion of construction work during the course of 2008 on 67 large scale building projects, the opening of 26 new school buildings in rapidly developing areas and the progression of 374 devolved projects under the Permanent Accommodation and Small Schools Schemes.

This level of activity under the school building programme builds on the significant achievements under the last National Development Plan when over 7,800 building projects were delivered to provide new and modernised educational infrastructure. The Permanent Accommodation Scheme was introduced in 2003 to reduce the need for prefabs. It was designed to give value for money in terms of providing permanent accommodation in place of prefabs, where an accommodation need was likely to exist for a considerable length of time. Since its introduction, over €100 million has been allocated to schools under the scheme and it has resulted in the provision of an additional 625 classrooms and 275 resource rooms in schools around the country. This is in addition to those classrooms provided under the major capital projects managed by my Department.

Had the Permanent Accommodation Scheme not been in place, a very significant proportion of those classrooms and resource rooms would have had to be provided using temporary accommodation such as prefabricated classrooms. Despite this, it will continue to be necessary for prefabricated accommodation to be provided because competing priorities mean that it will not always be possible to have a permanent accommodation solution in place in a short time-frame. My Department will continue to provide funding for such prefabricated accommodation and the decision on whether to rent or purchase will depend on the likely length of time it will be required. In all cases, the approach will be to ensure best value for money.

### Departmental Agencies.

1785. **Deputy Leo Varadkar** asked the Minister for Education and Science the bonuses, merit awards and other payments above the basic salary they have approved for the heads of State agencies, boards and other quangos for 2005, 2006, 2007 and to date in 2008; the basis on which they made the decision to approve such awards; and if he will make a statement on the matter. [31191/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The information relevant to the Deputy’s question is being compiled and will be forwarded to him as soon as possible.



### School Placement.

1786. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Science if there has been an assessment of educational need in the Glencullen Sandyford local electoral ward which has seen an increase in population of nearly 10,000 people during the past twelve years. [31202/08]

1787. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Science his plans in place to build new schools in the Glencullen/Sandyford local electoral ward to cope with increased demand due to a population boom in recent years. [31203/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1786 and 1787 together.

The Forward Planning Section of the Department is in the process of identifying the areas where significant additional accommodation will be required at primary and post-primary level for 2009 and onwards, including Glencullen/Sandyford. Factors under consideration include population growth, demographic trends, current and projected enrolments, recent and planned housing developments and capacity of existing schools to meet demand for places. Having considered these factors decisions will be taken on the means by which emerging needs will be met within an area. As is the case with all large capital projects currently on hand within the Department, their progression will be considered in the context of the multi-annual School Building and Modernisation Programme.

### Schools Building Projects.

1788. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Science when funding for a permanent school building for a school (details supplied) in Dublin 18 will be provided. [31204/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project to which the Deputy refers is currently at an early stage of architectural planning. The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered on an on-going basis in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

1789. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Science if he will provide a specific school building list for the Glencullen/Sandyford local electoral ward. [31205/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department does not categorise the school building programme on the basis of local electoral wards. However, if the Deputy has a query in relation to a specific school he can contact my officials in the Department who will be happy to assist in this regard.

1790. **Deputy Seán Sherlock** asked the Minister for Education and Science when funding for a new school at Rahan, Mallow, County Cork will be approved in view of the fact that earlier in 2008 the existing school experienced a serious rat infestation; and if he will make a statement on the matter. [31212/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** A new 8 classroom school building has been approved for the school referred to by the Deputy. The project is awaiting the appointment of a Design Team. The progression of all large scale building projects, including this project, from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the further progression of the project at this time.

1791. **Deputy Seán Sherlock** asked the Minister for Education and Science if he will approve funding for the provision of a new school (details supplied) in County Cork in view of the fact that students have been in temporary accommodation at the local community centre, since 1999. [31213/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Following a technical examination of the site, proposed for donation to the Department by a developer, my officials wrote to the developer requesting contract documents. A reply is awaited. As an interim measure my Department has sanctioned the rental of temporary premises and accommodation in order for the school to operate. Progression of a project to provide permanent accommodation for the school in question will be considered in the context of the Multi-Annual School Building and Modernisation Programme.

1792. **Deputy Seán Sherlock** asked the Minister for Education and Science if he will expedite an application for a new school (details supplied) in County Cork which has been awaiting the go ahead since the purchase of a site in 2006; and if he will make a statement on the matter. [31214/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Schedules of overall accommodation for the school to which the Deputy refers have been agreed with Co. Cork Vocational Education Committee to cater for a long term enrolment of 325 pupils. The progression of this project as with all large scale building projects, from initial design stage through to construction phase, will be considered on an on-going basis in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

#### **Institutes of Technology.**

1793. **Deputy Brian O’Shea** asked the Minister for Education and Science the position regarding the application of Waterford Institute of Technology for upgrading to the University of the South East; and if he will make a statement on the matter. [31241/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The position is that applications have been received from 3 Institutes of Technology for designation as Universities. These applications raise significant issues regarding Government policy towards higher education, in particular the existing roles of the Universities and Institutes of Technology which have distinctive missions from each other, provide different levels and types of academic programmes, fulfil different roles in the community and have separate academic and governance structures. I am in the process of meeting with all of Institutes of Technology concerned and I expect that consideration of the applications on hands will be finalised in the coming weeks.

### Schools Building Projects.

1794. **Deputy Emmet Stagg** asked the Minister for Education and Science if, in view of the fact that no appeal was lodged with An Bord Pleanála regarding the granting of planning permission for the new school (details supplied) in County Kildare and the commitments to fast track the construction of the school, he will sanction the capital funding to enable construction of the new school to commence in 2008. [31242/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Planning permission has been granted for the building project at the school in question. The Department is currently awaiting submission of the stage 2b (detailed design) documentation from the Project Design Team. When this is received it will be examined by the Department’s Technical Section. The progression of this and all large scale capital building projects in the Department will be considered in the context of the multi-annual School Building and Modernisation Programme. I am not in a position to say at this stage when construction is likely to commence on the project.

1795. **Deputy Emmet Stagg** asked the Minister for Education and Science if he will sanction the appointment of a design team for the required extension to a school (details supplied) in County Kildare. [31250/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The proposed project at this school has a band rating of 1.1, the highest priority that the Department assigns to major capital projects. The first stage in the process is the appointment of a Design Team and this will be considered in the context of the Department’s Multi-Annual School Building and Modernisation Programme and is subject to the availability of capital resources.

### Site Acquisitions.

1796. **Deputy Emmet Stagg** asked the Minister for Education and Science if he has reopened negotiations in relation to the purchase of a site for a permanent school (details supplied) in County Kildare; and if not the reason for same. [31252/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The acquisition of the site for the school will be considered in the context of the capital budget available to my Department for school buildings generally. In light of many competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the acquisition of the school site at this time.

### Schools Building Projects.

1797. **Deputy Emmet Stagg** asked the Minister for Education and Science when a design team will be appointed for the required extension to a school (details supplied) in County Kildare. [31256/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The development of a building project for the school in question is at an early stage. The project is awaiting the appointment of a Design Team. 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. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the further progression of the project at this time.

1798. **Deputy Emmet Stagg** asked the Minister for Education and Science if he will sanction the submitted tender for the required extension to a school (details supplied) in County Kildare. [31259/08]

1824. **Deputy Bernard J. Durkan** asked the Minister for Education and Science further to Parliamentary Question No. 261 of 21 May 2008 if an assessment has been completed in respect of a school (details supplied) in County Kildare; his plans to progress this project in the next six months in view of the increased population in the area; and if he will make a statement on the matter. [31503/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1798 and 1824 together.

A tender report for the school referred to was received in my Department. The progression of major capital projects including this one, will be considered in the context of the Department’s Multi-Annual School Building and Modernisation Programme. I am not in a position to say at this stage when construction is likely to commence on the project.

1799. **Deputy Emmet Stagg** asked the Minister for Education and Science if he will sanction capital funding for the required extension to a school (details supplied) in County Kildare. [31261/08]

1822. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the position further to the reply to Parliamentary Question No. 257 of 21 May 2008, the position in respect of a school (details supplied) in County Kildare; and if he will make a statement on the matter. [31501/08]

1827. **Deputy Bernard J. Durkan** asked the Minister for Education and Science if he has received further documentation in respect of a school (details supplied) in County Kildare; his plans to progress the matter in the next six months; and if he will make a statement on the matter. [31506/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1799, 1822 and 1827 together.

Officials from my Department have received the Stage 3 submission (i.e. Developed Sketch Scheme) from the school’s Design Team. The Stage 3 submission is currently being reviewed by the Technical Staff of my Department for their observations. It is expected that a review meeting will be organised between the Board of Management, its Design Team and the Department to assess the submission in due course.

As is the case with all large capital projects currently on hand within the Developing Areas Unit, its progression will be considered in the context of the multi-annual School Building and Modernisation Programme.

1800. **Deputy Emmet Stagg** asked the Minister for Education and Science if he will sanction capital funding to enable construction of a school (details supplied) in County Kildare to commence. [31263/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project to which the Deputy refers is currently at early architectural planning. A stage 2(a) submission, Developed Sketch Design, has recently been received in my Department. Officials are currently examining the Stage submission. The progression of all large scale building projects from initial design

[Deputy Batt O’Keeffe.]

stage through to tender and construction, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. It is not possible at this stage to say when the project in question will proceed to construction.

1801. **Deputy Emmet Stagg** asked the Minister for Education and Science the position in relation to the provision of permanent accommodation for a school (details supplied) in County Kildare. [31264/08]

1821. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the position further to the reply to Parliamentary Question No. 256 of 21 May 2008; the position in respect of a school (details supplied) in County Kildare; and if he will make a statement on the matter. [31500/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1801 and 1821 together.

The project for the school in question is at an advanced stage of architectural planning.

The progression of further major capital projects including this one, will be considered on an on-going basis in the context of the Department’s Multi-Annual School Building and Modernisation Programme and is of course subject to the availability of capital resources.

I am not in a position to say at this stage when construction is likely to commence on the project.

#### **Pupil-Teacher Ratio.**

1802. **Deputy Emmet Stagg** asked the Minister for Education and Science the number of pupils by school in each national school in County Kildare for the 2007/2008 school year in class sizes of less than 20, 20 to 24 pupils, and 25 to 29 pupils, 30 to 34 pupils, 35 to 39 pupils and 40 plus pupils. [31265/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department is currently examining its policy in relation to the dissemination of data on class size in respect of individual classes in individual schools with a view to determining the best approach to the information needs of users and the resources required to generate tables for special requests.

Data are already published on a regular basis in relation to class size for each County in each year.

1803. **Deputy Emmet Stagg** asked the Minister for Education and Science if his attention has been drawn to the fact that two first classes in a school (details supplied) in County Kildare have 34 pupils in each class and that the school does not qualify for developing school status; and if he will review the circumstances in this school in view of the promise in the Programme for Government to reduce class sizes for under 9s to 20 pupils. [31266/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Schools have flexibility in the way in which they assign pupils and teachers to classes and the Department does not allocate teachers to specific classes or age groups. The mainstream staffing of a primary school is determined by reference to the enrolment of the school on 30th September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued to all primary schools each year.



Posts allocated on the basis of this staffing schedule are specifically for mainstream classes and should be deployed accordingly. School authorities are requested to ensure that the number of pupils in any class is kept as low as possible, taking all relevant contextual factors into account (e.g. classroom accommodation, fluctuating enrolment). In particular, school authorities should ensure that there is an equitable distribution of pupils in mainstream classes and that the differential between the largest and smallest classes is kept to a minimum.

Within the terms of the staffing arrangements for primary schools there is provision for additional posts, referred to as developing school posts, to be assigned to schools on the basis of projected enrolments for the next school year. Under these arrangements, a developing school post may be sanctioned provisionally where the projected enrolment at 30th September of the school year in question equals or exceeds a specified figure. If the specified figure is not achieved on 30th September, sanction for the post is withdrawn.

According to data submitted to my Department by the Board of Management of the school referred to by the Deputy, the enrolment in the school on 30th September 2007 was 460 pupils. In accordance with the staffing schedule (Circular 0010/2008), which is available on my Department's website at [www.education.ie](http://www.education.ie) and a hard copy of which has been issued to all primary schools, the mainstream staffing in the school for the current school year is a Principal and 17 mainstream class teachers.

It is open to the Board of Management to submit an appeal under certain criteria to an independent Appeal Board which was established to adjudicate on appeals on mainstream staffing allocations in primary schools. Details of the criteria and application dates for appeal are contained in the staffing schedule. The criteria are also available in Circular 0024/2007 (Appeal Board for Mainstream Staffing in Primary Schools) which is available on my Department's website.

The first meeting of the Appeal Board took place on 20th May, 2008. The next meeting is scheduled to take place on 28th October 2008. The closing date for receipt of appeals is 10 October 2008. Appeals must be submitted to Primary Payments Section, Department of Education and Science, Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made. The standard application form is available from Primary Payments Section or on my Department's website.

The Appeal Board operates independently of the Department and its decision is final.

### **Schools Building Projects.**

1804. **Deputy Alan Shatter** asked the Minister for Education and Science if his attention has been drawn to the fact that a school (details supplied) in Dublin 18, has no permanent school building, that all classrooms are prefabricated and that the school is located in an area of rapid population growth; and if he will give the necessary sanction and funding for the construction of the long awaited and urgently needed permanent new school building. [31272/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The proposed building project for the school to which the Deputy refers is at an early stage of architectural planning.

The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department's Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.



### **Psychological Service.**

1805. **Deputy David Stanton** asked the Minister for Education and Science further to Parliamentary Question No. 47 of 3 July 2008, if all the 33 psychologists who were offered places in the National Educational Psychological Service have accepted the posts offered; if all those who have accepted the posts have begun work in the service; if not, when they are due to begin; when he will commence recruitment for the remainder of the posts to reach the target of 200 in 2009; and if he will make a statement on the matter. [31281/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I can inform the Deputy in this regard that currently 19 Psychologists have been appointed to and taken up duties with NEPS, 2 have deferred such appointment in the short-term and 3 others are at an advanced stage in finalising their arrangements with my Department’s Personnel Section. Additionally 8 psychologists who have accepted an offer of an appointment are currently undergoing the requisite Garda vetting process and a response is currently awaited from 1 additional individual in relation to acceptance of an offer of appointment.

Decisions in relation to the timing of further expansion of NEPs during 2009 will be taken in the context of the finalisation of my Department’s 2009 Estimates allocation.

### **Special Educational Needs.**

1806. **Deputy David Stanton** asked the Minister for Education and Science further to Parliamentary Question No. 47 of 3 July 2008, if he is in a position to implement the remaining sections of the Education for Persons with Special Educational Needs Act 2004 in particular the provisions in relation to individual education plans and assessments; if he has set deadlines for the implementation of same; and if he will make a statement on the matter. [31282/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As the Deputy is aware, a number of sections of the Education for Persons with Special Educational Needs (EPSEN) Act, 2004 have been commenced. Following discussions with the Education partners, my Department developed proposals to facilitate implementation of the remaining sections, including the provisions in respect of assessment and individual education plans (IEPs). These proposals are being considered in the context of the 2009 estimates process.

The Deputy may wish to note that the National Council for Special Education (NCSE) has published guidelines on the IEP process, and a copy issued to all primary and post-primary schools at the commencement of the 2006/2007 school year. These guidelines provide advice and assistance to schools, teachers and parents on devising and implementing individual education plans. It is intended that schools will use these guidelines to develop school practices and procedures in relation to individual education plans, in advance of the mandatory requirement for them to do so.

I remain committed to the provision of resources for students with special educational needs and my Department continues to expand capacity and services for these students across the schools network through the work of the National Council for Special Education.

### **Schools Building Projects.**

1807. **Deputy Brian Hayes** asked the Minister for Education and Science his views on the issue of the proposed extension of a school (details supplied) in Dublin 20; when a decision will be made to allow the school to proceed with the project; and if he will make a statement on the matter. [31294/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project to which the Deputy refers is currently at an advanced stage of architectural planning. The progression of all large scale building projects, including the this project, from initial design stage through to construction phase will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

#### **School Staffing.**

1808. **Deputy David Stanton** asked the Minister for Education and Science his views on extending the retirement age for special needs assistants, who were employed before 2004, beyond the mandatory 65 years; and if he will make a statement on the matter. [31305/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Public Service Superannuation (Miscellaneous Provisions) Act 2004 removed the requirement to retire on age grounds but only in the case of persons coming within the definition of New Entrant as set out in the Act. In general terms a New Entrant under the Act is a person who commences employment in the public service on or after 1 April 2004 or a person who returns to employment in the public service since that date after a break in service of more than 26 weeks.

Special Needs Assistants, other than New Entrants, must retire at the end of the school year in which he/she reaches age 65 but may retire voluntarily any time after reaching age 60.

#### **Infectious Diseases.**

1809. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Science the steps being taken to ensure that MRSA, C difficile and other such bugs do not infect pupils while at school here, as has happened in the outbreaks of MRSA which has led to fatalities in schools in the USA in the past year; and if he will make a statement on the matter. [31359/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Issues in relation to public health are primarily a matter for the Health Service Executive. The HSE has forwarded some advice on these matters to the Department and this will be issued to schools in the coming weeks.

#### **Higher Education Grants.**

1810. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Science the reason a person (details supplied) in Dublin 12 has not been informed of a decision of their appeal for an extension of a year for the grant they were previously paid to allow them to complete their PhD in chemistry in Trinity College in view of the importance of encouraging studies in the sciences and the fact that the person is from a disadvantaged area and the need to encourage and help students from such areas. [31363/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** A reply has issued to the candidate referred to by the Deputy in respect of his appeal from the Higher Education- Equity Of Access Unit of my Department.

1811. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Science if it is intended to look at extending the years where maintenance and fees grants are available from a maximum of four years at present to five years to take account of students pursuing post-graduate studies and the need in the current climate to encourage students to continue with

[Deputy Aengus Ó Snodaigh.]

their studies in order that Ireland has a higher educated base for Ireland's knowledge based economy; and if he will make a statement on the matter. [31364/08]

**Minister for Education and Science (Deputy Batt O'Keeffe):** Under the student support schemes eligible undergraduate students may avail of grant aid for a period of in excess of four years in particular circumstances. At post graduate level grant aid is limited to four years.

Any extension to the scope of the maintenance grants scheme, can be considered only in the light of available resources and in the context of competing demands within the education sector.

### **Schools Building Projects.**

1812. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when he received an application for major capital funding from a school (details supplied) in County Kildare; when same is expected to be granted; and if he will make a statement on the matter. [31491/08]

1813. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when he received an application for capital funding from a school (details supplied) in County Kildare; when payment will be awarded; and if he will make a statement on the matter. [31492/08]

1814. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when he received an application for capital funding from a school (details supplied) in County Kildare; when payment will be awarded; and if he will make a statement on the matter. [31493/08]

1815. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when he received an application for capital funding from a school (details supplied) in County Kildare; when funding will be awarded; and if he will make a statement on the matter. [31494/08]

1816. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when he received an application for capital funding from a school (details supplied) in County Kildare; when funding will be awarded; and if he will make a statement on the matter. [31495/08]

1817. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when he received an application for capital funding from a school (details supplied) in County Kildare; when funding will be awarded; and if he will make a statement on the matter. [31496/08]

1818. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when he received an application for capital funding from a school (details supplied) in County Kildare; when funding will be awarded; and if he will make a statement on the matter. [31497/08]

1819. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when he received an application for major capital funding from a school (details supplied) in County Kildare; when funding will be awarded; and if he will make a statement on the matter. [31498/08]

1820. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when he received an application for major capital funding from a school (details supplied) in County Kildare; when funding will be awarded; and if he will make a statement on the matter. [31499/08]

1825. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when he received an application for large scale capital funding in respect of new school facilities (details supplied) in County Kildare; if this matter will be progressed in the next six months in view of the increased population of the area; and if he will make a statement on the matter. [31504/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1812 to 1820, inclusive and 1825 together.

I can confirm to the Deputy that my Department is in receipt of applications for large scale capital funding from the schools to which he refers. The projects have been assessed in accordance with the published prioritisation criteria for large scale building projects. The progression of all large scale building projects, including these projects, from initial design stage through to construction phase will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the projects at this time.

*Question No. 1821 answered with Question No. 1801.*

*Question No. 1822 answered with Question No. 1799.*

#### **Schools Building Projects.**

1823. **Deputy Bernard J. Durkan** asked the Minister for Education and Science further to Parliamentary Question No. 259 of 21 May 2008 if an assessment has been completed in respect of this school; his plans to progress this project in the next six months in view of the increased population in the area; and if he will make a statement on the matter. [31502/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** An extension project for the school in question is at an advanced stage of architectural planning.

The further progression of the project will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the further progression of the project at this time.

*Question No. 1824 answered with Question No. 1798.*

*Question No. 1825 answered with Question No. 1812.*

#### **Schools Building Projects.**

1826. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the further information received regarding a proposed school (details supplied) in County Kildare; his plans to progress the matter in the next 12 months; and if he will make a statement on the matter. [31505/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project to which the Deputy refers is currently at early architectural planning. A stage 2(a) submission, Developed Sketch Design, has recently been received in my Department. Officials are currently examining the Stage submission. The progression of all large scale building projects from initial design stage through to tender and construction, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. It is not possible to say at this stage when construction will commence.

*Question No. 1827 answered with Question No. 1799.*

### **Schools Building Projects.**

1828. **Deputy Bernard J. Durkan** asked the Minister for Education and Science further to Parliamentary Question No. 237 of 21 May 2008, the additional information received regarding the proposed new school at Kill, County Kildare; his plans to progress the issue in the next 12 months in view of the urgency of the ongoing situation which has been repeatedly brought to the attention of his Department over the past 10 years; and if he will make a statement on the matter. [31507/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I can now inform the deputy that planning permission has been granted for the building project at Kill, Co. Kildare. Tendering for contractors is next stage in the process following receipt of the stage 2b submission, currently awaited by the Department.

The progression of this and all large scale capital building projects in the Department will be considered in the context of the multi-annual School Building and Modernisation Programme.

### **Teachers’ Remuneration.**

1829. **Deputy Brendan Howlin** asked the Minister for Education and Science if his attention has been drawn to the fact that due to the terms of revised circular 10/01 incremental credit for teaching service outside the EU is limited to a maximum of seven years; his views on whether non-EU teaching experience will be of benefit to the Irish education system, in view of the large numbers of non-EU children enrolled in schools here; his views on amending revised circular 10/1 to allow for increased incremental credit for non-EU teaching service; and if he will make a statement on the matter. [31528/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The terms of award of incremental credit to teachers are determined by the Conciliation Council for Teachers, which is the forum for the discussion by representatives of the management and staff sides of claims, terms and conditions of employment.

Arrangements for the award of incremental credit for primary teachers are outlined in Circular 10/01, and any changes in arrangements would have to be negotiated through the Conciliation Council for Teachers. In this context, if the matter is to be considered by the Council, it should be raised by the teachers’ union.

### **Consultancy Contracts.**

1830. **Deputy Arthur Morgan** asked the Minister for Education and Science the amount that was spent by his Department on consultants in 2007 and to date in 2008. [31645/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department spent a total of €517,043.86 on consultants in 2007.

The most recent figure to end May 2008 indicates that a total of €184,567.31 was spent on consultants.

### **Literacy Levels.**

1831. **Deputy Joan Burton** asked the Minister for Education and Science the amount of money that has been allocated under the National Action Plan for Social Inclusion to achieve high level goal number two to reduce the proportion of pupils with serious literacy difficulties, in primary schools serving disadvantaged communities, from 30% to 15% by 2016; the progress



that has been made on achieving this goal; and if he will make a statement on the matter. [30894/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** The Department of Education and Science has as one of its primary goals the achievement of high literacy standards. Both the National Action Plan for Social Inclusion (2007-2016) and the National Development Plan (2007-2013) have a high level goal of reducing the proportion of pupils with serious literacy difficulties in primary schools serving disadvantage communities from 30% to 15% by 2016.

The National Action Plan for Social Inclusion complemented by the social inclusion elements of the National Development Plan 2007-2013, sets out Ireland's social inclusion strategy over the period 2007-2016. No specific monies are allocated under the National Action Plan for Social Inclusion. However, since 2007 some €3.1 million has been allocated to literacy and numeracy programmes at primary level.

My Department will spend some €800 million this year on tackling educational disadvantage at all levels — from pre-school to further and higher education. This represents an increase of some €70 million since 2007 and is testament to the Government's determination to prioritise social inclusion and ensure that all our children and young people get the supports they need to do well at school.

Significant resources to address literacy and numeracy difficulties in schools serving disadvantaged communities are being provided through DEIS (Delivering Equality of Opportunity in Schools), the action plan for educational inclusion. These measures include:

- a maximum class size of 20:1 in junior classes and 24:1 in senior classes in the 190 urban/town schools serving the most disadvantaged communities.
- increased access to literacy and numeracy support services for all primary schools and to specific literacy and numeracy measures for all urban/town primary schools in DEIS.
- access to a range of supports for young people based on best practice identified through the School Completion Programme (include homework clubs).

Reading Recovery is now in place in 197 schools and a newly trained teaching leader will increase capacity in Dublin from autumn 2008 with another two teachers to undergo training in 2008/2009 school year. There are currently 260 schools taking part in the First Steps Programme, 334 schools in Ready Set Go Maths and 252 schools in Maths Recovery.

Resources are also being made available for intensive professional development programmes for principals and teachers in DEIS schools. A Family Literacy Project is also being implemented, the aim of which is to develop a family-literacy approach based on parents and children enjoying learning together. The Schools Development Planning service will continue to support schools in developing their plans and policies for teaching literacy and numeracy and in setting measurable targets for the reduction of serious literacy and numeracy difficulties.

#### **School Services Staff.**

1832. **Deputy Frank Feighan** asked the Minister for Education and Science if he will review the decision to terminate information technology advisors to 21 education centres in view of the effect on education and further in view of the way in which the timing of the decision may also adversely affect the employment prospects of the teachers involved; and if he will make a statement on the matter. [29287/08]



**Minister for Education and Science (Deputy Batt O’Keeffe):** A Value for Money Review of the ICT Support Service, which addressed the work of the National Centre for Technology in Education (NCTE), the ICT Advisory Service and specific posts assigned to the National Council for Curriculum and Assessment, was undertaken by my Department and will shortly be laid before the Houses of the Oireachtas. While concluding that the Service is generally effective and efficient, the Report recognises that each school must plan and execute its own policy for ICT integration across the curriculum. It concludes that now, ten years on, the resources currently utilised by the ICT Advisory Service operating from the regional Education Centres would be better employed focussing supports for ICT leadership and change within each school.

There were three vacancies among the 21 ICT Advisor posts attached to the regional full-time Education Centres in June 2008 and a further post was due to be vacated following the retirement of an ICT advisor. Of the remaining 17 posts, 14 were filled by teachers on secondment from their teaching duties and three were filled on a non-secondment contract basis. These posts have been renewed annually. Against this background, the Education Centres were advised by the NCTE that my Department was not prepared to renew secondment arrangements for the 14 teachers seconded as ICT Advisors. The implementation of these arrangements was discussed with the Education Centres and schools concerned and any difficulties arising in specific schools due to the return of the teachers concerned were addressed by my Department.

The position in relation to the three non-seconded ICT advisor posts is that my Department authorised the NCTE to fund the relevant Education Centres to offer temporary short-term contracts for the persons concerned for the remainder of the calendar year. While I understand that the three persons concerned did not wish to avail of this offer, my Department is engaged in ongoing discussions with the relevant Unions.

The NCTE will continue to provide advice and support to schools on the integration of ICT into teaching and learning and will continue to provide a range of ICT continuing professional development courses for teachers. The NCTE will work closely with the support services supported by my Department. The role of the school’s ICT coordinating teacher, with the support of the school principal, will be prioritised as central in the provision of ongoing ICT support and advice to teachers. Local school-based and peer to peer support has been identified internationally as the most effective way to further ICT integration in schools. This emphasis on “in school” promotion of, and support for, ICT integration in teaching and learning is consistent with the Reports of the Strategy Group, Investing Effectively in Information and Communication Technology in Schools 2008-2013, and the evaluation report undertaken by my Department’s Inspectorate, ICT in Schools, which I published in July.

The NCTE will be publishing a handbook, Planning and Implementing e-Learning in your School, for principals and ICT co-ordinating teachers. A professional development course for ICT coordinating teachers on the development of e-Learning Plans will also be available along with nationwide seminars on e-Learning for principals and ICT coordinating teachers to be run this Autumn.

### **Disruptive Students.**

1833. **Deputy Cyprian Brady** asked the Minister for Education and Science the arrangements that will be in place from the behaviour support initiative for the academic year 2008/2009 in respect of a school (details supplied) in Dublin 7; and if he will make a statement on the matter. [29446/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The National Behaviour Support Service (NBSS) provides behaviour improvement support and advice to 62 schools nationally and special behaviour support classrooms/programmes have been established in 36 of these schools. Behaviour support classrooms/programmes provide an individualised intensive intervention for students who are unable to abide by a schools code of behaviour. This intervention teaches appropriate behaviours to students and also addresses literacy issues if they arise. The core purpose of a behaviour support classroom/programme is to enable a student to access all education provision in their school.

All schools with a behaviour support classroom/programme have the equivalent of two additional teachers above their allocation. The school in question has a behaviour support classroom/programme and therefore has the equivalent of two additional teachers above their allocation. In addition the school also has the ongoing support and advice from a Regional Development Officer and an Assistant National Co-ordinator from the NBSS.

### **Irish Language.**

1834. **Deputy Ruairí Quinn** asked the Minister for Education and Science if he will confirm that he received correspondence from a person (details supplied) in County Kerry outlining their concerns for the future of the Irish language in Gaeltacht primary schools; if his attention has been drawn to the validity of the observations made for the necessity to reduce the pupil teacher ratios, particularly in smaller rural schools, the requirement that learning support hours be increased by 50% and the recognition that up to 26% of pupils in these schools were neither born in the Gaeltacht nor speak the Irish language at home; the steps he proposes to take to ensure that this cradle of the spoken Irish language is secured within the primary school system; and if he will make a statement on the matter. [29515/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I wish to confirm that my Department has received the correspondence referred to by the Deputy.

The issues referred to in the correspondence will be considered in the context of Government policy on supports for the Irish language and having regard also for the overall economic and budgetary position and the competing priorities for available resources.

*Question No. 1835 answered with Question No. 1649.*

### **Teaching Qualifications.**

1836. **Deputy Phil Hogan** asked the Minister for Education and Science if he will examine the criteria for the higher diploma in education in respect of students who qualify with an arts degree from Ballyfermot College; and if he will make a statement on the matter. [29532/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Teaching Council is the designated statutory body for the recognition of qualifications for teaching. A post-primary teacher in this State must hold a suitable degree and a suitable teacher-education qualification.

A suitable degree is a degree or equivalent award from a State recognised university or similar third level college which is adequate to enable the holder to teach to the highest level (in the case of the majority of subjects, this is Leaving Certificate, higher level) at least one subject from the post-primary schools curriculum. The duration of such a degree programme must be at least three years of full-time study or equivalent.

A suitable teacher-education qualification is a qualification from a State recognised university or similar third level college directed towards the 12-18 age range (First year to Sixth year). The duration of such a programme must be at least one year of full-time study or equivalent.

[Deputy Batt O’Keeffe.]

Recognised third level institutions can apply to have particular qualifications approved for post primary teaching. Where granted, this approval is referred to as general recognition for teaching at post primary level. Where a third level institution has not applied for and been granted general recognition for a particular qualification, it is open to the individual to apply to the Teaching Council for recognition.

The Teaching Council has informed my Department that it has not been asked to assess qualifications from Ballyfermot College of Further Education for the purposes of general recognition. If an individual graduate or Ballyfermot Further Education College wishes to have a qualification assessed for teacher registration purposes, the individual or the College should apply to the Teaching Council and the qualification will then go through the assessment process.

Access to the Postgraduate Diploma in Education is managed by the Postgraduate Diploma in Education Applications Centre in Galway [www.pac.ie](http://www.pac.ie) for the NUI colleges or Trinity College, University of Limerick and DCU directly. In all cases applicants are required to hold a degree recognised by the Teaching Council for registration purposes.

### **Schools Building Projects.**

1837. **Deputy Leo Varadkar** asked the Minister for Education and Science when he will lodge a planning application for permanent buildings in respect of a school (details supplied) in Dublin 15; and if he will make a statement on the matter. [29594/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project at the school to which the Deputy refers is currently at ‘Stage 1’ (i.e. site report and preliminary sketch scheme) of the Architectural Planning Process.

Planning permission will be lodged once the detailed design has been approved. I am not in a position at this stage to say when this will be done.

### **Schools Refurbishment.**

1838. **Deputy Michael Noonan** asked the Minister for Education and Science if he will increase the grant aid sanctioned for an extension and refurbishment of a primary school (details supplied) in County Limerick in order to bridge the gap between the cost of the project and the grant aid sanctioned; and if he will make a statement on the matter. [29751/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Under the Small Schools Scheme, a grant of €380,000 was allocated in 2007 to Loughill National School to enable the Board of Management to extend and modernise their school.

The Small Schools Scheme is not intended to leave schools with significant fundraising needs, rather the terms of the Scheme require the schools to tailor the scope of capital works commissioned to the available funding. The decision on whether to continue participating in the scheme or to drop out, if the scope of build is more than the funding envelope permits, is a matter for each school authority.

A central tenet of the devolved scheme is that the school, granted discretion and funding, must equally accept responsibility for prioritisation, adherence to statutory regulations, as well as control of costs and ensuring value for money.

In line with the original intention of the Small Schools Scheme, the Board of Management is required to take the necessary steps to ensure that the scope of the works undertaken

matches the funding being allowed and that the school should complete the project within the funding envelope provided.

In the current economic climate and with considerable demands on the capital budget of my Department, it is not possible to approve significant increases in the amounts grant aided to schools. It is the responsibility of the school authorities to manage the resources allocated to them to ensure maximum value for money and to control costs.

### **School Transport.**

1839. **Deputy Bernard J. Durkan** asked the Minister for Education and Science if school transport facilities will be offered to primary school children from Clane to attend a school (details supplied) in County Kildare in view of the fact that schools in Clane have no vacancies and the school can offer places to children from Clane if school transport will be provided on a bus that already passes the school; and if he will make a statement on the matter. [29903/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** Under the terms of the Primary School Transport Scheme, children are eligible for free transport, subject to certain conditions, to their nearest national school.

However, pupils not attending their nearest national school may avail of fare-paying transport to another school, provided:

- (a) the written agreement of the board of management of the nearest school is secured;
- (b) there are spare seats available on the bus; and
- (c) no extra cost is incurred by extending or re-routing an existing service.

The families of the children referred to by the Deputy should liaise with their local Bus Éireann office regarding the availability of spare seats on any existing bus service to the school in which the children are enrolled.

There is no provision within the school transport scheme to provide transport to pupils in the circumstances referred to by the deputy.

*Question No. 1840 answered with Question No. 1713.*

*Question No. 1841 answered with Question No. 1723.*

### **Site Acquisitions.**

1842. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science when the authorisation for the purchase of the site in respect of a school (details supplied) in County Donegal will proceed in view of the fact that the Office of Public Works have deemed the site in question to be the most suitable and have reached agreement with the vendor on a price. [30085/08]

1845. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science when the authorisation for the purchase of the site in respect of a school (details supplied) in County Donegal will proceed in view of the fact that the Office of Public Works have deemed the site in question to be the most suitable and have reached agreement with the vendor on a price. [30320/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1842 and 1845 together.

[Deputy Batt O’Keeffe.]

The acquisition of the site for the school will be considered in the context of the capital budget available to my Department for school buildings generally. In light of many competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the acquisition of the school site at this time.

### **Schools Building Projects.**

1843. **Deputy Denis Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 147 of 8 November 2007, if he will expedite the project concerned in view of the traffic situation at the school site; and if he will make a statement on the matter. [30202/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The progression of all large scale building projects, including the project referred to by the Deputy, from initial design stage through to construction phase will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

*Question No. 1844 answered with Question No. 1723.*

*Question No. 1845 answered with Question No. 1842.*

### **Capitation Grants.**

1846. **Deputy Liz McManus** asked the Minister for Education and Science if he will increase the capitation grant to a school (details supplied) in County Wicklow in view of the fact that the school is running annually at a loss and parents have to continuously fundraise and pay voluntary contributions; and if he will make a statement on the matter. [30321/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The scope for any increases in the capitation grant for this or any other school has to be considered in the context of Government budgetary policy and the overall economic climate.

My Department is aware of the funding pressures on schools. However, progress has been made in recent years that has seen the primary school capitation grant increased from €81.26 per pupil in 2000 to its current rate of €178.58. This represents an increase of almost 120% in the standard rate of capitation grant since 2000. The compares to a cumulative increase in the Consumer Price Index between 2000 and the end of 2007 of about 30%.

In 2008 alone the Department has paid around €167m to primary schools to meet their day to day running costs. The improvements mean that the combined day-to-day funding for primary schools has increased by €21 to €330 per pupil. As a result, a primary school with 300 pupils will receive almost €100,000 to meet their running costs.

Furthermore enhanced rates of capitation funding are paid in respect of children with special educational needs who attend special schools or special classes attached to mainstream schools. The current rates range from €457.00 to €880 per pupil — an increase of 42% from the rate in 2006.

Voluntary contributions by parents of pupils in recognised primary schools are permissible provided it is made absolutely clear to parents that there is no question of compulsion to pay and that, in making a contribution, they are doing so of their own volition. The manner in which such voluntary contributions are sought and collected is a matter for school management,



however their collection should be such as not to create a situation where either parents or pupils could reasonably infer that the contributions take on a compulsory character.

### **Departmental Properties.**

1847. **Deputy Richard Bruton** asked the Minister for Education and Science if his Department retains a compensable interest in buildings and equipment provided at State expense in circumstances in which a school building located on religious lands closes and it is proposed to sell. [30324/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department has in the past sought a consideration where a school building on religious or other Patron lands closes. If equipment was supplied by the Department, then it remains Department property to be used as the Department determines. However if the equipment is supplied by local fundraising then the Board of Management should determine what to do.

### **Schools Refurbishment.**

1848. **Deputy Tom Hayes** asked the Minister for Education and Science the position regarding a school (details supplied) in County Tipperary that has applied for emergency funding in respect of urgent repairs to the roof of the school which is in a dangerous condition. [30327/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The school referred to by the Deputy applied for funding for roof works to the school building under the emergency works scheme.

Generally emergency works grants are made available to schools most in need of resources as a result of unforeseen emergencies of a capital nature that may arise during the school year. The application from the school was assessed in my Department, however, in light of the large number of projects seeking funding under this scheme from the budget allocated, it was not possible to provide funding to the school at this time.

### **Schools Building Projects.**

1849. **Deputy Catherine Byrne** asked the Minister for Education and Science the position of a school building project (details supplied); if he will expedite the construction of new classrooms and a sports hall which have been promised since 2000; and if he will make a statement on the matter. [30355/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department has received an application for major capital funding from the school to which the Deputy refers.

The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

1850. **Deputy Bernard J. Durkan** asked the Minister for Education and Science his plans to extend a school (details supplied) in County Kildare; if the necessary land acquisition can be obtained ; and if he will make a statement on the matter. [30376/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Applications for extensions have been received from the two schools referred to by the Deputy. The application for the boys school has been assessed and the next step will be to appoint a Design Team for the



[Deputy Batt O’Keeffe.]

project. My Department is in receipt of an application for an extension to the girls’ school. This has not been fully assessed at this stage.

The commencement and progression of all large scale building projects from initial design stage through to construction phase, including these projects, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the further progression of these projects at this time.

### **Pupil-Teacher Ratio.**

1851. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science the number of children in County Monaghan being taught in this school term in classes of more than 30 pupils; the corresponding figure for 2007; and if he will make a statement on the matter. [30401/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Data for the current school year, 2008/09, is not available as the Annual Primary School Census has yet to take place.

In the school year 2007/2008, of 6,561 primary school pupils in County Monaghan, 1,276 were taught in classes of 30 or more.

The mainstream staffing schedule allocates teachers within enrolment bands and the current bands are based on an average of 27 pupils. While the schedule allocates on the basis of an average each individual school decides how to arrange its classes. This means for example that two different schools that have the same enrolment and as a result are allocated the same number of teachers may choose to configure their classes differently. Depending on a school’s own circumstances one school may aim for a very even distribution across all class groups while another school may chose to have lower numbers in a particular class group or groups with consequently larger numbers in other classes. With over 20,000 individual classes spread across all schools throughout the country there will always be differences in individual class sizes.

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

Multi-grade classes are the norm in the majority of our primary schools given the number of relatively small schools that have 4 teachers or less and there is no evidence whatsoever that being taught in a multi-grade setting is to the detriment of the child. I think more principals should consider multi-grade classes where they are in the best interests of pupils who might otherwise find themselves in a single grade large class.

### **Higher Education Grants.**

1852. **Deputy Michael Ring** asked the Minister for Education and Science if he will review a claim for the special rate of maintenance grant by a person (details supplied) in County Mayo in view of the fact that the reckonable income of their parents is solely from social welfare. [30437/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The decision on eligibility for student maintenance grants is a matter for the relevant assessing authority, either the local

authority or VEC, as appropriate. These bodies do not refer individual applications to my Department, except in exceptional circumstances.

If an individual applicant considers that she/he has been unjustly refused a maintenance grant, or that the rate of maintenance grant awarded is not the correct one, she/he may appeal, in the first instance, to the relevant local authority or VEC.

Where an individual applicant has had an appeal turned down, in writing, by the relevant local authority or VEC and remains of the view that the body has not interpreted the schemes correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to my Department.

### **School Staffing.**

1853. **Deputy Michael Ring** asked the Minister for Education and Science his plans regarding a sector (details supplied). [30447/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The recruitment and appointment of teachers to fill vacancies in an individual primary school is a matter for the Board of Management of the school concerned. It is the policy of my Department that unqualified personnel should only be employed in exceptional circumstances and when all avenues for recruiting qualified personnel have been exhausted. Unqualified personnel should therefore only be employed for short periods pending the recruitment of a fully qualified teacher.

Persons who serve as unqualified temporary or substitute teachers are entitled to holiday pay which is paid by my Department. Payment is made in accordance with the entitlements provided for under the Organisation of Working Time Act, 1997.

The forum for dealing with claims for improvements to the conditions of service for teachers is the Teachers Conciliation Council.

*Question No. 1854 answered with Question No. 1713.*

*Question No. 1855 answered with Question No. 1682.*

### **School Transport.**

1856. **Deputy Jack Wall** asked the Minister for Education and Science the position regarding an entitlement of a person (details supplied) in County Kildare for travel expenses to travel to national school; and if he will make a statement on the matter. [30701/08]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** Under the terms of my Department’s Primary School Transport Scheme, pupils who reside 3.2 kilometres or more from, and are attending, their nearest suitable national school as determined by my Department, are eligible for free school transport. The position in this case is that the child referred to by the Deputy is not attending his nearest national school and therefore is not eligible for school transport. It is open to pupils who are not attending their nearest school to apply for concessionary transport to the school which they are attending. Concessionary transport is offered subject to a number of terms and conditions, including the availability of spare seating on an existing service. The parents of the pupil referred to by the Deputy should liaise with their local Bus Éireann office to establish whether their child may avail of fare-paying transport on the foregoing terms.

### **Psychological Service.**

1857. **Deputy Michael Ring** asked the Minister for Education and Science his views on recommendations of a psychological assessment undertaken privately on a student; if recom-

[Deputy Michael Ring.]

mendations are only implemented when the assessment is undertaken by National Educational Psychological Service; and if he will make a statement on the matter. [30720/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I can inform the Deputy that my Department makes no distinction between the recommendations included in an educational psychological assessment raised by a private psychologist or one employed by the National Educational Psychological Service. Where such recommendations relate to the allocation of additional resources for a child with special needs the process is bound within my Department’s criteria in allocating such support and is administered by the National Council for Special Education through its regional network of SENOs.

### **Schools Building Projects.**

1858. **Deputy Jim O’Keeffe** asked the Minister for Education and Science if he will now give the go-ahead for the extension to Kinsale Community School the first application for which was made more than eight years ago and which was agreed five years ago; and if he will make a statement on the matter. [30810/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The development of a building project for the school in question is at an early stage. The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the further progression of the project at this time.

### **Millennium Partnership Scheme.**

1859. **Deputy Joanna Tuffy** asked the Minister for Education and Science the position regarding the millennium partnership scheme; the location of which mature students resident in Lucan can apply for funding under this scheme; and if he will make a statement on the matter. [30823/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The objective of the Millennium Partnership Fund for Disadvantaged students is to support students from disadvantaged areas with regard to retention and participation in further or higher education courses. Partnership Companies and Community Groups manage the fund at a local level. The student referred to by the Deputy may contact the Blanchardstown Area Partnership on 01 8209550 which is the Local Area Partnership company for the Lucan area.

### **Third Level Fees.**

1860. **Deputy Joanna Tuffy** asked the Minister for Education and Science if his attention has been drawn to the practice of universities waiving fees for postgraduate courses in respect of the children of lecturers and professors from the universities concerned; if his Department has a role in approving such waivers; and if he will make a statement on the matter. [30825/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department wrote to the Higher Education Authority (HEA) in 1982 in relation to the practice referred to by the Deputy confirming that it should be discontinued. Following a claim on behalf of affected staff the Labour Court subsequently issued a recommendation stating that existing arrangements for staff should continue however the fee remission scheme should not apply to staff recruited

after 30 September 1992. I have asked the HEA to remind the universities of the terms of the Labour Court recommendation.

### **Special Educational Needs.**

1861. **Deputy Joan Burton** asked the Minister for Education and Science if his attention has been drawn to the existence of a school (detail supplied) in County Dublin; his views on whether the service provided there is essential to young people with a learning disability who benefit from it and that those benefitting from this service fall into the category of most vulnerable in our society; if his attention has further been drawn to the fact that a decision has been made to close the facility as a result of the withdrawal of funding by the Health Service Executive and FÁS; if he will review and reverse this decision to withdraw funding in order that this facility can continue in existence; and if he will make a statement on the matter. [30842/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I understand that the facility referred to by the Deputy is not a recognised State school and is therefore not funded by my Department. The Deputy may wish to make contact with the Health Service Executive and the Department of Enterprise, Trade and Employment regarding the matter raised by him.

### **School Accommodation.**

1862. **Deputy Seán Barrett** asked the Minister for Education and Science when he proposes to address the problem of extended prefabricated classroom accommodation in schools, in which teachers and students frequently spend their entire teaching and student careers; his views on whether malodorous and damp classrooms are unacceptable and not conducive to productive study and effective teaching; and if he will make a statement on the matter. [31036/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Permanent Accommodation Scheme was introduced in 2003 to reduce the need for prefabs. It was designed to give value for money in terms of providing permanent accommodation in place of prefabs, where an accommodation need was likely to exist for a considerable length of time. Since its introduction, over €100m has been allocated to schools under the scheme and it has resulted in the provision of an additional 625 classrooms and 275 resource rooms in schools around the country. This is in addition to those classrooms provided under the major capital projects managed by my Department. Had the Permanent Accommodation Scheme not been in place, a very significant proportion of those classrooms and resource rooms would have had to be provided using temporary accommodation such as prefabricated classrooms. Despite this, it will continue to be necessary for prefabricated accommodation to be provided because competing priorities mean that it will not always be possible to have a permanent accommodation solution in place in a short time-frame. My Department will continue to provide funding for such prefabricated accommodation and the decision on whether to rent or purchase will depend on the likely length of time it will be required. In all cases, the approach will be to ensure best value for money. However, it should be noted that the current school building programme which is underway is a major programme, involving an investment of almost €600m in school buildings. This investment in schools includes the completion of construction work during the course of 2008 on 67 large scale building projects, the opening of 26 new school buildings in rapidly developing areas and the progression of 374 devolved projects under the Permanent Accommodation and Small Schools Schemes. This level of activity under the school building programme builds on the significant achievements under the last National Development Plan when over 7,800 building projects were delivered to provide new and modernised educational infrastructure.

**Schools Building Projects.**

1863. **Deputy Paul Gogarty** asked the Minister for Education and Science if his attention has been drawn to the fact that costs for operating a prefab at a school (details supplied) in Dublin 20 are now in the region of €12,300 per month, not including heating or electricity, an extra telephone and broadband line and extra insurance and that the first ESB bill was €1,400 and the second €7,511; if in view of the fact that such costs, which would be typical in other schools awaiting the go-ahead for proper extensions, any cost benefit analysis has been carried out which would justify not speeding up the programme by investing upfront, thus saving schools and ultimately the Exchequer; and if he will make a statement on the matter. [31078/08]

**Minister for Education and Science (Deputy Batt O’Keeffe):** A building project for the school referred to by the Deputy is at an advanced stage of architectural planning and the temporary accommodation approved for the school is required to facilitate the progression of the building project. The commencement and progression of all large scale building projects from initial design stage through to construction phase, including this project, will be considered in the context of my Department’s Multi-Annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the further progression of the project at this time.