

DÁIL ÉIREANN

DÍOSPÓIREACHTAÍ PARLAIMINTE PARLIAMENTARY DEBATES

TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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*Dé Máirt, 30 Meán Fómhair 2008.
Tuesday, 30 September 2008.*

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

*Paidir.
Prayer.*

Business of Dáil: Motion.

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

That, notwithstanding anything in Standing Orders, Oral Questions to the Taoiseach shall not be taken today; Oral Questions to the Minister for Health and Children shall be taken now until 3.30 p.m., followed by Leaders' Questions, and on the conclusion of Leaders' Questions and the announcement of matters selected for the adjournment, the sitting shall be suspended until 6 p.m.

Question put and agreed to.

Ceisteanna — Questions.

Priority Questions.

Promised Legislation.

113. **Deputy James Reilly** asked the Minister for Health and Children the date she expects legislation on the fair deal nursing home support scheme to be published; the reason for the delay in publication; and if she will make a statement on the matter. [32673/08]

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. The legislation required in order to introduce the scheme is complex and has involved careful drafting to ensure that the interests of older people requiring residential care are fully protected. The Minister expects to publish the Bill within the next two weeks or so and to bring it before the Houses of the Oireachtas for debate in this Dáil session.

On publication of the Bill, further engagement will take place with stakeholders on the details of the new scheme. This will take place under the auspices of Towards 2016.

The necessary funding for the scheme will be addressed as part of the forthcoming budget.

Deputy James Reilly: This scheme was first announced in 2006 and was to be introduced, we were told in 2007, in January 2008. We are now being told it will be published in two weeks. I hope it will be published on this occasion and that we will have a full and proper debate and plenty of time to consider it, as I requested previously. This is a considerable issue for patients and their families.

With regard to the funding for 2008, some €85 million was saved. Was it allocated to the nursing home refund scheme? Where is it now? This is a very important issue for many families. It is not just pertinent to nursing homes but it is having a considerable impact on hospitals. Patients in north Dublin cannot get into Beaumont Hospital because the beds are filled with patients who cannot be discharged.

It is a fact that there are 22 long-stay and rehabilitation beds per 1,000 over-65s nationally. In Dublin North, which has the second highest population of over-65s, there are only three such beds. Some days ago, the Minister and I were in a new modern facility in Balrothery in Balbriggan which has 40 spare beds, yet people are screaming for beds in Beaumont and the Mater. Three weeks ago the Mater had 130 people awaiting discharge and the accident and emergency department had discharged all its patients into the day-care beds such that surgery could not take place.

This issue is real for people, including an 80 year old man who was sent home from Beaumont Hospital last week. Two days later he had a number of falls, culminating in a fall at 11 p.m., and he was found on the floor at 10 a.m. the next day covered in his own faeces. This man worked all his life and paid his taxes, yet this is all we can offer him.

Will the Minister put the funding available for the fair deal scheme in 2008 back into subvention to allow people obtain long-stay care for their loved ones and to take the pressure off hospitals? While we do need more beds, there are beds available as we speak without our having to build new ones. Why can we not avail of them?

Deputy Máire Hctor: A number of legal issues led to the undesirable delay that occurred in respect of the finalising of the Bill for Government. Legal issues emerged in the discussions with the Parliamentary Counsel and these had to be cleared before the Bill could come before Government for approval. Thankfully we are now at a very advanced stage.

On Deputy Reilly's question on the €110 million for the scheme, to date €13 million has been allocated from those moneys provided in budget 2008 for the provision of 200 contract beds. Approval was also given to the HSE to utilise a further €12 million in meeting the costs associated with nursing home subventions and existing contract beds. This brings to €25 million the total funding redirected from the nursing home support scheme and committed to nursing home supports in 2008. The intention was that the balance of the €110 million would be used to meet certain other additional costs facing the health services this year as part of the budgetary consolidation measure announced by the Government in July. The necessary funding for the

scheme dealt with in the Bill, which will be published in the next couple of weeks, is an issue to be dealt with in the forthcoming budget.

Deputy James Reilly: There will be no additional funding for the people this year. There is no relief for them.

Deputy Máire Hctor: I have made clear what has been allocated at this point.

Health Service Executive Expenditure.

114. **Deputy Jan O'Sullivan** asked the Minister for Health and Children the information she has been given on plans by the Health Service Executive to reach its budget targets for 2008; if her attention has been drawn to the proposals to cut back on services; if her attention has further been drawn to plans by the HSE to introduce or increase charges to the public; if she has an arrangement in place whereby she would be made aware of such proposals; and if she will make a statement on the matter. [32183/08]

Minister for Health and Children (Deputy Mary Harney): In the first half of the year the Health Service Executive identified a projected deficit for this year in the region of €300 million if no remedial action were taken. The executive brought forward proposals to address the deficit and bring expenditure back in line with its Vote. The proposals were agreed by the board of the HSE. I was advised of the measures by the chairman of the HSE and that the goal for the remainder of the year would be to ensure an overall balanced Vote outcome on expenditure while optimising patient services and continuing the reform agenda.

These proposals, which were designed to ensure the delivery of the service plan, contained initiatives to further maximise value for money and reduce spending in areas where excess expenditure was occurring. The measures taken included bringing levels of service back in line with the targets set out in the service plan, as well as a range of cost savings in operational overheads. The latter included a reduction in travel and subsistence, a reduction in consultancy and advertising costs and the cancellation of all non-essential training. Other initiatives included increasing the collection of hospital charges and addressing absenteeism.

Implementation of these measures is being monitored by the executive and reported in line with the accountability procedures in place for monitoring the executive's expenditure and implementation of its service plan. These procedures include monthly meetings between my Department, the Department of Finance and the executive, quarterly high level meetings between my Department's Secretary General, the executive's CEO and their respective management teams. There is also ongoing liaison between my Department and the various directorates of the executive.

In respect of statutory charges, there were increases in accident and emergency and in bed charges at the beginning of the year.

Deputy Jan O'Sullivan: On a day when the Government can find an estimated €400 billion to €500 billion to guarantee the banks their money will be safe, I must question whether the Minister for Health and Children can guarantee in any way that vulnerable patients will be protected from health cuts, service cuts and increased charges. I find it extraordinary that the Minister is standing by — she said she has been advised of measures and that she is having ongoing information meetings.

Has the Minister been told increases in charges may be introduced before the end of the year? It has certainly been suggested to me that increases may be proposed to hospital charges and other charges, as well as new charges for people using the health services. Has the Minister been told that, as part of the proposals to reach the figure of €300 million, there are suggestions

[Deputy Jan O'Sullivan.]

of cutbacks to home care packages and home help, as well as an increase in waiting lists because of reductions in services in the hospitals, and a variety of other proposals that will directly affect patients?

Can the Minister do something specific about this? If she feels the proposals with regard to both charges and cuts are unacceptable, can she take action to protect the public good and protect vulnerable patients from the effect of these reductions? In these circumstances, why did the Minister and her Department accept the biggest cut of all in the cutbacks announced earlier in the summer for various Departments?

Deputy Mary Harney: To deal with the last issue first, some of the matters covered by that saving were not proceeding this year, for example, the fair deal. It is also——

Deputy Jan O'Sullivan: The Minister could use the money for families who need it.

Deputy Mary Harney: It is also the case that a number of issues must be addressed for the remainder of this year, one being the repayments, which will be funded separately.

By way of general comment, the Government has not found €400 billion to bail out banks. What the Government has done is given a guarantee against a very strong asset base, a matter we will be debating in the House later today.

With regard to the health services Vote, like any other country where health services are funded by social insurance or private insurance, people must live within budgets. Public spending on health here has increased by 4.5 times in the past ten or 11 years, which is a considerable investment. There will be a 6% increase this year over last year in the number of home help hours.

The HSE produced a service plan, which I approved at the beginning of this year, and has given me an assurance it will meet all the targets provided for in that plan. However, we do not and cannot have the capacity for the provision of unlimited resources. The HSE, or for that matter any other State organisation, must live within the budgets that are voted through by the Oireachtas on an annual basis. To be frank, it is clear, given the financial challenges that face the country, that the position will be even more challenging next year.

I am not aware of any charges to be imposed on patients later this year or of any charges that could be imposed without my approval, and I have no intention of approving any additional charges for 2008. If the Deputy is being specific about an issue of which I am not aware, she should bring it to my attention. However, with regard to charges for beds, accident and emergency services or services of that kind, hospital charges require ministerial approval and cannot be imposed by the executive without ministerial approval.

An Ceann Comhairle: The time for that priority question has expired. The next priority question is No. 115 on the Order Paper and is in the name of Deputy James Reilly.

Patient Safety Authority.

115. **Deputy James Reilly** asked the Minister for Health and Children her views on the establishment of a patient safety authority or patient ombudsman, either in conjunction with the Health Information and Quality Authority or independent of HIQA, in which patients who have serious concerns can have their concerns addressed without having to go to the media or court system in view of recent statements by her and the head of the Health Service Executive that there may be many more cases of misdiagnosis. [32674/08]

Deputy Mary Harney: The health sector is one of the most complex areas of activity in every country and it must by its very nature command the confidence of those who use it. While I am confident that the majority of patients in Ireland receive effective and safe treatment, unfortunately, errors do occur in any health service and it is important that we have systems in place to detect and respond appropriately to them. Patient safety is everyone's concern and needs to drive all our decisions.

Patient safety has always been high on my agenda and that of the Government, as is evident from various initiatives we have taken in recent years. The Health Information and Quality Authority, HIQA, was established in 2007. One of the main functions of the authority is to set standards and monitor health care quality. The authority also has the power to undertake investigations as to the safety, quality and standards of services where it is believed that there is serious risk to the health or welfare of a person receiving services. Recent developments have led to the authority carrying out a number of investigations and it is acknowledged that there is public confidence in the work of the authority.

In addition, and as part of my commitment to prioritise the patient safety and quality agenda, I set up the Commission on Patient Safety and Quality Assurance. The commission's report, *Building a Culture of Patient Safety*, was published on 7 August 2008. The report contains proposals on patient advocacy and suggests appropriate arrangements for the involvement of patients and carers in service planning and evaluation. I am currently considering those recommendations in detail with a view to bringing an implementation plan to Government shortly.

The overall approach to implementation endorsed by the commission is to avoid short-term structural changes and, instead, to build on the structures already in place. The commission considered that this was the best way to deliver results quickly. On that basis, I am not proposing the establishment of a separate patient safety authority or ombudsman.

Deputy James Reilly: I thank the Minister for her clear reply but I am sorry she has taken that approach. We could save people much pain and anguish if we had a patient safety authority. I note the report of the Commission on Patient Safety and Quality Assurance which fell short of recommending a patient authority, but I still feel that is the obvious way to go. We need a clear identifiable body that can deal with the anxieties of patients and their relatives when things do not go right.

The Minister stated previously, as has Professor Drumm and others — it is accepted fact — that there will be more mistakes throughout the country. Are we to ask other families to endure what the families in Ennis endured and what Rebecca O'Malley had to endure, that they have to go public to get satisfaction, clarity and justice? A patient safety authority or ombudsman would allow people to go in confidence without recourse to publicity or the expense of litigation to find out what went wrong. Most people are good people and they do not want trouble, publicity or to have recourse to the law, but they want information. They do not want to be treated as if they are stupid and to be fobbed off with weak excuses. They want the truth, often they want an apology, but most of all they want to be assured it will not happen again and that their own misadventure or that of their loved one will at least produce changes in the system that will make it less likely to happen again.

I urge the Minister to review the decision because HIQA is all very well but it was not able to act in this instance until the Minister instructed it. The Minister referred to its terms of reference, namely, when there is "serious risk to the health or welfare of a person". What happens when the event is over and the patient has passed away? People want answers and they are not getting them.

[Deputy James Reilly.]

I am familiar with a case in my constituency where somebody wrote to the Minister who rightly referred them on to the HSE. It referred them on to the hospital safety committee, which said there was no case to answer. From what I know of the case, I regret to say there is a case to answer. It may not be the case that the person thinks there is to answer, but there is a case to be answered because a patient was allegedly prescribed three times the dose of a drug for a prolonged period of time that may have had a detrimental effect on them. It may or may not have been the cause of their demise but if it is true, in my view it certainly had a detrimental effect. I use the word “true” advisedly. Why not put this in place? It makes sense, would not be very costly and would not be another quango. The Health Information and Quality Authority can come in under it and can take, rightly I believe, the matter off this floor and off the politician’s table. Several colleagues have come to me with examples in their constituencies, such as the matter mentioned by Deputy Michael Noonan last week. Why must people go through politicians to get satisfaction in these matters? They should be able to go to a clearly identifiable body, a patients’ ombudsman or a patient safety authority.

Deputy Mary Harney: I will take the last issue first, namely, the case raised by Deputy Michael Noonan. I was not aware of this when I was answering questions last Wednesday, but in fact the patient was contacted and given all the facts before I was aware of the need to establish facts. The authorities had made contact directly with the patient and given him the facts. That remains the position in the vast majority of cases. The issue of patient safety is not just for one organisation. It is not correct to say that HIQA needs my approval or needs to be asked by me to carry out an inquiry. It is totally independent in the exercise of its functions and if it wishes to carry out an inquiry it is free to do so. The current Ombudsman can deal with what could broadly be called administrative errors and does so all the time. The issue of clinical error, however, is a different matter. I do not envisage that could ever be dealt with by another organisation when we have the Medical Council. Under the new legislation that established the recent Medical Council, now with a lay majority, one of the provisions allows for a plenary inquiries committee where patients can complain and have matters inquired into. I know the new council is currently in the process of putting that in place.

As Deputy Reilly knows, mistakes occur in every health system and some of the best doctors make errors. What we are trying to do, especially with cancer care and in other areas, is arrange and configure services in such a way to minimise the capacity to make errors. We should not have had breast cancer services in a hospital like Ennis General Hospital because we did not have the clinical expertise. We could never have it in a hospital with such low volumes of patients or deliver the kind of care to which the late Ms Edel Kelly and Ms Ann Moriarty were entitled. This is why it is so important to reorganise services with patient safety in mind.

Medical Insurance.

116. **Deputy James Reilly** asked the Minister for Health and Children her views on the recent Supreme Court decision to strike down the risk equalisation scheme enacted by her in view of the fact that it was founded on the basis of an incorrect interpretation of law which is likely to see health insurance premiums soar for older and sicker people; the steps she is taking to stabilise the health insurance market and ensure community rating in order that health insurance remains affordable; and if she will make a statement on the matter. [32675/08]

Deputy Mary Harney: A primary objective of Government policy in health insurance is that it should be affordable for the broadest possible cross section of the community including older people and those who suffer ill health. This policy objective has been implemented through a

substantial body of primary and secondary legislation providing for open enrolment, community rating and lifetime cover.

Although the Supreme Court found the particular risk equalisation scheme to be *ultra vires*, it did not strike down the principle of risk equalisation or any of the other important elements of the regulatory framework that supports private health insurance in Ireland. However, the decision of the Supreme Court gives rise to some complex issues that now need to be addressed.

I have yet to hear any argument made against the continuing need for community rating. It is a fundamental principle of the health insurance market in Ireland. Following the liberalisation of the market in 1994 every political party and successive Governments have supported the maintenance of community rating. It is an inescapable fact, supported by international evidence, that community rating cannot be sustained without some scheme to support the higher costs of claims of older or sicker people, effectively a risk equalisation mechanism. There may be differences of opinion in how such a mechanism must work, but few dispute the need for one.

I am currently assessing all available options. Since the judgment was delivered, I have engaged in consultations with officials, the Attorney General, advisers, the Health Insurance Authority and with the companies operating in the market. I also received submissions from all the operators in the market and we are in dialogue with them on an ongoing basis. There are complex financial, legal and policy matters involved. It is my intention to bring forward measures to ensure that health insurance remains affordable for older and sicker people at the earliest opportunity. I will be bringing such proposals to Government shortly.

Deputy James Reilly: On the last question, HIQA may be empowered to undertake investigations but the reality is that this time it took the Minister to instruct it before it happened.

On this question, this was a mess-up in terms of legislation brought in by the Minister and then misinterpreted. While it is good to hear the Minister say she wants insurance to continue to be affordable to people, particularly the elderly, the consequences of that is that it is likely to cause a rise. I fully support the Minister in the community rating principle. I would have issues with her in the manner in which it was being implemented, the amounts being sought, the percentages and the timing, given that the VHI currently is in good health, so to speak, with €70 million plus in reserves. Specifically, what action is the Minister taking and when does she hope to come to this House with further legislation or to indicate her plan to deal with this issue? More importantly, does the Minister expect more legal challenges?

Deputy Mary Harney: The legislation that was struck down had its origins in the 1994 Act. It was initiated by the then Government and the Minister was Deputy Brendan Howlin but I am not making an issue of that. I am simply saying that is the factual position. Every Minister for Health who has been in office since 1994 has strongly supported, through legislative measures, risk equalisation. The Supreme Court found that we should have risk equalisation, or community rating, within the plans. Obviously, we must accept the decision of the Supreme Court but if there is a plan that is particularly attractive to young people, particularly young couples who have children, and a different plan involving cataracts and so on that is only attractive to older people, it is difficult to see how we can have community rating within that environment. We must deal with the realities and I would like to find a solution that would be legally sound — I have to take the advice of the Attorney General — and one that would be immune from legal challenge, but I do not believe any of us have that luxury because we have been involved in litigation in this matter for a considerable length of time, both at national and European levels. The advice we are taking currently involves looking at all options as to how we can ensure that younger people support older people.

[Deputy Mary Harney.]

The VHI is required by law to be authorised by the end of this year. That means it must have a reserve capacity of 40% of its premium income. It currently falls far short of that. That is the position. It is not a question of the amount of profits a company makes, it is a question of whether the company is capable of being authorised on the same basis as all of its competitors. That will be a challenge. The reason it is important that the VHI is regulated on the same basis is to ensure we have a level playing field. It has been a bone of contention, which I understand fully, among the VHI's competitors that they have to put 40% of their premium income into a reserve fund and their competitors do not have to do that. That creates an unequal playing field. To be fair to the VHI, however, it has 68% of the market here and approximately 70% of the over 65 and 60 year olds in the market where most of the costs occur. The only way we can sustain community rating on an affordable basis is by ensuring that younger people support older people.

I hope to bring proposals to the Government in the next few weeks if we can but I must await the advice of the Attorney General and other advices from our actuarial advisers before I can proceed further.

Mental Health Services.

117. **Deputy Dan Neville** asked the Minister for Health and Children the outcome of her discussions with the Health Service Executive regarding the allocation of €51 million in 2006 and 2007 in respect of the introduction of the recommendations contained in A Vision For Change of which €27 million of allocated money has been spent on the purpose for which it was allocated. [32678/08]

Minister of State at the Department of Health and Children (Deputy John Moloney): The estimated additional cost of implementing the report of the expert group on mental health policy, A Vision for Change, is €150 million over a seven to ten year period.

I am advised that of the €51 million provided in 2006 and 2007 for the implementation of A Vision for Change, about €30 million has been invested. It has not been possible to proceed with the other planned service developments because of competing expenditure pressures.

However, it is fair to point out that in its 2008 service plan the HSE prioritised the development of child and adolescent mental health services. This included the recruitment of eight additional child and adolescent mental health teams and the development of 18 additional child and adolescent beds at St. Anne's, Galway, St. Vincent's, Fairview and St. Stephen's Hospital, Cork. The provision of these beds will increase the number of beds from a current provision of 12 to 30. Four of these beds have already been commissioned, with the remaining 14 beds to be provided before the end of this year.

Implementation of A Vision for Change is dependent to a greater extent on the remodelling of existing resources than on new additional funds. In this regard, the HSE has advised that its detailed implementation plan for A Vision for Change will be submitted to me before the end of the year.

Deputy Dan Neville: The Minister, Deputy Harney, freely accepted on 8 May last that moneys should not have been hived off from the allocation of €51 million that was provided for under A Vision for Change. Just €27 million of the €51 million package has been spent. The Minister argued that there is no point in providing money if we do not know where it will be used. Therefore, she allocated no money this year. Do I understand correctly that just €3 million of the outstanding €24 million has been spent this year under A Vision for Change? At that rate, it will take nine years to spend the balance of the €51 million that was allocated

3 o'clock

in 2006 and 2007. Can the Minister confirm that the process which is under way at the moment involves a discussion of the allocation in question? What was the outcome of the discussion on the moneys which have not yet been used for the purposes for which they were allocated? Will the Minister tell the House whether the Government is committed to addressing the important recommendation outlined in chapter 17 of *A Vision for Change*? I refer to the recommendation that an additional €25 million be allocated each year for seven years to facilitate the non-capital investment demanded in *A Vision for Change*. The Minister has already committed herself to selling current resources to fund the capital requirements of *A Vision for Change*.

Deputy John Moloney: It is important to point out that €30 million has been invested in new consultant psychiatrists, the new forensic mental health service and the implementation of the most recent Mental Health Act. The Minister has referred to the need to remodel existing resources, which was mentioned by Deputy Neville. It is explained in *A Vision for Change* that most of the plans are based on the remodelling of existing resources. I made it clear at committee meetings that the Minister, Deputy Harney, and the HSE have given me permission to proceed with the disposal and remodelling of the assets in question. That is happening as I speak.

Deputy Dan Neville: That is for capital, not for——

Deputy John Moloney: I will come to that. I said before the summer that I would tell Members of the Oireachtas who represent the areas affected by the proposed sales exactly where the funds which will be raised will be spent in the specific area of mental health treatment. I outlined in my initial response the level of funding that has been secured for existing services in the 2008 service plan. I remind the House that I referred to the development of child and adolescent mental health services. I have given the relevant figures. Eight additional child and adolescent mental health teams will be recruited. Eighteen child and adolescent beds will be developed in three hospitals. It is clear that the implementation of this programme is going ahead. I emphasise that €30 million of the €51 million that was mentioned has been invested in essential services.

Deputy Dan Neville: The €51 million was supposed to have been spent in 2006 and 2007. I would like to raise another issue relating to reconstruction. In 1984, *Planning for the Future* recommended the development of multidisciplinary community-based psychiatric services. The more recent *A Vision for Change* contained the same recommendation. However, various non-governmental organisations involved in this area have made it clear that there are no fully multidisciplinary community-resourced psychiatric teams in Ireland today. Therefore, it is totally inadequate to reconstruct the current services. *A Vision for Change* clearly states that there is a need to recruit additional staff to all parts of the psychiatric service, including community-based psychiatric services. Adequate resources are needed to ensure our multidisciplinary teams are fully constituted. That is not the case in Ireland, 24 years after it was first recommended.

Deputy John Moloney: I agree totally with the Deputy and in that regard I also see the need for multidisciplinary resource teams and *A Vision for Change* underlines that fact. By way of making the suggestion, I have started the process of visiting psychiatric hospitals throughout the State. I visited St. Senan's Hospital in Wexford and it and its staff are to be commended. They are moving towards what the Deputy suggested, namely, providing multidisciplinary teams. It is by way of the Government's commitment of realising the asset values of our lands and embankments that we will provide the services and the structures.

Deputy Dan Neville: It should be ongoing.

Deputy John Moloney: It has been in operation for three years and it is a ten year programme. It will be delivered.

Other Questions.

Hospital Acquired Infections.

118. **Deputy Alan Shatter** asked the Minister for Health and Children her views on the level of hospital infections such as MRSA and C. difficile; the action taken in the past three years to tackle this problem; and her further views on the need for a new programme to be put in place in order to eliminate the existence of such diseases within hospitals. [31909/08]

121. **Deputy Noel J. Coonan** asked the Minister for Health and Children if she is satisfied with the progress being made in tackling hospital acquired infections; her views on giving the Health Information Quality Authority statutory powers to enforce the recommendations when HIQA carries out hygiene audits on health facilities; and if she will make a statement on the matter. [32269/08]

254. **Deputy James Reilly** asked the Minister for Health and Children if she is satisfied with the progress being made in tackling hospital acquired infections; her views on giving the Health Information Quality Authority statutory powers to enforce the recommendations when HIQA carries out hygiene audits on health facilities; and if she will make a statement on the matter. [32676/08]

Deputy Mary Harney: I propose to take Questions Nos. 118, 121 and 254 together.

Tackling all health care associated infections, including MRSA and C. difficile, continues to be a priority for the Government and the Health Service Executive. Health care acquired infections are not a new phenomenon and have always been a potential complication of medical treatment, especially in hospitals. That is the case worldwide.

As the Deputies will be aware, the HSE launched a national infection control action plan in March 2007. The aim over the period of the plan is to reduce health care acquired infections by 20%, MRSA infection by 30% and antibiotic consumption by more than 20%.

A new national surveillance system has been established to collect data and provide information on health care acquired infections in our health system. This data covers four areas, namely, bloodstream infection, antibiotic consumption, alcohol gel use and, from 2008 onwards, MRSA surveillance in intensive care units.

Data in respect of the first three areas have been compiled and published for 2006 and 2007. This report provides essential data that will serve as a benchmark for assessing progress in the future. I firmly believe that you cannot manage what you do not measure. With this system we have now begun a very useful measurement process. The results so far show some improvement in 2007 over 2006. The overall bloodstream infection rate was lower in 2007 compared to 2006. The overall proportion of MRSA was also lower in 2007 compared to 2006, down from 42.4% to 38.5%.

Since 4 May this year, C. difficile has become a notifiable disease and all cases now have to be reported to the relevant department of public health. The Health Protection Surveillance Centre of the HSE published guidelines for the surveillance, management and control of C. difficile associated diseases in May 2008. This publication gives national guidance and deals with the isolation of C. difficile ribotype 027 for the first time in Irish hospitals. The guidelines

will be a valuable resource in assisting in the prevention, management and control of this infectious disease.

Other measures taken to reduce the incidence of health care acquired infections include the appointment of additional infection control staff, education campaigns for health care staff and the public around the prudent use of antibiotics and the use of designated private beds for isolation purposes where required for patients who contracted health care acquired infections. In addition, new environmental building guidelines to inform infection control policy in all new builds and refurbishments are to be published shortly by the HSE.

An important part of infection control is hygiene. The Health Information and Quality Authority, undertook a comprehensive review of hygiene in our acute hospitals in 2007 and published its report last November. The report represents a thorough assessment of how hygiene services are provided and managed in 51 HSE-funded acute-care hospitals. HIQA is following up on this review to ensure that deficits identified during that process are rectified and the authority has already commenced a further national review this month. HIQA is also due to publish infection prevention and control standards later this year. When finalised, these, along with the national hygiene standards, will provide a comprehensive framework to control infection in all health care settings. I believe this process is sufficiently robust to achieve the required improvements in this area and further enforcement provisions are not necessary at this time.

While accepting that not all health care acquired infections are preventable, I am satisfied that significant steps are being taken to reduce the rates of health care acquired infections generally and to treat them promptly when they occur.

Deputy Alan Shatter: Will the Minister accept that it was an act of unforgivable Government negligence that we did not until recently have a national surveillance system? Will she agree that the absence of such a system meant that her Department, for many years and certainly throughout the 11 years she has been a Minister in the recent Administrations, had no overall perspective on the level of hospital acquired diseases? Will she also accept that what is now proposed is grossly inadequate and that what we need is a revolutionary approach to reduce radically the level of such infections? Does the Minister agree that from the general public's perspective, a reduction in MRSA infection of 30% over a five-year period is grossly inadequate? Of the 526 cases recorded in 2007, the vast majority should not have occurred. Will the Minister accept that large numbers of people are now terrified to go into hospital for fear that any medical assistance they receive may be overshadowed by the detrimental impact on their health of acquiring an infection?

My family and I are personally aware of the impact of this particular hospital acquired infection. Three years ago, my mother-in-law went into Tallaght Hospital for treatment of a medical condition. She acquired MRSA within weeks and never walked out again. Does the Minister not agree there is a complacency within her Department and the HSE, as evidenced by the minimal objectives that are sought to be achieved within the next five years, and that a radically different approach is required?

Deputy Mary Harney: I am sorry to hear of the circumstances experienced by the Deputy's mother-in-law. I recall, as a young girl, hearing people talking about the "hospital bug". In more recent years we have been able to put names on some of these infections. The reality is that the infrastructure of the health system is still catching up. For example, we have a long way to go in terms of the number of single rooms in hospitals. The hospital of the future will consist entirely of single rooms, as is the case, for instance, with the new national paediatric hospital and the new build at St. Vincent's Hospital. That is the future. Such an arrangement

[Deputy Mary Harney.]

will minimise the capacity for infections to spread in a hospital environment. People who are ill, particularly if they are frail and elderly, are more vulnerable to infections.

The most significant single action we can take to address this problem is to reduce greatly the incidence of antibiotic prescribing. The countries that have the best record in controlling hospital acquired infections, such as Holland, are those where the level of antibiotic subscribing is substantially lower than in Ireland. That is why a targeted reduction in the incidence of infection of even 30%, which may not sound substantial, will in itself be a challenge to meet because it requires the education of both general practitioners and patients. Many patients feel they have been betrayed or let down by their GP if they do not receive a prescription for antibiotics. I have had this discussion with friends, many of whom are well informed. Of the 14 Members present in the Chamber, three or four are likely to be MRSA carriers.

In addition to a reduction in antibiotic prescribing and the need for a significant education campaign, there will be recruitment of specialised pharmacists, microbiologists and other experts to work at hospital level, where infection is a particular problem. Until two or three years ago, no hand-washing campaign was in place. It remains a major challenge to ensure health professionals adhere to good hand-washing practices. This is not just the case in Ireland but also in many other jurisdictions. Appropriate hand-washing using alcohol gels by health professionals and patients' visitors has a significant role to play in helping to prevent the spread of infection in the hospital environment.

Last year, I asked the HSE to ensure all private beds in public hospitals which heretofore were ring-fenced for private patients were made available for patients requiring isolation. That is being done. It is one aspect of the provision of the required infrastructure within the health system. However, I accept that we have a long way to go in this area.

Deputy James Reilly: I acknowledge there is a serious problem here. I echo the concerns of my colleague, Deputy Shatter, at the approach being taken. The Minister mentioned Holland, but there is a lot more going on there than just lower prescribing of antibiotics. When patients are admitted to hospital there they are kept in a separate area from other patients until their status is known. If they are found to be MRSA positive they are put into isolation rooms, but we do not have sufficient isolation rooms. The Minister is right in saying that our health service has been chronically underfunded in the last 20 years and we have only recently been catching up. What can we do, however? We could start by putting Perspex divides between beds in wards to try to create a clinically clean area around each bed. We could also start to reduce overcrowding by, as I alluded to earlier, getting some of the people who no longer need to be there out of hospital into community facilities, by reinstigating the home-first service and by making beds available in the community to transfer patients from our public hospitals. Overcrowding is one of the biggest issues concerning cross-infection.

The Minister is also correct to say that hand-washing is important, but while alcohol-gel works for MRSA it will not work for clostridium difficile. I welcome the Minister's comments about patients' interpretation of general practice. I do not know how many times I have heard people say, "Well, that was a waste of time, I didn't get an antibiotic." It is not about wasting time, however, it is about getting an opinion on what is wrong and what is necessary to get a person better, which does not always entail an antibiotic. The Minister is absolutely right in that regard.

Does the Minister intend to invest in some of the measures to which I have alluded? With 526 cases of MRSA in 2007 and 780 cases of clostridium difficile as of May 2008, what will the medical-legal bill be for all this if we do not act a lot faster than is intended?

Deputy Mary Harney: I will not get into the medical-legal bill. There are many lawyers going around this country dealing with that issue and I will not assist them in any way. The fact that we now have the data, however, is hugely positive. We do not know what the figures were ten years ago because we never measured them so we do not know if it is getting worse. There was an improvement in 2007 over 2006, but I do not want to make a big issue of it so let us see how we do in 2008. One of the big benefits of co-location is that it will give the main public hospitals the capacity for a lot more single rooms and better infrastructure. The sooner that happens the better. I should not be raising issues that stir great excitement in my colleagues opposite, but it is a fact because we will not have the capital funding.

Deputy James Reilly: It does not stir excitement with the bankers now, though.

Deputy Mary Harney: I must tell the Deputy that we will not have the capital funding to do all the things we would love to do with our public hospitals. We have over 40 hospitals, many of which are very old. If we were establishing a health system today we would not have 40 hospitals but we do have that number of functioning hospitals and in the short to medium-term it is just not possible to provide the capital infrastructure to upgrade them to the standard we would like to see.

The recruitment of key personnel, such as pharmacists, microbiologists and infection-control nurses, and the major information awareness campaign in the public and private health system will greatly assist in this regard. Setting the target is a challenge in itself. I know Deputy Shatter takes the view that 30% is very low, but it is not. If we can reduce the incidence of MRSA and health care-acquired infections by one third over the next four years, it will be a major improvement. The United Kingdom set a similar target over a longer period. I would regard it as a satisfactory outcome if we can achieve that kind of improvement over that timeframe.

Deputy Caoimhghín Ó Caoláin: What steps has the Minister taken to ensure the implementation of the recommendations of the Health Protection Surveillance Centre concerning the monitoring and control of MRSA and *C. difficile*? Among the recommendations is the provision of single-room isolation units for people who have been identified with *C. difficile*. There is a need to ensure that all health care workers should go through a mandatory introduction to infection control. There is also a need to ensure the proper monitoring of antibiotic prescriptions.

What steps has the Minister taken following the recommendations of the HPSC? Has she noted that the HPSC has also highlighted the lack of a specialist laboratory to determine the type of *C. difficile*? It is not a single threat as there are a number of different types. What steps are we taking to ensure that we have that laboratory expertise located here at home? There have been closures of several laboratories at a number of hospitals around the country and the HPSC's recommendation seems to fly in the face of what the Minister has been doing heretofore. Is she prepared to abandon that position and put in place proper laboratories that will give that critical service to our acute hospital system?

I listened to the Minister's comments on overcrowding I offer no apology for going back to a home base in relation to this. We are on the eve of what is proposed to be the transfer of all the remaining acute medical services at Monaghan General Hospital to Cavan General Hospital, which has been signalled to take place before the end of next month. How can the Minister rationalise what she said earlier about the challenges of overcrowding and hospital acquired infections with a proposal to displace 3,000 medical inpatient admissions annually to a hospital site that already has a 160% bed occupancy level? Surely, by any standard, this is an impossible project and it is placing people in ever greater danger, not only due to the increased possibility of contracting *C. difficile*, MRSA and all the other hospital acquired infections, but

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also because there is a raft of other health concerns. Surely we should not proceed with this under these circumstances.

Deputy Mary Harney: There are five hospitals in the region and one third of their medical patients come to Dublin hospitals while half their surgical patients do so, which is an extraordinary statistic. Notwithstanding that, a person living in the north east is twice as likely to end up in hospital than in any other part of the country. There does not seem to be any reason for that. Whatever we are trying to do, best practice is involved. Sometimes we are in hospital unnecessarily, which is why it is so important to build up the community and primary care service around the country, where 95% of our health needs can be met. We have taken the advice of the expertise, specifically for new buildings. That is why the new children's hospital will consist of single rooms, as will the new site at St. Vincent's Hospital. That is the future.

With such a fragmented system, it was difficult to have the appropriate state-of-the-art laboratory facilities. It is about consolidating what we have rather than trying to put minor capital investments in all the various places and still not have the facilities we require. We listen to the expertise in this area. That is why I made *C. difficile* notifiable, and I accept that there are different strains, but that was only a couple of months ago. That was all based on the advice of the experts. We will soon have a new chief medical officer in the Department of Health and Children, as the position has been advertised. The current chief medical officer, Dr. Kiely, leaves today and I thank him for his service to the State. He is moving to the overseas development section of the Department of Foreign Affairs and I wish him well. The intention is that the new chief medical officer will head up the patient safety division within the Department, as heretofore the medical expertise was there on an advisory basis. That division will play an important role in giving the Government of the day appropriate advice on these issues.

Deputy Jan O'Sullivan: The reduction in prescribing antibiotics is likely to be the major factor regarding MRSA, as the Minister said. However, the situation regarding *C. difficile* seems to be a lot more to do with conditions in hospitals, such as isolation and cleanliness. The Minister rightly ordered that *C. difficile* be a notifiable disease since last May. Is she not shocked by the figures? They show that from May to the end of August, there were 867 cases of *C. difficile* or associated diseases reported to the authorities, which is a very large number in just four months.

How can the Minister ensure that cleanliness is given the priority that is necessary in our hospitals? We have all heard stories about people cleaning hospitals who have to cover large areas in a short space of time and there can be slap-dash cleaning in clinical areas and other areas. Serious concern has been expressed by patients about the cleanliness of hospital toilets and so on. Will the microbiologists and others who have responsibility for cleanliness have enough clout to ensure that appropriate funding is provided within the budgets in straitened times to ensure that this is a top priority for our hospitals?

Deputy Mary Harney: Until 13 September, there were 956 cases of *C. difficile* notified. As there was no notification before, we have nothing with which to compare these statistics. I do not think there is always a correlation between the money provided and the cleanliness of a hospital. Some of the hospitals that scored highest on the hygiene are those that have no microbiologist, such as Mallow hospital. Some of the older hospitals did well, as did some of the newer hospitals so there was no correlation between new buildings and old buildings, between hospitals with microbiologists and those with no microbiologists, or between in-house cleaning and outsourced cleaning. This must be a priority for the management of hospitals rather than microbiologists. We are entitled to expect at the least that our hospitals are the

cleanest places in the country. When nuns were in charge of hospitals, my memory was of how clean they seemed to be. Therefore, I think this is a question of management rather than resources. When a hospital gets its budget, I expect its management to prioritise cleaning and hand washing.

I recently went to see a patient in St. Vincent's hospital and I was very impressed with the audio-reminder that reminded people to wash their hands. It was taken seriously by all the visitors to the hospital. I would love to see that approach in all the hospitals around the country, not just among visitors but also among the staff who work in those hospitals.

Deputy Kathleen Lynch: I get the impression from the Minister's replies that the concentration is on identifying when someone has an infection and then treating it. That is very important, but it is more important to ensure that people do not get the infection in the first place. I am always shocked to see health workers leaving hospital at 1 p.m. for their lunch or going out to do their shopping in their uniform and coming back on to the wards without changing uniform. Change is needed in this area. We can have all the alcohol scrubs we like, but there is an attitude out there that once the person attending the patient puts on sterile gloves, the patient is protected somehow. It protects the person, but not the patient.

We need to give patients the courage to question those who are treating them because at the end of the day people are afraid to ask professionals if they washed their hands, even though their treatment will depend on that person. If nurses do not have a place to change their uniforms and if they are supposed to wash their own uniforms at home, we cannot expect the type of control that is necessary to ensure that infection does not occur in the first place.

Deputy Dan Neville: What measurement of infections takes place in psychiatric hospitals? What action has been taken?

Deputy Mary Harney: I will answer Deputy Neville's question first if that is in order. Hygiene standards must be implemented in all health care settings, such as in the community setting and in residential settings caring for older people, children, individuals with a disability and the psychiatric setting. This is the intention in terms of the independent inspectorate from HIQA but it has not yet happened. I repeat what I said earlier that it is a matter for the management in all health care settings, whether in the psychiatric or the acute setting, to ensure the highest possible standards of hygiene apply.

In answer to Deputy Lynch's question, I do not wish to suffer from the big brother syndrome of telling health care staff when and where they can wear their uniforms but there is merit in what Deputy Lynch has said. It certainly would not be tolerated in other sectors of the economy for somebody working in a microchip plant or in the food sector to wear his or her uniform when travelling to and from work. We all have a significant role to play in this regard. There must be a focus on this area on the part of health care professionals, patients and the public. The patient of the future will ask whether health care staff have washed their hands but that time is quite a bit away, in my view.

An Ceann Comhairle: Deputy Shatter has been offering for a long time.

Deputy Alan Shatter: Would the Minister agree that 956 instances of *C. difficile* recorded between May and this date, is a frightening number? Does she have available to the House the number of persons so recorded who have died either as a consequence of having *C. difficile* or whose death has been related to it? Can she confirm that in September at least two patients in Beaumont Hospital died as a consequence of having contracted *C. difficile*? Can the Minister also confirm to the House that as of this date, there are in excess of 100 claims taken against

[Deputy Alan Shatter.]

the State for damages by persons who contracted MRSA or by their bereaved family members and that these are being dealt with by the State Claims Agency? It has been estimated there could be up to 1,500 such claims and that the State Claims Agency has estimated that if the court proceedings prove successful, there could be a State liability in the region of €500 million. Would the Minister agree that in the interest of patient safety there is an urgent need to take a more dynamic approach to this issue and in the context of the State finances it makes more sense to spend this sort of money on cleaning our hospitals and addressing this issue in a more comprehensive way than having to pay it by way of compensation claims to bereaved relatives and those whose lives have been blighted?

Deputy Mary Harney: Cases of litigation are always being taken against the health service and those matters are now managed by the State Claims Agency. Because we have enterprise liability I will not speculate on the outcome as this will depend on whether the State was liable. In the short term we can implement an approach based on hygiene which is what has been done. The most significant action would be to reduce the incidence of prescribing antibiotics but this cannot be done quickly; it needs to be accomplished over a period of time. The countries with the best record are those with much lower levels of antibiotic prescribing. As I said in reply to the Deputy's earlier question, one in three persons are carriers of MRSA. The infection is often a contributory factor to death in some cases but more often than not, it is not the main cause of death——

Deputy Alan Shatter: What about *C. difficile*?

Deputy Mary Harney: The *C. difficile* infection is new and I cannot give the statistics on how we compare with other countries because we only commenced measuring its incidence on 4 May last and it is a new measurement. It is important we do not ——

Deputy Alan Shatter: People are dying in hospitals.

Deputy Mary Harney: I remind the Deputy that half of all those who die in the country die in hospitals and this is the case in every other country. We have always had——

Deputy Alan Shatter: They do not have to die. They have contracted *C. difficile* in hospital.

Deputy Mary Harney: ——what was known as the hospital bug. There are now names on these different infectious diseases acquired as a result of health care. The challenge for us is to have the expertise and the infrastructure to deal with them. The hospital of the future will be the single-bed model and this is what will pertain in the new children's hospital and in the new St. Vincent's Hospital. We have much to do in terms of infrastructure and in the areas of hand washing, infection control and antibiotic prescribing. We have a multifaceted approach which I believe is working. The reduction of 20% over the next four years is a challenging target which I believe we can meet.

An Ceann Comhairle: That completes questions to the Minister for Health and Children. Under the order of the Dáil of this day, we must now proceed to Leaders' Questions.

Written Answers follow Adjournment Debate.

Leaders' Questions.

Deputy Enda Kenny: This morning the Government announced its decision to give a guarantee regarding the country's financial institutions. In response to this decision I made the point

that this party would respond in the interests of the country, in the interests of protecting our economy and to protect the interests of our taxpayers. The actions of the Government since then do not inspire great confidence. This is a wholly new situation and it requires a wholly new response. The Government is effectively asking the taxpayers of Ireland to underwrite a €400 billion guarantee so that banks can chase their own losses. This sum is the equivalent of up to €250,000 per taxpayer.

The Taoiseach has stated on behalf of the Government that normal regulatory requirements will apply but this is completely insufficient and completely unacceptable. When banks approve credit or loans for small business, they will inevitably appoint persons to oversee the progress of the business in question. Will the Taoiseach confirm that his Government will appoint personnel to the risk management committees of every bank involved in order to protect the interests of the taxpayer? The Irish taxpayer cannot be expected to underwrite a guarantee of €400 billion without strings attached.

The Taoiseach: I thank Deputy Kenny for his offer of co-operation on this important matter and I also thank all Members who have been briefed about the situation which has arisen. The action taken by the Government last night was necessary based on the advice available to us from the Central Bank and regulatory authorities. This action was to ensure we maintain the stability of the Irish financial system and has been taken in response to the severe dislocation in the international credit markets which has impacted both in the United States and in the European Union. Throughout the current period of turmoil, the Government has stressed its commitment to the stability of the Irish financial system and in particular to ensuring that money placed with an Irish credit institution would not be put at risk. This Government action is first and foremost in the interests of the stability of the Irish economy and the long-term interests of the taxpayer. A secure and stable financial sector is essential for the Irish economy and is obviously in the best interests of the Irish people.

With regard to the guarantee there have been what I regard as misleading indications as to the exposure being placed on the taxpayer. We are providing a guarantee as a means of dealing with the basic problem for the banks which has occurred over some time, the question of accessing liquidity in the form of cash in order to conduct their business. The banking system in Ireland has assets which exceed its liabilities. The assets of the Irish banking system amount to approximately €500 billion and the guarantee liabilities are approximately €400 billion. The first call on the funds of a bank will be on shareholders, on their assets, capital and funds. The Irish banking sector has very well secured loans and loans which are underwritten by the European Central Bank. It is important to make the point that in the event of any further call, it is my intention to ensure the Irish taxpayer will not be held liable in any way for any deficit that might occur in the event of there being a problem in the future. I intend that the sector will have to discharge any liability that may arise.

The Government is simply providing a State guarantee to those banks incorporated in the State. It is for the purposes of ensuring those banks have access to liquidity and funds to conduct their business on the basis that they are banking institutions which have assets that exceed their liabilities. The warranty behind that, provided by the Government on behalf of the people, is to ensure a stable financial system and sector. That is the reason we took this action in the unprecedented situation that presents itself and on the basis of the advice available to us. I want that to be very clear.

The State guarantee is provided at a price. It is not for free. The State guarantee will have a mechanism whereby a fee reflecting commercial realities will have to be paid by those banks which may access the liquidity provided by the Central Bank.

Deputy Enda Kenny: We intend to act responsibly regarding this very serious matter in terms of protecting the economy and taxpayers' interests. However, the Taoiseach did not answer my question. In respect of regulatory oversight and increased scrutiny, will the Government appoint personnel to the risk management committees of every bank involved so taxpayers can see those banks which involved themselves in profligate and risky lending will not double their bets guaranteed by them? I want the Taoiseach to answer this question so as to reassure taxpayers that nothing untoward will happen as a consequence of this guarantee.

I made the point that this deal is not without strings attached. What is in this for the taxpayer? What equity will he or she get? Will the Taoiseach say that for the duration of this guarantee there will be no more bonuses, dividends or derivative trading? We do not want a situation where the gains are privatised and the losses are socialised.

Deputies: Hear, hear.

Deputy Enda Kenny: Will the Taoiseach confirm if the Government has fully briefed the European Commission on this guarantee? Will he confirm to the House that the deal will receive confirmation from the Commission that it is in compliance with EU competition law and directives?

The Taoiseach: Regarding protections to be put in place for taxpayers and the regulatory situation, I stress this guarantee was not given lightly. It was informed by the strong advice of the Central Bank and the Financial Regulator that, on account of unprecedented disruption in international financial markets, a system-wide State guarantee was required to ensure Irish financial institutions have access to the normal liquidity and funding to effectively operate their day-to-day business. It will also provide confidence to depositors and wholesale lenders that they can continue to transact their business as usual with the institutions concerned.

The interests of taxpayers will be very firmly safeguarded from any risk of loss from the very substantial warranty the State is providing. Legislation, which will be brought forward to underpin this guarantee, will provide for specific terms and conditions, including fees, for the guarantee provided. It will provide a useful mechanism alongside existing regulatory powers to ensure Irish financial institutions are managed and operated in a manner which is fully consistent with their long-term sustainability. The intensified scrutiny and oversight of financial institutions, which has been put in place since the onset of the current turmoil, will be maintained and strengthened further to ensure high regulatory standards are achieved in Ireland and the quality of corporate governance in these institutions is a bulwark against any risk of loss for the State.

As far as the question of moral hazard is concerned, it will be a priority for the Government to ensure the highest regulatory standards and standards of corporate governance apply in all the institutions concerned, including regarding lending practices, to safeguard the interests of taxpayers against any risk of financial loss. The Financial Regulator has the statutory responsibility to monitor, evaluate and provide whatever conditionality is required by him to ensure he is satisfied in these matters.

Deputy Enda Kenny: What about appointing officials of the Financial Regulator to the banks' risk management committees?

The Taoiseach: The Government has not taken equity in these banking institutions. It has provided a State guarantee to deal with liquidity which was critical to the continuation and health of the financial system. By doing so, we are not exposing taxpayers' money to the provision of that equity. The equity issue does not address the liquidity one.

Deputy Enda Kenny: How will the Taoiseach strengthen the regulatory regime?

An Ceann Comhairle: Only one supplementary question is allowed.

The Taoiseach: I have just outlined that, by reason of the arrangements put in place for the terms and conditionality that will apply in respect of financial institutions if they seek this money to maintain their liquid position, the Financial Regulator has the powers to provide whatever conditionality is required to ensure he is satisfied that it is being used for the purpose for which it is being sought.

Deputy Jim O’Keeffe: The regulator is not renowned for his performance to date.

Deputy Eamon Gilmore: The Taoiseach describes the circumstances we are in as an unprecedented disruption in financial markets. What we have seen in the past 24 hours is that a decade of corporate greed, property speculation and, in many cases, irresponsible banking has come home to roost. I accept the Government has had to act to deal with the crisis in banking and the financial markets. I hope it works.

However, I have several serious concerns about the Government’s decision, the effect of which is to give a guarantee to the banks of almost three times our national income. It is a guarantee that, if it was called in fully, would take 37 years of income tax receipts to clear. I can see what is in this guarantee for the banks and their shareholders, some of whom have already made gains today on the strength of it. I can see what is in it for the six bank chief executives who between them earn €13 million a year. However, I cannot see what is in it for the people or the taxpayers who may yet have to foot the bill.

If the Taoiseach is proposing to hand over the deeds of the country to bail out the banks, what are we getting in return? I have heard him say there will be a charge which, as I read it, will be passed on bank customers anyway. This morning, the Minister for Finance told me conditions would be attached to this deal. Early this afternoon I had a briefing from his officials, but I still have yet to hear what conditions are being attached. I want to hear about them now.

Will the public effectively take all the risks for the banks while they get all the gains? The Taoiseach told Deputy Enda Kenny that the taxpayer will not be at risk and that the sector will discharge any call down the road. Will the Taoiseach explain this to me because I do not understand it?

Is it not the case that this guarantee will actually embolden the banks to take greater risks? What will the decision do to the nation’s credit worthiness? The banks will be able to borrow but where will it leave the State’s capacity to borrow? What does it do to the perception of the national debt? Will it be seen as the €46 billion it is or will the €400 billion guarantee be added to it?

Last night, due to what he describes as the unprecedented disruption in the financial markets, the Taoiseach could have bought a 50% stake in the entire banking sector for €5 billion. Instead he has given the banks a guarantee for almost €500 billion. The Taoiseach has not yet stated the nuts and bolts of this deal. What are the conditions? What are the banks being asked to return? What is in it for the public and the taxpayer?

The Taoiseach: What is in it for the taxpayer, for workers, for people with pension funds and for people who have accounts in banks is the first and most overriding priority of any Government, financial regulator or central bank in this situation, that is, to have a stable Irish financial system that is operational.

Deputies: Hear, hear.

The Taoiseach: That is the most important thing. How far back do people think the country would be if we awoke this morning, in the absence of the State guarantee that has been offered in the way it has been offered, to find a failed banking system on our hands? What would be the situation then for Irish people or Irish workers? There are corporate organisations which must get access to funds, as well as employers and businesses which must get access to funds on an ongoing basis to conduct their business.

Deputy Emmet Stagg: We know all that.

The Taoiseach: If we know that then what is in this for the taxpayer——

Deputy Michael D. Higgins: Yes.

The Taoiseach: What is in this for the taxpayer is clearly the ability to provide a stable banking system so all businesses and all people who have deposits and interests in the banks and in the commercial life of the country can have the prospect of continuing in the very abnormal situation we find ourselves in today. That is the first point.

The second point is that no money has been handed over by the State to the banks in relation to the provision of this guarantee. The State guarantee we have devised enables the banks to get access to funds. Deputy Gilmore's argument about the taking of equity completely misses the point. The taking of equity would not provide the liquidity necessary to maintain a stable financial system in this country in the short, medium or long term. The issue here is that solvent banks, which have assets in excess of their liabilities, are faced with an unprecedented situation whereby there is a credit crunch and they have an inability to access credit and liquidity in order to conduct business. That is a problem not only from the banks' point of view but from the point of view of everybody who deals with banks, including every citizen of this country. That is the situation that confronts us and what the Government is seeking to achieve here bears no relation to the misleading figure that is going around about the Irish taxpayer being exposed to a €500 million liability.

Deputy Emmet Stagg: The Taoiseach should tell us the level of exposure.

The Taoiseach: Involved in that figure is the capital and assets associated with these institutions, which exceed the liabilities of the institutions in terms of the lending they have put out. The residual about which we are talking is the need to make sure they can conduct their business by having access to funds. I have not handed over money to any bank. I have provided the reputation of this State to those banks to put them in a position whereby they can get access to funds to continue in a stable financial system so the economic and national life of this country can continue. That is what was necessary. That was the full advice available to me from the regulatory authorities that are charged with the responsibility of advising the Government in this matter. Anyone who has a cursory understanding of what has been happening in the European and United States' banking systems in the past few weeks, let alone months, would understand the nature of the challenge.

That is the situation that faces the Government and a populist argument to the contrary, I am afraid, does not cut it because what we are trying to make sure of here is that when we are dealing with this situation as it stands, the first call will be on the shareholders. The shareholders will be the first to have a problem in the event of there being a problem with any bank in terms of how it conducts its business from here on. The State guarantee does not exclude them from the first responsibility. They have assets and capital in their banks and those funds will have first call should there be any deficit emerging. The second call is the secured loans which are underwritten by the European Central Bank. The point I am making and the commit-

ment I am giving is that in the event of having worked out whatever had to happen in relation to those banks and those assets so the maximum return and value comes back, in terms of how one would deal with that situation over time, if a deficit emerged, the sector would pay, not the Irish taxpayer. That is my commitment to the House.

Deputies: Hear, hear.

Deputy Jim O’Keeffe: How?

Deputy Eamon Gilmore: That is very good, a Cheann Comhairle, but frankly I do not need any lecture at all from the Taoiseach about the importance of the banking sector to the economy. I remind him that as far back as 25 June last, I raised here with him the difficulties that were emerging at that time in banking. I raised the difficulties that people were experiencing with banks and the effect of the credit squeeze that was already beginning to be experienced then. I urged him at that stage, before the summer, to engage with the banks and the problems of banking in this country.

The Taoiseach makes it sound as though this guarantee does not amount to anything at all. If all of the figures that have been discussed this morning, ranging from €300 billion to €500 billion, are wrong then can the Taoiseach tell the House the extent of the State’s exposure as a result of the guarantee, or if there is any exposure?

This is not about the Government acting because, as I said at the beginning, I hope this works. I am not criticising the Government for having acted but I want an explanation for the decision that has been taken. The explanation I am looking for and that has not been forthcoming as of yet, relates to a very simple point. If we are taking a risk as a State, which we are by providing a guarantee to the banking system, that risk ultimately lies with the taxpayer. What are we —

Deputy Seán Power: What is the risk if we do nothing?

Deputy Eamon Gilmore: Let me tell Deputy Power, the Government has been doing nothing for quite a while now.

Deputies: Hear, hear.

Deputy Seán Power: It would be reckless.

An Ceann Comhairle: I ask the Deputy to direct his comments through the Chair.

Deputy Eamon Gilmore: When it comes to doing nothing, they are the specialists.

Deputy Seán Power: We have shown leadership.

Deputy Eamon Gilmore: That is why the Irish economy is in its current difficulties. However, we must deal with what we have. A decision was made to provide a guarantee. There is a risk to the State and the taxpayer in that. The banks will gain from it, which is obviously good for the banking sector, which will continue on. What I want to understand is if we take a risk, what is the return? What comes back? I have not heard that spelled out.

I hear the Taoiseach making all kinds of assurances that the banking sector will ultimately carry the can here, that the Government will ensure there will be good management practices, that there will be better regulation and so on. I want to see the nuts and bolts of that. We have not yet been issued with copies of the Bill that will give effect to this. Are the nuts and bolts of the conditions that are supposed to be attached to this deal spelled out and listed in the Bill?

[Deputy Eamon Gilmore.]

We have not yet heard what are those conditions. We hear lots of assurances and comments to the effect that it is going to be fine and that the Government will see to it and I hope that is right. However, if the State itself and ultimately the taxpayer has to bear a risk to bail out banking right now — if that is the way it is, then so be it — as representatives of the people in this House, we are entitled to hear what the extent of that risk is, what the return is and the conditions that will be attached to it but so far, we have not heard that.

The Taoiseach: With respect, I am trying to be as helpful as possible. The statement that issued this morning before the markets opened was a statement of principle, with clarity, by the Irish Government as to what its intentions were in relation to maintaining the stability of the Irish financial system. What we are bringing forward today — I appreciate the co-operation of the House in this matter — is legislation to give effect to that statement and to ensure the powers that will be exercised by the State have a full statutory basis, in terms of the guarantee and the various mechanisms and arrangements that we are putting in place to bring about a situation where liquidity is available to the Irish banks.

The State guarantee, that is, the paper provided by the Government as a result of this morning's statement, enables people to go to wholesale markets and counter parties to obtain funds and to do so in the knowledge that the Irish Government is providing a guarantee on all deposits that would subsequently emerge as a result of those banking transactions into the Irish banking system for a period of two years, ending on 28 September 2010. We believe that was the period necessary in order to convince the market, with credibility, that the Irish Government was serious about what it was saying and doing. The indications today are that our signal to the market has been, thus far, successful. Regarding the risks, the greatest risk to the stability of the financial system of this country was, undoubtedly, on the basis of my very detailed discussions, looking at all the issues with the Minister for Finance and others yesterday evening after close of business, until the decision was made in the early hours of this morning, to do nothing. To make no move would put at risk the stability of the Irish financial system. In the office that I hold, I could not absolve myself from the responsibility of making the decisions. On the advice of the relevant people who have the competent authority in this area, I had to make that decision. Government made that decision with the impact that it has since had. That was the situation.

It is a question of looking at the situation that we are in, that has been caused by the turbulence of financial markets, what has been happening in Germany, the Netherlands, Belgium, the United Kingdom and the United States. A situation emerged and it was made clear to me that this was what was required. All the various aspects of this was discussed in detail and we came forward with a statement which emerged this morning. The legislation this evening will set out the mechanism that we are putting in place.

Fees will be charged for the State guarantee for the duration and for those banks that need it. If they have sufficient liquidity as a result of what has been emerging in recent hours, and what will emerge in the next days and weeks, they will not call on that liquidity at all times from the Central Bank, but where they do, there will be a fee for it. There will be a price for it.

The overall benefit for the Irish system and the Irish economy is that we have, hopefully, the functioning of a system that meets the requirements of the nation's economy and the nation's commercial and national interests. That is the situation we are in.

I understand that this is a difficult situation for everybody in terms of not having prior viewing of the legislation, which is in preparation and which will be available this evening. I thank the Members of this House for the co-operation that they are giving and for the understanding of the seriousness of the work that we are all doing here on behalf of the State to

bring the necessary stability to this system and to ensure that we serve the people, given the very precarious circumstances with which we have been confronted in the past 24 hours.

Deputy Róisín Shortall: Why can he not answer the questions?

An Ceann Comhairle: Sin deireadh le Ceisteanna ó Ceannairí inniú. That is the end of Leaders' Questions.

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 Dan Neville — the flooding of Newcastle West and surrounding areas on 1 August 2008; (2) Deputy Simon Coveney — the debt and ongoing operation of Cork Airport; (3) Deputy Jimmy Deenihan — the recent sinking of the *Asgard II* and the possibility of replacing it as the national sail training ship with the *Jeanie Johnston*; (4) Deputy Alan Shatter — the provision of a permanent school building for Holy Trinity national school, Glencairn, Leopardstown, Dublin 18; (5) Deputy Paul Connaughton — the designation of boglands under the EU habitats directive and the cessation of turf cutting on those bogs; (6) Deputy James Bannon — the need for the Minister for Education and Science to provide an update on the new school building for Loughegar national school, County Westmeath — the original building dates back to 1872 — which has been delayed without any explanation being issued from his Department, and the school now faces the prospect of having to go back to tender on this urgent matter due to the risk of losing the builder, whose tender has been accepted; (7) Deputy Pádraic McCormack — the matter of the contamination of parts of Galway city water supply; and (8) Deputy Kieran O'Donnell — in light of ongoing concerns and uncertainty with Dell in Limerick and other multinationals in Ireland, I ask the Taoiseach, the Tánaiste and the Minister for Enterprise, Trade and Employment, Deputy Mary Coughlan, to urgently arrange an immediate meeting with the CEOs of Dell and other leading multinational companies in Ireland to listen to their concerns to ensure the security of the 3,000 direct jobs in Dell Limerick and of the other 150,000 plus direct jobs and the thousands of other jobs linked to the overall multinational sector.

The matters raised by Deputies Neville, Coveney, Connaughton and Shatter have been selected for discussion.

Sitting suspended at 4.05 p.m. and resumed at 6 p.m.

Business of Dáil: Motion.

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

That the sitting shall be suspended until 7.30 p.m. and that Private Members' business, which shall be No. 50, motion re energy poverty, shall take place tomorrow at 5.30 p.m. and be brought to a conclusion after three hours, if not previously concluded.

Deputy Eamon Gilmore: I do not object to what the Chief Whip is proposing but I express concern over what is happening. When we met earlier today, we were given an initial timetable for the day's proceedings, which involved Question Time at 2.30 p.m. and Leaders' Questions at 3.30 p.m. We were given to understand that the Bill from the Minister for Finance to underpin the guarantee he is giving to the banks would be available to us at approximately 4 p.m. We were told then it would be available at 5.45 p.m. and that it was intended to postpone our

[Deputy Eamon Gilmore.]

sitting until approximately 7 p.m. We have not yet had sight of the Bill, nor have we been presented with the heads or an explanatory memorandum.

I appreciate and accept that the decision was made last night and that staff working on the legislation are working to a tight timeframe. It is a very major decision and the consequences and sums of money involved are huge. We therefore need time to consider it but we have not yet seen the Bill. My colleague, Deputy Joan Burton, has colleagues and advisers on stand-by to examine the Bill when we receive it such that we can consider it before its being debated in the House.

Will the Chief Whip state when it is expected that the Bill will be published and available to us? In the event that the Bill is not published by 6.30 p.m., the latest publication time I was given, which only gives us an hour to consider it, what are the Chief Whip's intentions with regard to sitting arrangements thereafter?

Deputy Paul Kehoe: I concur with the leader of the Labour Party, Deputy Eamon Gilmore. It has been promised on many occasions today that the Bill would come before the House, yet we have not seen a White Paper, the heads or an explanatory memorandum. It is probably one of the most important Bills we will consider in the House this session and which we have considered in recent years. The Opposition has been very accommodating all day, namely, during Question Time with the Minister for Health and Children at 2.30 p.m. and Leaders' Questions at 3.30 p.m. We were promised we would be given some explanation at 4 p.m. and 4.45 p.m., and then at 5.45 p.m. It is now 6.05 p.m. but we still have no word of what is happening.

I have heard the Bill might have to go through the Houses by midnight tonight. It makes no sense if this important legislation has to go through the Dáil and Seanad before midnight without any of the major Opposition spokespersons having had a chance to examine it properly. This is not how the House should be run. The Government knew about this from late last night or early this morning. It has had every opportunity to have this important legislation prepared to come before the House. I do not accept any excuse whatsoever. The way the House is being run today is shambolic. The Government is going around in a tailspin wondering what is happening.

Deputy Caoimhghín Ó Caoláin: At some point this evening we are likely to be presented with what I believe will probably be one of the most significant Bills ever presented in this Dáil or any previous Dáil. The matters to be addressed by the legislation yet to present are of the gravest concern to all citizens. This morning, the Minister for Finance made the claim on "Morning Ireland" that briefings had taken place with all the Opposition parties, but again, not for the first time, there has been no briefing of the Sinn Féin Members in this House. Despite repeated contact throughout the day, we have still received no briefing.

I say to the Chief Whip that this is an absolute disgrace. It is imperative that every Deputy is fully apprised of the import, outworking and intended impact of the legislation to be presented to this House. It is of huge importance and, as I said, is likely to be one of the most significant pieces of legislation to be presented to the Dáil in its history. We have a situation where not only do we not have sight of the legislation concerned or the detail in any shape or form, but the Minister's claims on the national airwaves of having briefed all the Opposition voices are not true. This is a huge deficiency.

I have heard colleagues from other parties speak about the impossible position they find themselves in, but it is an even more impossible position we find ourselves in. We take our responsibilities seriously and we must address this matter in the serious way that it deserves

and calls for. We cannot do this in a total vacuum of information, where insult is heaped upon insult without even the return of calls placed throughout this day. This is not the way to do business. It is not the way to carry on a relationship with Opposition voices when we collectively, Government and Opposition, have a serious financial crisis to address. We all have a role and a responsibility in addressing same.

I ask the Chief Whip to convey my grave annoyance at this failure to communicate and the false claim of the Minister that there has been a briefing with all the Opposition parties, which is clearly not the case. We have much to say and many questions to ask, but we are prepared to address this matter constructively and responsibly in the face of the crisis that currently presents. I ask the Government to ensure that the necessary information is shared with all voices in this House and that the legislation is presented in adequate time to address it over whatever number of hours ahead. Is it indeed the case that there is a deadline to conclude this business by midnight? Will the Minister of State please advise the House and give us clarity on that point at least?

Deputy Pat Carey: The Government appreciates fully the co-operation we have been receiving from all the parties in the House. I have been engaged in discussions, both formal and informal, with the Whips of the various parties for the past number of hours. We are extremely anxious that this very complex legislation be brought to the House as soon as it is ready. I give a commitment that this will happen. I am making no attempt to railroad the legislation through. Unless there is a legal imperative that cannot be overcome, it is the wish of the Government to devote as much time as is necessary to having the Bill debated in full. I give that firm commitment to everybody in the House.

As soon as the legislation is available, it will be given to the Opposition spokespersons and the Whips. It is in this context that I ask that the House adjourn until 7.30 p.m. so that we can expedite matters as best we can, fully recognising the complexity of the situation and the complexity and importance of the legislation.

I will convey Deputy Ó Caoláin's request to the relevant officials who have been briefing other parties.

Question put and agreed to.

Sitting suspended at 6.05 p.m. and resumed at 7.30 p.m.

Business of Dáil: Motion.

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

That the Dáil shall sit later than 8.30 p.m. and that the sitting be now suspended until 9 p.m.

The copy of the Bill which is to be placed before the House just arrived in my office in the past couple of minutes and we are in the process of having it delivered to the Opposition spokesmen, Whips and so on. I apologise for this but it is outside of my control.

Deputy Enda Kenny: I will not be obstructionist, but this Bill proposes to deal with approximately €400 billion of an underwrite. This morning at 7 a.m. there was a Government statement and then the Government Whip said he hoped to have the opportunity to have a debate with the Opposition at some time in the afternoon. That debate was to be at 5 p.m. There was a Whips' meeting and during the course of that meeting on three successive occasions the situation changed. Then a Bill was to be produced for 5 p.m., 6 p.m. and 7 p.m., and now it is 7.30 p.m. This is no way to treat the Opposition parties or indeed members of the Government party, with a Bill as serious as this one.

Deputy Alan Shatter: Hear, hear.

Deputy Enda Kenny: I wish to put the Tánaiste on notice that, although I do not know the details of what is proposed yet, I accept the Bill is open-ended in terms of debate. We will want some time to consider the Bill between Second Stage and Committee Stage for the purposes of drafting amendments, if that is necessary. I hope that, in accordance with the Taoiseach's words today, this Bill will contain the details of a new regulatory regime for the new and complex situation that exists for the Irish taxpayer. I accept the proposal of the Government Whip, but the manner in which the Government has gone about producing this Bill has been absolutely chaotic and smacks of complete leaderless leadership.

This Bill has probably been drafted by the public officials. There does not seem to be any regard for the political elected representatives of the people, whereas I am quite sure the committees of the banks have been in discussion with the Government for the past while. The Government has known what is in this Bill, or what is proposed to be in this Bill, for the past 12 hours, yet it expects members of the Opposition to deal with it adequately in a 12 minute period. That is not good and it is not the way to do business. This is very important legislation and the way the Government has gone about its business today has been absolutely chaotic.

Deputy Emmet Stagg: I accept the Government Whip's office is not to blame in this matter. The Government Whip has been in communication with the Opposition Whips all day. However, I have been in the House a long time and I have been a Whip for a long time, but I have never witnessed the sort of chaos we saw today. This is a most serious issue. We have often warned of the dangers of rushed legislation——

A Deputy: They still think it is funny.

Deputy Dermot Ahern: In 1994 the Deputy was looking for heads.

Deputy Emmet Stagg: ——and it seems we will get a Bill after four missed deadlines.

Deputy Bernard Allen: The Minister, Deputy Ahern, should be a little humble, for once.

A Deputy: This is serious business.

An Ceann Comhairle: Deputy Stagg, without interruption.

Deputy Emmet Stagg: After four missed deadlines today we will get a cobbled together piece of legislation when we know, from what we were told during the day, that the original intention was to have four or five pieces of legislation. There are serious dangers in this for Ireland Incorporated and its citizens. It is with deep regret that I am witnessing that in this House. The way this has been handled signals a bad day for democracy. I do not blame the Whip's office for that. I blame the Chief Whip's ministerial seniors who are entirely responsible for it.

Deputy Caoimhghín Ó Caoláin: With the clock continuing to tick the opportunity to address this Bill and its content with the care that is required is slipping away. I need clarification that it is not intended to guillotine this Bill tonight, that we will have a continuing opportunity tomorrow to address the detail of this Bill and that all the required time for full questioning, analysis of the Bill and amendments to be presented, if same are required, will be allowed in the processing of this legislation, particularly Committee Stage. It is critically important that is not curtailed in any way. I want those assurances. The House deserves those assurances. Every elected Member of every opinion represented on the floor of this Chamber has waited with patience, hour after hour here this evening, and still we do not have sight of the Government's

proposed legislation. It is very important that we recognise, as I said earlier this evening, that this is likely to be one of the most important, if not the most important, pieces of legislation to present before this Dáil in its history and it is a requirement on each of us that we employ the maximum care in its passage as its out-working and the effect it may have in the future cannot be told at this point in time.

We are messengers of the people, as Dáil Deputies, and it is important that it is understood that many people are watching the affairs here this evening with incredulity, some of whom have been victims of the worst excesses by the very banking institutions we are here to address. It is very important that we adopt maximum care and that there is a clear understanding by everyone of the real purpose and intent of this particular legislation and that that is carefully explained. We have seen time and again the worst excesses of the banking institutions——

An Ceann Comhairle: We cannot go into that now.

Deputy Caoimhghín Ó Caoláin: I will conclude on this point, a Cheann Comhairle. It is abundantly clear to me that we must take the time to explain what is involved, its import, intent and the effect it will have. It is important that our citizens, particularly those who have suffered at the hands of banking institutions over the years, which have shown scant regard for many people and interests,——

An Ceann Comhairle: We cannot debate that now.

Deputy Caoimhghín Ó Caoláin: ——understand what this Bill is all about. I want an assurance that we will get the time to address the Bill in the way that is required.

The Tánaiste: I thank Opposition Members for their patience on this matter. It was discussed through the night and the Cabinet discussed it for a considerable period of time during our deliberations in the morning and early afternoon. Further redrafting had to take place to ensure the Bill that comes before the House is the best Bill. It is appropriate that we afford people who want to participate in the debate the time to reflect on the legislation between now and 9 p.m. Equally, it is important to advise the House that it would be our hope that we could complete this legislation but it will be a matter for the House to determine the time necessary for that discussion. I am led to believe the Whips will meet now and I am sure they can come to some agreement on the length of time they would expect the debate to continue.

Deputy Pat Rabbitte: A Cheann Comhairle——

An Ceann Comhairle: No, there can only be one intervention. I take it the motion is agreed. Agreed.

Question put and agreed to.

An Ceann Comhairle: Tá an Dáil ar fionraí go dtí a naoi a chlog.

Sitting suspended at 7.40 p.m. and resumed at 9 p.m.

Business of Dáil: Motion.

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

That the sitting be suspended until 10 p.m.

In view of a matter which has arisen——

Deputy Olivia Mitchell: What matter?

Deputy Pat Carey: —it is necessary to move the suspension of the sitting until 10 p.m.

An Ceann Comhairle: I should explain that on an issue such as this, only one spokesperson from each party may contribute. I am aware that other Members were offering earlier. If they thought I was being discourteous, I assure them I was not.

Deputy Enda Kenny: This has descended into high farce.

Deputy James Reilly: It is a farce.

Deputy Enda Kenny: It is absolutely chaotic. I have been a Member of this House for over 30 years. I have never before seen such disastrous preparation for a Bill as important as this.

Deputy Ruairí Quinn: Hear, hear.

Deputy Enda Kenny: In the past five minutes, my office has been contacted by the office of the Government Whip. My officials have been informed that the Bill has not been proofed and therefore is not finalised. They have been told it will be in the possession of all Members by 9.45 p.m. It has been suggested that discussion on the Bill should not start until 9 o'clock the document is in the hands of Opposition Members. I put it to the Taoiseach that this is high farce. It is absolutely chaotic. The Government is ill-prepared to deal with this sensitive Bill, which is of great importance to the economy and the protection of Irish banking institutions. My party's Whip has been informed that this Bill will not be sent to the Seanad tonight. It will not become law until tomorrow, therefore, when the other House has finished its consideration of it. Is the Taoiseach absolutely sure that the Bill has been finally proofed and that it has been accepted and agreed? Is the detail the Taoiseach mentioned earlier, in response to my question, contained in the new proofed Bill? The Taoiseach rightly spoke earlier of the need to give demonstrable evidence of the new regulatory regime and to provide for strengthened oversight. Are such matters contained in the further proofed Bill, which is to be made available to us at 9.45 p.m.? Is it absolutely necessary for the Bill to be taken through this House tonight?

Deputies: Hear, hear.

Deputy Enda Kenny: If it is necessary to do so, I will not object to it. I would like the Taoiseach to explain how imperative is the passage of the Bill. We were told earlier that it had to go through tonight. We have now been informed that it will not be considered by the Seanad today. The people on the streets are absolutely confused by what is going on here, or what is not going on.

Deputy Paul Kehoe: Incompetence.

Deputy Enda Kenny: In the context of what I said earlier today about not disrupting the passage of this important legislation, in the interests of protecting the Irish economy and an Irish banking institution, I would like the Taoiseach to answer three questions. Will the newly proofed Bill contain the detail to which the Taoiseach referred in his response earlier today? Will it contain details of the regulatory regime and strengthened oversight arrangements? Given that we have been informed that it is not proposed to take the Bill through the Seanad tonight, is it absolutely imperative for it to be passed by the Dáil tonight? If so, why?

Deputy Eamon Gilmore: We are dealing with probably the most serious matter that will arise during the lifetime of this Dáil, an issue relating to the security of the country's financial institutions, the banking system and the implications this has for people's jobs and businesses. Quite rightly, people are looking to what is happening here and the outcome of our discussion.

Last night, the Government made a decision, which we discussed earlier in the day, to offer a State guarantee to six banks. It told us legislation would be required to underpin this. The Labour Party and Fine Gael agreed to co-operate with the Government in having this legislation debated in the House and that we would sit for whatever length of time was necessary to deal with it. The one condition we have and which I repeat is that we want to deal with the legislation thoroughly. We do not want to agree legislation blindfolded. We will not agree to a pig in a poke. We want to deal with it and go through it section by section to ensure the public interest and the interests of taxpayers are fully protected.

Throughout this day we have found ourselves in a situation where the Government has not been able to present the legislation. We were told we would have this Bill at 4 p.m. We did not have it. We were told we would have it at 5.45 p.m. It did not appear. We were told we would have it at 6.30 p.m. and we adjourned in anticipation of that. We eventually got what is called a "draft" Bill and we are told this is not the final version. It is not the published Bill and it is not at a point where the Dáil can commence debate on it.

It is the responsibility of the Government, the Taoiseach and the Minister for Finance to present to the Dáil the version of the Bill on which we can debate the issues. The Labour Party is prepared to sit through the night if necessary to deal with this, but should we not be doing this sensibly? If it is the case that the Government does not have the legislation ready, then why are we going through this high drama of adjournment after adjournment? If the Government needs to take the time overnight to refine and finalise the Bill, so be it. We will return in the morning and debate it then.

I understand the Whips have already agreed a formula whereby Committee Stage will not be guillotined. There is no timeframe on this. There is co-operation in the House to deal with the processing of the Bill. There may not be agreement on all the content of it and some of what I have seen does not entirely tally with what the Taoiseach told us earlier today, but this is for the debate itself.

As far as dealing with the legislation is concerned, the Labour Party would be much happier if we dealt with this sensibly. If the Bill is not ready for presentation in the Dáil then let us stop the codology of all of these repeated adjournments of the House. Let us come back in the morning if needs be, have the Bill ready and we will go at it afresh.

Deputy Caoimhghín Ó Caoláin: At 8.55 p.m., a little over ten minutes ago, the Bills Office in this institution had not received a copy of the draft Bill which has been circulated here during the past hour. Our office, in contact with the Bills Office with regard to receipt of amendments to the legislation, was told it had no idea how to proceed. The Bills Office did not have a copy of the Bill at 8.55 p.m. This is a factual situation and if anything exemplifies the absolute chaos that is taking place throughout this evening and tonight in this House this spells it out very clearly.

We must have careful and responsible consideration of all that is involved in this legislation. I join with Deputy Gilmore in presenting the case that we should adjourn this debate until tomorrow morning, when people will be intent on going through it with a clear mind and a fresh head, rather than trying to fast-track legislation of such importance into the early hours of the morning. It is a bad way to do business at any time but in the case of something of such great importance and all that it entails, we must act responsibly, be clear headed and have a

[Deputy Caoimhghín Ó Caoláin.]

clear understanding of all the potential consequences of the passage of this legislation. I appeal to the Taoiseach to consider adjourning for this evening. We have had deferral after deferral with no sight of any amendments to be proposed by any of the parties. All Members and all parties have a responsibility to consider everything that presents with the greatest of care. I recommend that we adjourn, clear the decks and reconvene tomorrow in order to address this comprehensively with all the care, time and attention it not only deserves but that the Irish people would demand.

The Taoiseach: I apologise for this situation. As I understand it, Fine Gael seeks the final version of the Bill before proceeding with the Second Stage debate.

Deputy Paul Kehoe: We cannot be expected to proceed on the basis of a draft. That is ridiculous.

Deputy Fergus O'Dowd: We cannot discuss a proposal without knowing what it contains.

An Ceann Comhairle: The Taoiseach should be allowed to continue without interruption.

The Taoiseach: I am just making the point——

Deputy Paul Kehoe: It is a ridiculous point.

The Taoiseach: ——that Deputy Kenny was making. If the Deputies do not want me to make a point, I will leave it at that. I have listened intently to what Members have said.

The situation is that we have been informed that the final version of the Bill will be available at 9.45 p.m. and that the debate can begin at 10 p.m. The idea behind bringing the legislation forward today is to give legislative expression to the statement of principle that was made this morning. It is important that this should be in the public domain and that the Minister for Finance should set out in detail the legislative expression of that statement of principle. We have seen the positive reaction of the markets today. Bringing forward this Bill at 10 p.m. — and I apologise for the delay — is in the interests of the country and this House.

Deputy Alan Shatter: It will not be passed.

The Taoiseach: We would like to proceed. I accept that it has required the forbearance of the Opposition. Members opposite will understand that decisions were made early this morning and the statement of principle made at 7 a.m, after which a Cabinet meeting took place at which the heads of the Bill were approved. Officials have been working to get this to the House this evening. However, it is a complex area and one must get it right in terms of the financial issues involved. It was hoped and anticipated that the Bill would be brought to the House sooner than this. The final draft of the Bill has been available since 7.30 p.m. This is, in substance, the Bill for discussion on Second Stage, were it to take place now or at 10 p.m. If the Opposition wishes to wait for the final green version of the Bill, that will be available at 9.45 p.m. It will effectively be the same Bill as we have before us. We will also have Committee and Report Stages.

I apologise for the situation that has arisen. It is not the fault of anyone in this House but arises as a result of the strenuous work that has been done to ensure we give legislative expression to the statement of principle that was made this morning. That is the situation and I ask for the forbearance of the House in this matter. It is a unique situation in which we find ourselves and I ask that our proposal be accepted. I understand some of the points that have

been made. However, the delay is not the fault of anybody here but is a result of the logistics of getting the Bill to the House as quickly as possible.

An Ceann Comhairle: Is the motion agreed to?

Deputy Eamon Gilmore: Can I ask—

An Ceann Comhairle: There can only be one intervention, that is the difficulty.

Deputy Brendan Howlin: It is a point of order.

An Ceann Comhairle: I will accept a point of clarification. This is an exceptional measure.

Deputy Eamon Gilmore: These are exceptional times. I will raise a point of order if that is how the Ceann Comhairle wishes me to proceed. There is a constitutional procedure for dealing with legislation. Under Standing Orders, legislation is required to be published. That is the First Stage of a Bill and we cannot proceed beyond that. That is the way it is. If the Government cannot meet the deadline, that is okay. The Taoiseach has expressed his regret and apologised to the House. I will not make a big deal of that. I do understand that the people who have been dealing with this matter were up all last night and are working under much pressure. I wish to make a second point, however, which is probably more important. All of us understand that how this plays outside the House is a lot more important than how it plays in here. If we start debating a Bill at 10 p.m. and spend two hours on Second Stage, we will then proceed to Committee Stage. There will be a lot of debate about some of the content of what I have seen in the draft. We could find ourselves at 7 or 8 o'clock in the morning with the news headlines both here and in other capitals relaying the news that the Irish Parliament has not yet agreed the financial rescue Bill for the banks. We must reflect on how that will play outside the House. I suggest to the Taoiseach that it would perhaps be wiser for us to agree a procedure whereby we may deal with Second Stage tonight and have Committee Stage tomorrow, so that there is a sense that we are on top of it and we do not have another Capitol Hill situation.

The Taoiseach: May I be of assistance, a Cheann Comhairle? I have listened to what all the Deputies have said and it is important that we are in a position to conduct our business as best we can, given the exigencies of the situation and the importance of the legislation we are passing. Given the views expressed and out of respect for the co-operation of the House in regard to these matters, we should be in a position to conclude the Second Stage debate tonight. In that way the legislation will have been agreed in principle with or without a division in the House, which is a matter for parties to determine on the conclusion of Second Stage. It is important, however, to have agreement on Second Stage of the legislation tonight. If we could finish that at midnight and conclude Committee and Report Stages in the morning, it would be sufficiently positive and determinate of the signal we wish to send to the markets, which is consistent with the statement of principle we had this morning. Thankfully for all of us that has been well received by the markets. In an effort to ensure that we can conduct our business without any fault, and to get this through the House as quickly as possible, I would ask Members to take Second Stage from 10 p.m. We can have a decision on Second Stage at midnight and conclude our deliberations on Committee and Report Stages from 10.30 a.m. tomorrow. If that is agreeable to everybody, I ask the House to adjourn until 10 p.m. and proceed on that basis.

Deputy Enda Kenny: The markets responded today with confidence to the announcement of the guarantee given by the Government, not in response to the fact that there was to be a Bill because that was not known until later. I thank Deputy Gilmore for his suggestion. What

[Deputy Enda Kenny.]

the Taoiseach has said is an acceptable compromise. The Taoiseach probably does not now need to clarify the advice given to the Government by the Attorney General, in that it was his view that it was necessary that the legislation should go through All Stages tonight. I accept the Taoiseach's compromise. I know the Second Stage debate schedule comprises three 15 minute contributions, three of ten minutes and four of five minutes. The House will adjourn after that and will commence Committee Stage in the morning at 10.30 a.m. or whatever time is deemed appropriate. That is sensible and will allow Members to reflect on comments that are made on Second Stage, as well as seeking advice on the details of the Bill and its various sections. It will also give some time for a considered approach to Opposition amendments that may be deemed necessary. I accept the Taoiseach's compromise, which provides a sensible and prudent conclusion to what has been a rather chaotic period of preparation for the launch of this particular Bill.

An Ceann Comhairle: Is the motion agreed to?

The Taoiseach: Without wishing to engage in point scoring, it is not a question of chaotic preparation, it is a question of people working very hard to achieve the objective we set out for ourselves.

Deputy Enda Kenny: I understand that.

The Taoiseach: There was no chaotic preparation. There are times when we can try to score points but this is not such an occasion. I am simply saying, in deference to everybody in the House, that we need a sensible arrangement so that a sufficiently positive signal can be sent to the markets by the completion of Second Stage of the Bill this evening. Let us proceed on that basis without trying to make stupid scores.

Deputy Caoimhghín Ó Caoláin: I record my thanks to the Taoiseach for accepting that all sections of this Bill should not be dealt with tonight. That is the wise course to take at this stage. What we learn from tonight's Second Stage debate will help to inform tomorrow's further deliberations. Therefore, I accept the Taoiseach's proposal.

An Ceann Comhairle: Is the motion agreed? Agreed.

Question put and agreed to.

An Ceann Comhairle: Tá an Dáil ar fionraí go dtí a deich a chlog.

Sitting suspended at 9.20 p.m. and resumed at 10 p.m.

Order of Business.

The Taoiseach: It is proposed to take No. 13 — motion re ministerial rota for parliamentary questions; No. 13a — Credit Institutions (Financial Support) Bill 2008 — Financial Resolution; and No. a3 — Credit Institutions (Financial Support) Bill 2008 — Order for Second Stage and Second Stage. It is proposed, notwithstanding anything in Standing Orders, that
10 o'clock Nos. 13 and 13a shall be decided without debate; and in the case of No. 13a, it shall be moved on the conclusion of Second Stage of No. a3. The Second Stage of No. a3 shall be taken tonight and the following arrangements shall apply — the proceedings on the Second Stage shall, if not previously concluded, be brought to a conclusion after 100 minutes; the opening speeches of a Minister or Minister of State and of the main spokespersons for the Fine Gael Party and the Labour Party, who shall be called upon in that order, shall not

exceed 15 minutes in each case, the speech of a member of Government, the Fine Gael Party and the Labour Party, who may share their time, shall not exceed ten minutes in each case; the speech of a member of Government, the Fine Gael Party, the Labour Party and Sinn Féin, who may share their time, shall not exceed five minutes in each case; and a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes.

An Ceann Comhairle: There are two proposals to be put to the House this evening. Is the proposal for dealing with Nos. 13 and 13*a*, without debate, agreed to? Agreed. Is the proposal for dealing with No. *a*3 agreed to? Agreed.

Ministerial Rota for Parliamentary Questions: Motion.

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

That, notwithstanding anything in the Resolution of the Dáil of 14 June 2007, setting out the rota in which Questions to members of the Government are to be asked, Questions for oral answer, following those next set down to the Minister for Justice, Equality and Law Reform, shall be set down to Ministers in the following temporary sequence:

Minister for Community, Rural and Gaeltacht Affairs

Minister for Arts, Sport and Tourism

Minister for Foreign Affairs

whereupon the sequence established by the Resolution of 14 June 2007 shall continue with Questions to the Minister for Social and Family Affairs.

Question put and agreed to.

Credit Institutions (Financial Support) Bill 2008: Order for Second Stage.

Bill entitled an Act to provide, in the public interest, for maintaining the stability of the financial system in the State and for that purpose to provide for financial support by the Minister for Finance in respect of certain credit institutions, to amend the Competition Act 2002 and other enactments, and to provide for connected matters.

Minister for Finance (Deputy Brian Lenihan): I move: "That Second Stage be taken now."

Question put and agreed to.

Credit Institutions (Financial Support) Bill 2008: Second Stage.

Minister for Finance (Deputy Brian Lenihan): I move: "That the Bill be now read a Second Time."

This House does not lightly agree to debate emergency legislation of the type that is before us this evening, but when finance, the lifeblood of our economy, is a matter of concern, the House will appreciate that we must move swiftly and decisively.

I wish to thank the parties opposite for the co-operation they have extended in regard to this legislation. The Government's purpose and the objective of this legislation is to reinforce the strength of the Irish economy, the financial sector and especially to protect the long-term interests of the taxpayer. Maintaining a stable banking system is at the heart of the functioning of our economy and the daily lives of everyone living in our country. This legislation is not

[Deputy Brian Lenihan.]

about protecting the interests of the banks; it is about the safeguarding of the economy and everyone who lives and works in this country.

The Bill provides a legislative framework to underpin the guarantee arrangement for depositors and lenders to Irish financial institutions which was announced by the Government earlier today following advice from the Central Bank and the Financial Regulator.

I want to put on the record of the House that the Government's decision is intended in the first instance to underpin the financial standing of the Irish banks and building societies. It provides a framework for the future to address financial stability of common concern with our EU partners and especially our closest neighbours in view of the strong degree of financial integration between the two jurisdictions and the several financial institutions which operate in both.

Recent headlines and media reports can leave no one in this House in any doubt as to the extent and depth of upheavals in international financial markets, especially within the past month. The sub-prime crisis, which became evident in the United States over 12 months ago, is now widely considered as likely to lead to eventual losses of over \$1 trillion. In the United States, several major financial firms have been either brought into public ownership, bought by stronger firms or even allowed to fail.

The turmoil has spread to this side of the Atlantic in the past year and has become especially pronounced in recent weeks. In the United Kingdom, the authorities have had to make a number of significant interventions to prevent any contagion from difficulties in individual firms. Throughout Europe a similar pattern is evident as countries have had to finance and arrange the rescue or support of financial institutions.

In view of the size and importance of the financial sector in Ireland, it was only a matter of time before these difficulties visited on our shores as the global financial markets continued to deteriorate and the credit freeze intensified, starving our financial institutions of the funding to finance their normal activities. It is in this international context that the Government made a decision to extend the guarantee announced today.

I stress that the provisions we are asking the House to approve are in no way a bail-out for the financial system. The granting of guarantees to individual institutions will be subject to specific terms and conditions for each institution, including appropriate remuneration of the benefit of the guarantee. This is important to ensure the implementation of the measure conforms to EU state-aid and competition law requirements. The guarantee provided by the State is not intended to insulate the shareholders of these financial institutions from the risks attached to the investments they have made, as much as they may have benefited from significant rewards over the years.

In that context, I want to make two crucial points. The guarantee is not free and the taxpayer who ultimately underwrites this support will be remunerated for the value of the support provided. The terms and conditions on which the guarantee is provided will ensure the taxpayer gets value for money.

In addition, as I have already highlighted, our community will benefit if the guarantee helps secure greater stability in our financial system. The extended international credit crunch which we have experienced has brought home to all of us the pivotal role of the financial system in the economy and in the day-to-day lives of ordinary people. It has also brought home the broader social responsibilities of the financial sector to the country.

I will be drawing on the advice of the Central Bank and National Treasury Management Agency to put a fee mechanism in place to remunerate this guarantee. This process will take

into account such factors as the possibility of increased funding costs for the Exchequer, the economic value for the institutions and the need to support international investor confidence in the Irish financial system.

I emphasise to the House that the Government's decision to give this guarantee was made following lengthy discussions and very careful consideration of all relevant factors. The Government's decision was informed by the advice and guidance of the Governor of the Central Bank and chief executive officer of the Financial Regulator.

Among all the uncertainties and unknowns that exist in such circumstances, one thing was clear and evident. The unprecedented disruption in international financial markets required a strong and decisive response by the Government to underpin the commitment of the authorities to Ireland's financial stability. We took such a decision by providing a guarantee to the six domestic financial institutions which were not in a position to rely on the support and assistance of a parent institution. This guarantee is intended to ensure Irish financial institutions have access to the normal liquidity and funding which they need to operate their day-to-day business. The guarantee is also essential to give confidence to depositors and wholesale lenders that they can continue to transact their business as usual with the institutions concerned.

It was very important for the Government to demonstrate its resolve to stand by its statement in recent weeks that money placed with an Irish credit institution would not be placed at risk. There is understandable concern that the Exchequer is potentially significantly exposed by this measure. This is not the case. The risk of any potential financial exposure from this decision is significantly mitigated by a very substantial buffer made up of the equity and other risk capital in the relevant institutions.

It is estimated that the total assets of the six financial institutions concerned exceed their guaranteed liabilities by approximately €80 billion, which is half of Ireland's total GNP. By any measure there is, therefore, a very significant buffer before there is any question of the guarantee being called upon.

I want to assure the House that the intensified scrutiny and oversight of financial institutions which has been put in place since the onset of the current turmoil will be maintained and further strengthened to ensure that high standards of regulation are achieved in Ireland and that the quality of corporate governance in these institutions is a bulwark against any risk of loss for the State.

As far as the question of moral hazard is concerned, it will be a priority for the Government to ensure that the highest regulatory standards and standards of corporate governance apply in all of the institutions concerned, including in lending practices to safeguard the interests of taxpayers against any risk of financial loss.

I will now describe the main provisions of the Bill. Section 2 establishes that the functions of the Minister for Finance under the Bill are exercised in the public interest having regard to the importance of maintaining the stability of the financial system in the State. The functions in the Bill are granted in the public interest because the Minister, having consulted with the Governor of the Central Bank and Financial Services Authority of Ireland, has formed the opinion that the exercise of these functions is necessary to protect the stability of credit institutions and to maintain the stability of the financial system of the State. The Minister may continue to consult with the Governor and the Financial Regulator in the exercise of his functions after the passing of the Bill. Section 2 also confirms that the Bill will not interfere with the exercise by the Central Bank or Financial Regulator of their functions in respect of credit institutions authorised or regulated in the State.

In section 3 "relevant date" is defined as 30 September 2008, the day upon which I announced the decision to guarantee deposits in credit institutions and subsidiaries and to protect the

[Deputy Brian Lenihan.]

interests of creditors of credit institutions and their subsidiaries. This is the date from which the Minister may provide financial support to credit institutions.

Section 5 deals with regulations and the general implementation of this legislation. It provides that the Minister for Finance may make regulations to do anything that appears necessary or expedient for bringing the Act into operation. The Minister will lay a draft of such legislation before the Houses of the Oireachtas which will require the approval of each House by resolution. This is an emergency Bill and I think it is appropriate that there be scope to address any difficulty that might arise with bringing it into operation.

Section 6 deals with the provision of financial support for credit institutions. It provides that the Minister may provide financial support in respect of the borrowings, liabilities and obligations to the Central Bank or any person, of any credit institution or subsidiary which the Minister may specify by order. Financial support will not be provided beyond 29 September 2010. Financial support would be in such form and manner and on such commercial or other terms and conditions as the Minister sees fit. Conditions attaching to financial support may include stipulations to require the institution or subsidiary to fulfil all requirements of the Financial Regulator or relevant authority, as well as conditions to regulate the competitive behaviour of the credit institution or subsidiary. The Minister may subscribe for shares and other securities in a credit institution on such terms as he sees fit. For the purposes of this section, the Minister may create and issue securities subject to such interest, consideration and terms and conditions as he sees fit. Money paid by the Minister as financial support under this section will be repayable with interest once funds to do so are available to the company. Section 8 provides for annual reports to the Houses of the Oireachtas by the Minister on the position regarding any financial support provided under this section commencing with 2009.

Section 7 provides that if a merger or acquisition involves a credit institution and the Minister considers that the proposed merger or acquisition is necessary to maintain the stability of the financial system in the State then the power to determine whether the merger or acquisition would be in breach of the prohibition on anti-competitive practices in that Act lies with the Minister rather than with the Competition Authority. It also provides for the circumstance in which the Minister may approve a merger or acquisition.

In conclusion, the State is underwriting very substantial liabilities in monetary terms but is, as I have outlined, at a far remove from loss arising from these liabilities. I commend the Bill to the House.

Deputy Richard Bruton: Everyone in this House will agree that huge mistakes have been made in Ireland in recent years that have undermined the successful model that we had. It was a model of an economy based on strong export growth, tight management of public finances and a financial sector that had a proper balance in its approach to funding. The problem was the dangerous flirtation with the property sector that occurred in recent years. Those who were in a position to exercise restraint on this, in my view, failed to act.

There is no doubt that the Financial Regulator repeatedly warned of some of the features that were exposing our banking sector in recent years. I recall in the 2006 stability report the regulator drew our attention to the excessive growth in credit, the excessive reliance on the wholesale market to support that credit growth, the excessive reliance on the property sector as a proportion of the loan book, the falling provision for bad debt and the limitations of stress-testing that were going on in financial institutions.

There was warning that our financial structure was going down a road that was dangerous but, in my belief, little was done to address that. Indeed, we have been exposed by dangerous levels of credit expansion, particularly in the property sector and by a false belief, often promul-

gated by Government, that this was based on sound fundamentals when the sound fundamentals of a small open economy clearly lie elsewhere. Indeed, the Government itself became excessively reliant on the product of this property boom and I am sure we will have another day to discuss that when we debate the budget.

The truth is that today, as a result of this serious change in the way we ran our economy, ordinary people are being hurt. That is the reality. There are now 75,000 extra people unemployed than there were 12 months ago. Young families are burdened with debts to pay for houses that they are unsure will ever be worth what they paid, and owe, for them. Sound businesses are beset with problems and some business people are having to face the tough decision that they will have to fold their business. People are facing foreclosure from banks where they struggle to meet repayments. Against that background, people will be wondering why the Dáil is moving to deal with a crisis in the financial sector. Why are we offering support, as people see it, in the financial sector when perhaps we are not being so generous with our support to some of these? That is an important question.

We are offering support to this Bill because we believe it is important that we copperfasten our financial system. We must all understand that a sound financial system is like the oil running through an engine. If that oil is drained away by a loss of confidence, then suddenly that engine seizes and the problems that beset people in our country who are facing the dole, who are struggling to meet their payments and who are encountering tough times in business, would get much worse. That is why we are supporting this approach. We believe it is timely to move and to deal with what would be a potential run on banks.

The difficulty with the banking system is that it is all built on confidence. One can have a sound bank that is being run on the most prudent principles ever but if people suddenly lose confidence, that sound bank goes down. That is the risk that we cannot afford to take.

The international crisis that has come along brutally exposed the weaknesses that have been building up in our financial sector, but that does not mean we cannot get into the blame game of asking what happened and why it happened. There will be a day for that and we must learn lessons from it. We must have a much sounder regulatory system, and a sounder approach to the way we manage our economy, on the back of this experience.

The immediate requirement that we face today is to ensure that, in the face of the loss of confidence that our banking system has suffered and the dangers, which no doubt existed and of which the Government became aware, this is the right thing to do, as I believe it is. We are better to take the approach of providing a guarantee to the depositors in all our financial institutions rather than allow what perhaps has happened in other jurisdictions where weaker banks were picked off to occur. I fear the approach taken elsewhere would not have worked in Ireland and I support the view of the Government that it is better to provide the broad deposit guarantee involved in this legislation.

I would not go along with the Government in seeking, as it has been doing, to play down the significance of this and say the taxpayer is very much in the background and that the rules are not being changed dramatically. The rules are being changed dramatically. From this day on, the taxpayer will be standing as guarantor for the money Irish financial institutions raise, thus changing the whole relationship between the taxpayer and those institutions. Banks can raise money with a guarantee from the Irish taxpayer and we therefore need to know what that money is used for. We cannot afford to have money guaranteed by the taxpayer used in a way that involves an institution which is exposed to risk gambling on the chance of “getting out of jail” and believing it will be home free with another roll of the dice. The lending practice or purchase of derivatives associated with this strategy cannot be allowed as a result of the new access to deposits we are providing for through the guarantee.

[Deputy Richard Bruton.]

It is very important that the Government is aware that the rules have changed dramatically. I hope the Minister is correct that there is a buffer between the taxpayers' guarantee and any possible crisis in a financial institution. There is a buffer but it consists predominantly of shareholders' funds; it is not a huge buffer. The Minister reckons it amounts to €80 billion and I am sure we will see his analysis of this figure as the debate proceeds. However, let us not understate the position of the taxpayer because the taxpayer now has a new relationship with financial institutions. If one institution gets into difficulty, we will have a very different relationship with it as a result of this measure. It behoves us, therefore, to change the way in which we approach regulation.

What is missing from this legislation is a real indication that the Government has a new set of regulatory rules to apply. There is an indication that it is taking the power to introduce such rules, but there is no detail. As Deputy Kenny stated today, we believe the regulator should be represented on the risk committee assessing risks taken on by the banks. Thus, the regulator would ensure that bad decisions on the use of the money are not made by banks. The Government is taking on powers but not telling the Oireachtas, and consequently the taxpayer underpinning them, what those powers will be. This must be remedied before we conclude this debate.

It is clear that a different definition is being applied in the legislation from that indicated earlier. This morning it was just deposits and bonds that were to be subject to guarantee, while tonight there is a wider definition that includes the obligations of credit institutions. We need assurances regarding what the wider definition includes. Does it address circumstances in which the buffer of shareholders' funds may be somewhat narrowed by comparison with what we believed? If so, we need to know why the Minister is changing the rules.

Many people are concerned about the failure to include a number of financial institutions whose parent companies are not in Ireland but which have been operating in and are very crucial to the financial infrastructure of the country, particularly in certain regions. This begs the question as to whether the policy is sound. One must ask whether there is a level playing pitch and whether the approach to protecting our banking structure is appropriate. Are we creating difficulty for some of the institutions that are excluded as opposed to those that are included?

An issue also arises in regard to the legislation itself. For legislation to be robust and for the Minister to pick six institutions from a range of others that are in operation, there should be proper criteria deemed robust by a fair person examining them. The criteria employed by the Minister in picking the six institutions that are to be protected should be deemed proper and fair in the eyes of an outside observer, but I am not sure this is provided for in the legislation. The Minister does not provide any criteria for the selection of financial institutions for assistance. Six that we know are wholly regulated within Ireland are being selected but others are also regulated within the country. If we are to be robust against questions being raised as to whether this is indirect State aid or unfair competition, we need to make sure this has been thought through and that the legislation does not prove frail as it moves forward.

As a further general comment, there is extraordinarily high reliance in this legislation on secondary provisions through regulation. The courts have already raised doubts about legislation that relies so much on a Minister making provisions by secondary legislation. Some of this secondary legislation the Minister is taking on in order to impose conditions will be laid before the House. Under other sections, however, it will not be laid before the House and we will see rules produced by Ministers without even having a regulation laid before the House.

Is this a wise way to go, given the view the courts have already expressed regarding reliance on secondary legislation?

Another issue causes concern. There is discretion, apparently, for the Minister to accept a below commercial rate of return in regard to the protection he is now offering. Again, to be robust in terms of State aid rules, there needs to be a commercial rate of return. The Minister should not be in a position to choose when commercial rates apply and when they do not. I acknowledge he is taking the option that he does not have to take the payment in cash, as it could be taken in equity, which gives flexibility, but the payment, the price or the fee for the service the taxpayer is offering must be a commercial one and must be applied uniformly.

An extraordinary power is being taken in section 5, where the Minister is effectively stating he can do anything to resolve any difficulties that arise in regard to the exercise of this Bill. The presence of that provision does not inspire confidence that we have exactly stress-tested every aspect of the Bill. We need to know what is the intention of the Minister in taking such a very wide power because he cannot override certain international obligations such as those regarding State aids and so on.

There is a last point that is not in the Bill which the Taoiseach plainly said would be included, namely, that the banking sector will make up a shortfall. The Taoiseach outlined earlier today three lines of defence before the taxpayer would be called into service. One was the shareholders' funds, another was the ECB loans and the third was that the banking sector would step in as another buffer. I do not see any provision in this Bill whereby the banking sector would make good a shortfall to which the taxpayer might be exposed. I do not know to what exactly the Taoiseach was referring, although, again, I suppose this will become clear in the course of the debate.

The Taoiseach: On a point of information, in the event of there being a future situation where one had to work out the assets of an institution, if it emerged after working out those assets that there was a deficit, clearly the sector would pay for the difference through a levy over time rather than expecting the taxpayer——

Deputy Richard Bruton: It would be a future levy.

The Taoiseach: In the same way, I gave the earlier example of the insurance company.

Deputy Richard Bruton: So the Government is not making provision for it today but it is envisaging the possibility——

The Taoiseach: That would be predicated on the idea of a failure.

Deputy Richard Bruton: I have finished my broad remarks. We accept the need to introduce this measure but we also want to see that there is very robust protection. We want to see that this new access to money is managed in such a way that the taxpayer is protected to the maximum amount, which is a vital element on which we must get reassurance. It will not be enough for the Minister to state he is taking potential powers that he can use. The Oireachtas will want to see the colour of the powers he intends to apply and the sort of conditions that will be in place.

If our suggestions of putting people on the regulatory board are not the best ones, let us see what is better, but at least that is a solid suggestion as to an approach. We believe financial institutions which are in this situation and which need to rebuild capital should not be seen issuing dividends and bonuses to employees, which would be quite contrary to what we are doing here. The taxpayer, who is ultimately underwriting this, would expect that we will apply

[Deputy Richard Bruton.]

those sort of rules. That is a very important point. Deputy Kenny asked an important question earlier that was not answered. Has the Minister received advice that the legislation will be robust to scrutiny under EU directives? The House will want to know that has been thought through and that we are on a good, firm footing.

Deputy Joan Burton: It is clear that within the Bill the Minister proposes to take the most extraordinary powers in regard to regulation. It is interesting that many of the powers referred to in the Bill require no reference, except by the Minister's choice, to other Ministers or even to the Cabinet. In Irish constitutional law power comes from the Government and from Cabinet, not from an individual Minister, so the Bill is an extraordinary blank cheque to the Minister for Finance in conjunction with the Central Bank and the Financial Regulator to, as it were, offer terms and conditions of support and guarantees to banks in an unprecedented way. It is a blank cheque. The Minister has only barely sketched in the details of what the cheque may involve. We know that around the country people are losing jobs at the rate of 300 a day. Firms are calling in people on a weekly basis to say they may have to let them go or put them on short time or half time. We know what Cowen economics and the slump coalition has done to people and we want to see our banks being facilitated to provide liquidity for the real economic activity of the nation, the jobs, businesses, and farms, not the speculators and fat cats who have been making a killing for the past ten years but the ordinary, decent, working families and firms.

I put the Minister on notice regarding some of the Labour Party's requirements of the Bill prior to tomorrow's Committee Stage debate. We want the publication of details of schemes before they come into force. The Bill purports to allow the Minister to create schemes but it appears that the details of same only have to come to the House afterwards rather than before, so that is a blank cheque. We want to know the remuneration being provided in the compensation packages for higher executives and managers in banks and what limitations, if any, are to be put on remuneration. There is no indication in the Bill that there are to be any limitations. Could we start with a simple concept, namely, that no executive in any of the banks that are the subject of the guarantee scheme should earn in compensation more than the Taoiseach or the Minister for Finance during the years when they are getting the guarantee from Government? That would give them a compensation package of a salary in excess of €300,000 plus pension equivalents, which would be significant compared to the income of people who normally rely on the State for support and who end up on social welfare because they have lost their job. Those people are facing compensation of approximately €200 per week but we are not looking at any limitations being offered by the Minister nor any sense of proportionality about what some of the banks have done. They have celebrated the good years and Ireland has benefited from the activity of many of the banks, but some banks have acted greedily and recklessly. We want the Minister to drop the provision for non-commercial terms and conditions that are clearly included in the Bill. We want them excluded because we do not want the Minister or any of his successors to be tempted to offer conditions that perhaps relate to relationships that apply in other locations than are debated on the floor of the House. We want to know about positive approval rather than mere non-annulling by the Houses with regard to changes. We want to know the position of other governments. The Swedish Government faced this problem in the early 1990s and there was an agreement between the centre-right and the centre-left to have an equity stake returned to the Swedish Government, so that when banks recovered to full health the equity stake available to it could be sold so that the taxpayer could be recompensed for his or her investment in the guarantee scheme.

We also wish to know the limits of the guarantee schemes, so that they do not apply, for example, in cases of subsequent acquisitions by institutions or irresponsible lending. For

instance, it is likely that with the proposed scheme, deposits will flood towards the Irish banks likely to be covered by the guarantees as opposed to banks operating in this country which are not covered by the guarantees. We need assurance that there is a fair playing pitch for commercial equity.

Only last week in this House the Minister for Finance assured Opposition Deputies that Irish banks were risk secure. We heard that the fundamentals were strong and that there was no sub-prime problem with Irish banks, which is correct. The phrase the Minister used was “risk secure”. What a difference a week makes. I remember some years ago, and even this year, families in Dublin and other parts of the country suffered from a major flooding incident. They suffered the economic cost because they had no insurance. There was a question mark over the responsibility of the State to assist them. It was the so-called moral hazard issue, the fear that a State bail-out would reward those who took foolish risks and failed to insure their homes adequately. It was a core value of public policy that those who took risks paid the penalty. Deputy Brian Cowen repeated this policy position when Northern Rock failed in the UK. As Minister for Finance he said he would not countenance a bail-out of reckless behaviour by banks. Recently the Government came out rather proudly after a Cabinet meeting and said that for Waterford Glass there was no question of the Government facilitating a borrowing request which, if I recall correctly, was approximately €34 million. The Government has form on this issue. That was then and this is now. What happens in the past few days to cause such a dramatic——

Deputy Brian Lenihan: It was completely different. There was no consideration for the value offered for Waterford Glass. No value was offered.

Deputy Joan Burton: What caused this flip flop in Government policy? Ministers were proud to say they did not consider any form of guarantee for the borrowing requirements of the Waterford Glass group. The same issue of moral hazard came centre stage when banks starting to fail internationally. They took reckless risks with some mortgage products and practices. The job of Government was to minimise both short-term harm to important financial institutions while protecting the taxpayer from long-term costs. At first the US and British Governments tried a modest programme to contain the fall-out. It was not enough and gave way to a plan to refinance and guarantee mortgages to a limited and controlled amount. That was still not enough. Then we had the bigger bail-outs with which we are all familiar, namely, Northern Rock, Bear Sterns, Fannie Mae, Freddie Mac and AIG. These measures have only fuelled the panic.

In the United States of America the Bush Administration chose to throw in the towel and is using taxpayers’ money to take responsibility for entire debts in a desperate effort to avoid a complete meltdown. We are being asked in this House to follow George W. Bush’s lead and offer even greater guarantees, relatively speaking, than the Bush White House. We are being asked to offer greater guarantees to Irish banks. “Moral hazard be damned” had become the centrepiece of the new orthodoxy. The core issue is the accumulation of unmarketable mortgage-backed securities and complex financial products of dubious value. I see no reference in his legislation to the regulation of dubious financial products or even the description of dubious financial products. Now it seems governments, including our own, will set aside potentially billions of the people’s money to acquire these assets, taking them off the private sector’s hands to allow financial institutions to resume routine borrowing and lending without the fear of becoming stuck with worthless paper. The Exchequer, or some specially created public agency, may become an owner of vast amounts of dodgy debts and the property associated with them.

The Minister should be in no doubt that there is more than the powers of a guarantee in this legislation. We understand what the Taoiseach spelled out earlier today about guarantee but

[Deputy Joan Burton.]

the powers are much wider and if the Minister chooses to exercise wider powers than merely the guarantee described, I am not satisfied that there are sufficient requirements in the legislation for him to come in and clear that with the House.

I do not doubt that drastic action, national and international, is necessary to stabilise the situation. We agree with that. The Labour Party wants the lines of credit secured to protect the jobs, the employment prospects and the firms that employ working and middle class Irish people. We share that objective with the Government but the Government has a duty to uphold the nation's financial system. We accept that. The issue is the cost to current and future taxpayers. Many difficult questions remain and the Minister must give answers in the Dáil this week before we have a simple, dump it all on the taxpayer proposal. He says we will do this now and we will get the invoice in the post in the long term. That is not good enough.

The Taoiseach spoke today about this simply being a guarantee in regard to bank deposits and lending made by the banks from the European Central Bank and other secondary tier lending, as it is referred to, but it must be remembered that this is just one side of the bank equation. On foot of guarantees in respect of bank deposits and bank borrowing, banks can then lend out multiples. Nowhere in this legislation does the Minister make it clear how he proposes to regulate the lending practices of these banks to ensure they are saved from reckless actions in the future because those reckless actions, after this legislation, will have a cast iron, golden guarantee from the Irish taxpayer. We want an explanation in that regard.

What is the impact of this legislation on the national debt? The Minister's officials are suggesting it is a little note to the bottom of the national debt stating that our national debt is approximately €46 billion, which is low, but we have another €400 billion of exposure to the Irish banking system. That makes the figures gallop quite quickly, so to speak.

As well as regulating senior financial executives' pay in these banking institutions, will we finally see, for instance, the end to the practice that caused much of the construction bubble in Ireland, namely, the tax breaks that fuelled the speculative bubble? Can the Members opposite wean themselves off that at the same time they propose to bring in extra regulations for the banks?

The basic approach of the Minister has many defects. The Labour Party wants to join with the Government in protecting the legitimate interests of Irish taxpayers, Irish workers, Irish companies and Irish firms, but we are not writing a blank cheque to people who lived high off the hog during the years of plenty and did not contribute very much. We want to see them pay up and to see that clearly set out in the legislation. Nothing less than that will satisfy this party.

Minister for Foreign Affairs (Deputy Micheál Martin): I wish to share time with the Minister for the Environment, Heritage and Local Government, Deputy Gormley.

An Ceann Comhairle: Is that agreed? Agreed.

Deputy Micheál Martin: I applaud the decision taken by the Taoiseach and the Minister for Finance to bring this issue to the attention of the Government yesterday evening. It is in everyone's interest to take decisive and cohesive action on this issue. The international financial system has been affected by unprecedented turmoil and dislocation over recent months. Credit markets, which are central to meeting the medium-term funding needs of the financial system, have closed, in effect. Inter-bank lending rates have increased significantly, thereby escalating the cost of finance to financial institutions.

Recent developments in the United States have created major structural issues for the global financial system. When I visited the US recently, it was evident that these issues were being

presented in a simplistic manner that was leading to polarisation. We should avoid such an approach here. I do not suggest that it is happening in this country. One of the reasons the US Congress did not come to a certain conclusion was that, from an early stage, the action proposed by the Executive there was presented as a bail-out for the elite at the expense of the person on the street.

Deputy Enda Kenny: There will be an election in the US in a few weeks.

Deputy Micheál Martin: Such an over-simplistic presentation led to yesterday's inconclusive result at Congress level. That result has the potential not only to affect the US economy but also to have global ramifications. The Government's decision to introduce the legislation before the House will affect every member of Irish society. In essence, it is about employment. Deputies spoke about the decline in this country's employment figures and the growth in unemployment. The bottom line is that everybody with a stake in our economy — including elderly people, those who are employed, the self-employed, business people and shopkeepers — will benefit from this legislation. Such people would ultimately pay the price of the indecision that would prevail if this step were not taken by the Executive or the Oireachtas. We need to put such a fundamental point to the people in an honest manner.

The Government has not taken this decision lightly. It took significant advice from the key authorities in this field. Its decision to underpin the stability of our financial system, by enabling funds to flow and the wheels of our economy to turn, was made in the best interests of all the Irish people rather than to benefit any single group or section of society. That is the bottom line in terms of our decision. I am sure the Members of the Oireachtas, including Opposition Deputies, accept the imperative that the Government has put before the House in the shape of this legislation. It is important to move in a coherent manner, as quickly as possible, to underpin the confidence that has already been generated by the Government's decisive action. Indecision would create further challenges and difficulties.

It is clear that we are witnessing extraordinarily volatile times. Perhaps the exact extent of the impact of this volatility has yet to emerge fully. Recent events throughout the world, particularly in the United States, are unheralded and unprecedented. I refer to the quality of the institutions which have fallen, or have had to be subsumed into other institutions. As the global financial crisis has evolved, the Government has been consistently mindful of, and committed to, the need to underpin stability at all stages. It has increased fivefold the extent to which it is prepared to protect deposits. It is important to accept the bona fides of the decision that has been taken by the Government. We should not fall into the trap of engaging in the type of debate that pits one group against another.

This legislation will not offer a free ride to the banks and the other financial institutions. Commercial rates will apply. There is a price to be paid for the State guarantee. Deputy Bruton spoke about the powers which may be taken on by the Minister for Finance. In the current circumstances, it is advisable to make legislative provision that enables the Minister to take action. It is right to give the Minister certain enabling powers. He or she should have the capacity to respond to situations as they emerge and evolve. I will now hand over to my colleague, the Minister, Deputy Gormley.

Deputy Seymour Crawford: What about the Border counties?

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): This evening we have an historic and momentous decision to make. Most of us in this House entered politics because we believe in serving our fellow citizens and protecting their interests.

[Deputy John Gormley.]

Central to that mission is guarding the welfare of the many against the greed and self-interest of the few.

The landmark decision we have to make is about protecting all Irish citizens. It is about protecting our economy and our society, and giving ourselves a fighting chance to make a good recovery from the global financial turmoil in which we now find ourselves. For the past month many Irish citizens have been living in daily fear for their jobs, their families' welfare and their homes. We have seen the breath-taking speed with which some of the world's fabled Wall Street investment banks literally vanished. Some of these were a century old and had even survived the 1929 Wall Street crash. Many of us asked what hope we in Ireland had if finance giants like Merrill Lynch, Goldman Sachs and Morgan Stanley could not withstand the financial hurricane hitting world financial markets and banking systems.

The Government has considered the options for tackling this urgent crisis. The manifestation of the problem has been simple enough. Banks in Ireland, in common with their counterparts across the world, suffered from a lack of money. This lack of bank liquidity was threatening to bring longer-term depression to bear on an Irish economy already technically in recession. The lack of money to fund enterprise was threatening the well-being of virtually all Irish people. When business cannot borrow for its needs then ordinary citizens suffer as enterprises founder and jobs are lost.

We in Ireland have watched our counterparts in other countries, notably Britain and the USA, grappling with these same potentially crippling problems of bank liquidity. However, rather than follow the lead of Britain or the USA, we in Government are convinced that we have a better remedy. We are delivering an Irish solution to a global problem which fits our small open economy. We have decided to guarantee bank deposits in all Irish banks. We chose that over other options such as nationalising banks either partially or entirely.

We believe that as a country with one of the lowest level of debt to wealth ratios in the EU giving State guarantees to the Irish banks is fair to Irish taxpayers. The banks will also be obliged to pay for these guarantees which already today have enhanced their value and stabilised their shares on the money markets.

This comprehensive approach to the issue at hand dealing with all banks on the same basis avoids the potential for future confusion in dealing with banks on a case-by-case basis. Let us recall that banks lend money on two bases, the first on the funds they get from their own depositors and the second from money they borrow from other banks. In many ways, this legislation just widens the guarantee given to depositors 12 days ago to cover all bank deposits generally.

The Minister for Finance has brought forward a mechanism which minimises the cost to taxpayers but at the same time places a bedrock of State guarantee under our banking sector. This bold move has seen commentators from around the world look on with a degree of admiration. I am very proud of the role the Green Party was able to play in providing this innovative solution.

Deputy Alan Shatter: Is the Minister proud of Fianna Fáil's role in this debacle?

Deputy John Gormley: This is the type of new thinking we need in Ireland if we are to weather current storms and return to a sustainable and stable prosperous economy.

Deputy Paul Connaughton: The Green Party was told about it this afternoon.

Deputy John Gormley: I cannot let this occasion pass without lamenting the lack of global money market regulation. This gap has allowed reckless avarice to carry the day for far too long on world money markets.

Deputy Michael D. Higgins: This is a blast from the past.

Deputy Paul Kehoe: The Green Party was told what to do.

Deputy John Gormley: People entrusted with a sacred duty to police the money dealers have failed in their duty. The price of all of this has been the loss of people's confidence in the global financial markets.

We in Ireland have been ill-used and so have the citizens of the United States. However, we must also realise that we have many lessons to learn from this debacle. It is time for the politicians, elected by the people to order their affairs, to remedy the lack of regulation which has caused chaos and misery to ordinary citizens. We need to go further. What we are deciding here tonight must be seen as a first step. Politicians in Ireland and across the western world must rebuild a sustainable and sound system of financial regulation. We must get back to serving the needs of the many and not the greed of the few. I commend the legislation to the House and I thank the Opposition Parties for their co-operation.

Deputy Kieran O'Donnell: I propose to share time with Deputy Varadkar.

An Ceann Comhairle: Is that agreed? Agreed.

Deputy Kieran O'Donnell: Tonight is an historic moment for Ireland. While we discuss this Bill, people are looking on who are fearful of losing their jobs or who cannot secure access to finance for their small businesses. The chief executives of four banks appeared before a meeting of the Joint Committee on Finance and the Public Service last July. Fine Gael specifically requested their attendance to discuss the issue of the difficulties encountered by people in accessing credit. The witnesses told us there was no problem and that they were continuing to lend money. Clearly, they were not. Those people have seen today that while they could not access credit, the same is not true for the banks in their moment of difficulty.

It is extremely important that the measures introduced under this legislation should not only benefit the banks but also small businesses and those who are seeking mortgages. In particular, we should bear in mind two consequences of this proposal. First, the banks are now able to access further liquidity on the inter-bank market at a lower rate than they were being offered yesterday. They must pass on that lower rate to hard-pressed customers. Second, Government bonds have increased in value in terms of the returns people will expect. That will affect the taxpayer. I am glad the Minister made reference to the guarantee scheme and how he proposes to put the mechanism in place. However, it is important that the taxpayer does not pay the cost of these measures.

Under section 6(4), it is proposed that all financial support shall, "as far as possible", ultimately be recouped from the credit institution or subsidiary to which it was provided. It is important that we devise mechanisms whereby the taxpayer does not pay for these provisions. We will bring forward proposals to that effect on Committee Stage. The Minister made reference to the buffer made up of equity and other risks. However, he made no reference to potential bad debts that the banks must write off, to ensuring they do not pay a dividend and that there will be an end to the awarding of excessive bonuses to chief executive officers, and that they do not engage in risky practices.

[Deputy Kieran O'Donnell.]

We are operating in changed circumstances and there is a requirement for new regulatory measures. Deputy Kenny referred to the Government making appointments to risk management committees within the banks. In addition, an overseas board should be appointed by the Government which would include the Financial Regulator and the Governor of the Central Bank.

Deputy Paul Gogarty: Is the Deputy going to suggest there should be a representative of the World Bank?

Deputy Kieran O'Donnell: There should also be a representative of the Government on this committee. We are putting forward positive proposals. People should not be sniping and making silly comments on such a serious issue.

Deputy Paul Gogarty: It is a ludicrous suggestion.

Deputy Kieran O'Donnell: People are worried about losing their jobs and about being unable to access credit.

Deputy Paul Gogarty: The Deputy should not be turning this into a partisan issue and scaring the bejaysus out of people in the process.

Deputy Bernard Allen: A foreign channel is being picked up. It should be turned off.

Deputy Olwyn Enright: Deputy Gogarty should make his comments during Government time.

Deputy Paul Kehoe: It is time that Deputy Gogarty shut his mouth and minded his own business.

An Ceann Comhairle: Deputy O'Donnell should be allowed to continue without interruption.

Deputy Kieran O'Donnell: People are entitled to the assurance that these procedures will be put in place.

We welcome these proposals, which are necessary for the banking sector. However, we must ensure it is not the taxpayer who pays for them. The measures must provide a flow of funds from the banks to enable the economy to function. That has not been happening in recent months. I welcome the decision to allow time to thrash out the details on Committee Stage.

Deputy Leo Varadkar: The Minister for Finance has told us that finance is the lifeblood of the economy, while Deputy Bruton described it as the oil in the machinery. I agree with that. The purpose of this Bill is to restore confidence in the financial services industry and to secure the banking sector. Some members of the public will be unhappy with what we are doing, but it is important to remember that this is not just about saving banks, it is about pension funds, people's savings, businesses big and small, and jobs.

I disagree with the Minister on some points. I do not agree that the main problem with the banking sector is liquidity. I think there is a capital problem as well. The banks have squandered their capital on mistaken loans to the property sector and I really wonder whether, in all cases, their assets exceed their liabilities. I will be interested to see how the Minister has been assured of that and how he has come to the conclusion that their assets reach €80 billion.

I also have some concerns which should not go unmentioned. I have a real concern that the taxpayer will be guaranteeing inter-bank loans. It is not clear to me that there is anything

stopping a bank from borrowing €1 billion or €2 billion tomorrow from the Bank of Abu Dhabi or the Bank of China and then lending that out to people who cannot afford to repay those loans.

The Taoiseach has described the purpose of this Bill as going back to business as usual, but we do not need business as usual — we need to change the way we do business in this country. We need to do that through better regulation of the banking sector, although that is not provided for in the Bill. We need better oversight and I want to see more in that regard. We need to know how this will impact on the cost of borrowing. It would appear to me that if we are potentially taking on these liabilities, the cost of borrowing on behalf of the taxpayer will be higher. We will borrow €10 billion this year and probably the same next year, but will the cost of that borrowing be higher? If so, what will the cost be to the taxpayer?

I am disappointed that there are no consequences or punishment for some of the people who are, in part, responsible for this situation — bankers who made inappropriate loans, the Central Bank to a certain extent, and also Ministers who had the opportunity to act to rein in the financial sector, but did not do so for various reasons.

My final concern relates to what has happened here today. Our frontbench met this morning to discuss what was going on, yet there was no indication at all that legislation would be required. We only found that out at Taoiseach's Questions at approximately 4.30 p.m. We were summoned back here at 6 p.m., 7.30 p.m. and 9 p.m. It was suggested by the Taoiseach that we should discuss a draft Bill that had not even been published and we returned here at 10 p.m. We have been told that markets and banking operate on confidence, but I do not have a lot of confidence in a Government that does its business that way. We finally got the Bill — and it is still warm, believe it or not — at 9.45 p.m. We have been asked to read it but it is like being asked to read the Lisbon treaty in 15 minutes. Apart from being stand-alone legislation, it also amends four other pieces of legislation: the Competition Act, two Finance Act and the Companies Act.

We have a national crisis and on this side of the House we are doing our best to offer responsible and patriotic opposition. As a result, and because this Bill changes other pieces of legislation, we are by and large supporting this Bill on trust. The Government has asked for bipartisanship and a Tallaght strategy, and they will get it on this one Bill. However, the responsibility for this lies on the heads of Government Ministers and woe betide them if any banks fall or if taxpayers are left with significant liabilities.

Deputy Ruairí Quinn: I wish to share time with Deputy Rabbitte.

An Ceann Comhairle: Is that agreed? Agreed. Deputy Quinn has five minutes.

Deputy Ruairí Quinn: This is not a night for recriminations, but we cannot pretend that this problem fell from the sky. We have had a failure of regulation in this country in the sense that the advice of the regulator — Deputy Bruton has already cited this — to curtail the massive lending and extreme extension of funding into the construction sector was consistently ignored by the lending institutions and by the Department of Finance. The tax breaks stayed in place. All the advice coming from independent economic advisors and commentators was simply ignored by the Department of Finance and by the Minister's predecessor. When the regulator voiced concerns, as did the Governor of the Central Bank, he did not seem to have the power to enforce his advice.

I refer the Minister and his colleagues from the Department of Finance to page 6 of today's *Financial Times* where an article by Gillian Tett refers to the success the Spanish Central

[Deputy Ruairí Quinn.]

Bank's governor has had in helping Spanish banks, which have a big property exposure, to avoid the road we currently find ourselves on. The Spanish banks, particularly Banco Santander, have moved into a premier position in the new European landscape.

The meat of this Bill is in sections 5 and 6. The meaning of section 5 is that the regulations introduced on foot of whatever decisions the Minister makes will have to be laid in draft form in this House before they can be activated and become law. However, that procedure is reversed in section 6, where the Minister reverts to the traditional manner. As we all know, that kind of draft regulation is never scrutinised here. I again defer to the point made by Deputy Bruton. We are sailing very close to unconstitutionality with this Bill, and as a senior counsel, the Minister must be aware of that. I ask him to look seriously at reversing that particular mechanism and return to how we scrutinise the draft regulation in section 6.

The Government is guaranteeing €400 billion. What will it charge the banks for this insurance policy? The Bill does not tell us what the banks will pay for this facility. The rate in credit default swaps is approximately 2%. This means the banks are getting an insurance policy worth €8 billion for two years. These are points that are being brought to our attention, and I am bringing them to the attention of the Minister so we can get answers to them by tomorrow. What is to stop the banks that are covered by this guarantee from poaching deposits from those that are not covered and lending them on to make enormous profits? It appears to us that there is no attempt to limit the competitive damage to other banks not covered by the scheme.

What is the signal that we are sending to the financial institutions in the IFSC, many of which are completely outside the remit of this Bill? This is a flagship in which we have all taken some pride, particularly Fianna Fáil, yet down in the IFSC they are wondering why they have been singled out for non-inclusion. I have not even mentioned the traditional high street banks whose parents are located in other jurisdictions attached to other central banks. Does the definition of credit institutions, as defined under the Central Bank Act 1989 in S.I. 395 of 1992, allow the Minister to ring-fence an Irish bank operating in the Irish high street, whose parent is outside this jurisdiction, to benefit from the same facilities he is providing for the six banks in order to level the playing pitch?

Deputy Paul Gogarty: Is that legally possible?

Deputy Ruairí Quinn: That is what I am asking. There are many banks in this country with a large number of employees and customers who have been here for a long time, and who see this as blatant discrimination. Time prevents me from proceeding, but I would like to see those questions examined and answered.

Deputy Pat Rabbitte: I doubt if there is any Member who disagrees with the proposition that banks must be able to source funding abroad and lend it to their clients in order to maintain economic activity. However, the question remains as to why the markets are frozen towards Irish banks. The answer has to be that international banks regard Irish banks as having too many bad debts and bad loans on their books. That is the reason the money is not coming forward. The Financial Regulator timidly warned of the dangers of the huge expansion of credit and personal indebtedness, but did not seem to be able to enforce it. We have been left with a property overhang and that bubble is the cause of the problem, and not the events on which Deputy Michael Martin lectures the US Congress.

Deputy Martin thinks it is churlish of public representatives in the US to take the two and a half page Bill they received and elaborate it into a 100 page Bill.

Deputy Micheál Martin: I did not say that.

Deputy Pat Rabbitte: He thinks they should have nodded it through like he expects to happen in this House. In fact, those representatives identified critical omissions such as the absence of congressional oversight and that same absence is evident in this Bill. We have been given a vague, rushed Bill which was being drafted during the day as we were in this House awaiting it and we know it is an invitation to difficulty down the road. I see three options: the Paulson option, the option of pumping in equity and taking stakes or, the insurance, the guarantor, option. The Minister has opted for the guarantor option and the Bill does not tell us anything about the nuts and bolts. The Bill is essentially an enabling piece of legislation that confers the most extraordinary, far-reaching powers on the Minister who may make regulation when and as he thinks fit. It is the most all-encompassing power I have ever seen devolved to a Minister and none of the critical nuts and bolts is available to the House. Mr. Paulson would love to be Minister for Finance in this country because apparently he could do what he likes. This is what he tried to do in Congress and the Congressional members had the audacity to put a halt to his gallop.

Banks who have been lending too much to dodgy builders come in the back door to Merrion Street and make a case, presumably that one or other of them is in deep trouble, and we opt to convert the country into a massive AIG. We are one massive insurance policy now for some €400 billion. The United States has attracted much attention for putting forward \$700 billion of taxpayers' money to buy back dodgy toxic accounts. This is roughly 5% of GNP in the United States. We have put 200% of GNP, theoretically, at risk here and we do not know what the Minister means when he says there will be a cost levied, how it will be levied or how it will be done. This is not the way to make law.

We are being asked to confer these powers on the Minister without any knowledge of what kind of oversight or anything else is in place. I think the delay today was caused by matters brought to the attention of the Government once it made the announcement this morning and, from what I know, those matters relate to the competition area. It seems issues were raised about the exclusion of certain banks functioning in this jurisdiction and this is what caused the redrafting and the delays that happened today. The Minister needs to address that issue. I notice the European Commission has said that distortion of competition out of proportion to risk may well be an issue it will need to examine.

I notice the Minister for the Environment, Heritage and Local Government, Deputy Gormley, is going to tackle global regulation as his next move and this is reassuring. However, it would be marvellous if we could tackle regulation here. The Minister's script is full of assurances about the strict regulation that will apply now. Why should it apply now, when anybody who knows anything about finance and economics, for the last three or four years in particular, has been warning the Minister and his predecessor that we would come to grief in exactly the fashion we are now dealing with tonight? Everybody was aware of that situation but we did nothing. We stoked it and expanded credit. Personal indebtedness has got out of hand. Now we have a property overhang and the Minister in his budget will probably come up with some scheme to buy back the properties from his financiers in the building industry and we are left with the mess. The taxpayers of Ireland are expected to underwrite it with their money and bail out the reckless behaviour of some of the lending that went on in this country over the past number of years. Both the Minister and I know this is the case. The people who helped him write this legislation are the ones who it appears will be able to implement it.

This morning, Deputy Kenny recommended that the new regulator ought to be represented in the big decision making. Now that they are underpinned by the State, I cannot see anything

[Deputy Pat Rabbitte.]

that will prevent banks acting as banks and taking decisions which we will be sorry for in the future.

(Interruptions).

Deputy Paul Gogarty: It is better than doing nothing.

Deputy Micheál Martin: Deputy Pat Rabbitte's party could print its own money anyway.

Deputy Enda Kenny: That was a long time ago.

Deputy Bernard Allen: Deputy Micheál Martin is supposed to be a diplomat and a statesman.

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): I am trying to ascertain whether Deputy Pat Rabbitte is for or against the Bill. Today is not a day for point scoring.

Deputy Pat Rabbitte: I am not against it. I did not see the Minister five minutes ago.

Deputy Mary Coughlan: The Deputy is a man who always knows his mind. I thank the Minister for Finance and all those involved over the past several days in dealing with these important issues.

The Credit Institutions (Financial Support) Bill is about protecting the public interest at a time of deep disturbance in international financial markets. It is about protecting depositors and giving confidence to those international banks that lend to our banks. Its effect will be to ensure liquidity is retained in the Irish financial system. The importance of maintaining such liquidity is key to the ongoing ability of not just our banks to do business but to that of our small and medium enterprises. Their ability to get and retain credit impacts directly on their ability to do business every day. The actions of the House tonight in considering the Bill are key to the security and stability of our economy at a local and national level.

The current crisis has its roots in the credit markets of the United States. While Irish institutions have no significant exposure to the kind of assets that have sparked this credit crunch, over time the global situation has taken its toll. While in the past individual financial institutions have fallen because of one event or another, the number of institutions which have been the subject of liquidations, forced partnerships or state takeovers of one kind or another is growing.

Fortunately, Ireland has been spared the worst of this but Irish financial institutions are as reliant as any others on the international capital markets. This means that when liquidity — the lifeblood of finance — starts to become harder to access, the institutions find it increasingly difficult to carry on as normal. This liquidity shortage is at the heart of much that is happening in financial institutions worldwide. Across the world, creditworthy institutions are being placed under stress because of the difficulty of raising finance for their operations.

Notwithstanding the many flaws in the system becoming evident, modern economies require the presence of a broad range of financial services. In particular, the availability of credit on reasonable terms allows for entrepreneurial activity, for the development of private and public infrastructure and for the generation of economic growth and employment. It is essential that toolkits are available for the protection of the financial system's stability, particularly when it is being challenged globally.

One tool in the toolkit has already been deployed. The Government has announced its intention to give a guarantee to several financial institutions. This decisive action gives support to the creditworthiness of the institutions concerned, making it easier to raise cash for oper-

ations and allowing them to continue serving their customers. That guarantee is the appropriate tool for the current situation. In other circumstances, other tools might be necessary.

It is important that where an institution runs the risk of ceasing to be viable, it can be brought together swiftly, with the minimum of fuss, with a stronger partner. Section 7 provides that in certain circumstances the Minister for Finance can step into the role, temporarily, of the Competition Authority, to enable competition issues in the bringing together of institutions to be considered fairly, swiftly and in the full understanding of the financial stability issues concerned.

We hope, of course, this tool will never be used. Even if it were, there would be little question of damaging competitiveness in a sector. It cannot help competitiveness for an institution to go to the wall which could otherwise thrive as part of a different structure. The public interest can often demand broadly based and swift consideration of strategic options in achieving the best outcome for the people. It important that we allow for that.

Deputy Seymour Crawford: What about Ulster Bank?

Deputy Mary Coughlan: The Minister will deal with that issue later.

Deputy Seymour Crawford: He did not deal with it earlier.

Deputy Simon Coveney: I support the initiative announced by the Government this morning which took many by surprise. However, few options were available to the Government this morning.

If a significant decision had not been taken by the Government today, we may well have been facing the scenario of one or more Irish banks not surviving the day, never mind the week. The options were limited. Nationalising individual banks that are in trouble was not an option for the Government, in my view. Likewise, allowing any individual bank to go under in an Irish context would have caused ripples that we would not have been able to control, in terms of its impact on other banks.

The response from the Stock Exchange today has been reasonably positive, although we should not overstate that. The Government has been making the case that the issue is primarily about liquidity and the availability of funds to Irish banks and there is a lot of truth in that. However, Deputy Rabbitte raised a valid issue. We need an answer to the question as to why Irish banks have been finding it so difficult to access funds and why banks outside of Ireland have become slower to lend money to them.

The radical measure that the Government has taken today will not solve domestic problems within Irish banks in terms of their potential exposure to bad debt, which the Irish taxpayer may now be exposed to in the foreseeable future. The Government's decision must be backed by legislation, although there was some confusion about that today. The Minister said this morning and repeated again this evening that the taxpayer will be protected in this deal. That simply is not the case. The exposure of the taxpayer will certainly be minimised and the Minister will do everything in his power to ensure that is the case. However, to claim that the taxpayers' interests will be entirely protected in this deal is simply not true. The Irish taxpayer is being exposed to potentially enormous debt, should future calamity befall Irish banks and the Irish economy more broadly. On top of the potential debt risk that exists, following the other protections that exist should they fail, is the potential damage that is being done to the cost to Ireland of borrowing money. In that context, I seek more detail from the Minister for Finance. Will the fact that we have become guarantor for a very large amount of money make it more expensive for the Irish Government to borrow large sums of money, as will be necessary for this years' budget?

[Deputy Simon Coveney.]

Let us be clear — this is a gamble. It is calculated, but a gamble nonetheless, using public money in response to the abnormal and extraordinary circumstances faced by Irish banks and the Irish financial system generally. Our job in Opposition is to be responsible at times like this and we will be so. However, the Government should not expect us to wave provisions through without being constructively critical or making suggestions tomorrow. In that context, I appeal to the Minister and the Tánaiste to examine the sensible suggestions coming from Fine Gael and other Opposition parties with an open mind.

The Bill is essentially akin to war-time legislation, responding to extreme circumstances by giving extreme and all-encompassing powers to a Minister to make decisions as he sees fit. To ask an Opposition to accept that is very serious indeed. Tomorrow we will be seeking more oversight, more guarantees around tougher and more comprehensive regulation of the Irish banking system and we expect to receive at least a constructive and responsible response to our requests because they are not unreasonable.

This is not about securing the jobs of bank managers or the salaries of the board members of large banks in Ireland. It is about a much broader issue in terms of the availability of funds that will keep the Irish economy afloat and moving forward.

Deputy Michael D. Higgins: I welcome the opportunity to say a few words on this Bill. I listened with interest to those who suggested the Bill is necessary to re-establish trust in the lending and credit relations, particularly between banks.

There are those of us who have made reference to this in terms of “whether”. The Minister, Deputy Gormley, asked whether, if there is a blizzard in the United States, we can be far behind. It is important that the Irish public, who are watching this, will require of us that we make a proper analysis. The reality of the United States, for example, was that there was a liquidity crisis and the reason the legislation was not passed in Congress was that many representing their constituents felt that the way in which the United States problem was being approached should not require the purchase of €700 billion worth of toxic debt, the equivalent of approximately \$2,200 per taxpayer in the United States. There were several other ways in which one could have addressed the liquidity crisis. The IMF, in a conservative document looking at 42 banking crises internationally, showed that few — I think ten, including Paraguay and Pakistan — had got involved in purchasing toxic debt. That is a reality.

It is not about “whether”. Neither is it about, unfortunately, some sort of Lego approach to the economy about which the Tánaiste is talking about — tools in the toolkit. It is about giving a guarantee and people will reasonably ask what we are guaranteeing. One turns then to the Minister for Finance and the Taoiseach.

I suggest the last thing the public wants is a guarantee that things will go on as they have been. They do not want that. They certainly do not want a version of the economy that has been qualitatively changed since the time growth was sustained by export performance to a time when one had high rates of growth based entirely on the revaluation of the property base of the economy. Frankly, the message I get from constituents is that people want an end to that. They want an element of transparency. For example, the six institutions mentioned in the legislation differ entirely in their exposure to risk. Some are heavily exposed, as has already been established in the financial accounts, in relation to commercial property liabilities; others are not. It is nonsense to be using phrases such as “the banks” because they differ.

We are interested in restoring such liquidity that will create and sustain employment and that will turn the economy around in a positive way, but where is there any suggestion of that in the legislation? The Minister takes extraordinary discretionary powers in dealing with the

banks, but there is no evidence that he is taking any power to change either regulation or credit policy.

It is important to place on record, just to help those who are interested internationally, that there has been a failure of regulation internationally but, much more importantly, a model has failed. According to that model, that goes back to Von Hayek and on through Freidman, unrestrained growth, by capital staying mobile, can go for ever. It has failed. It is over. Therefore, people are looking for versions of assurance that will, as they stated in the discourse in the United States, enable people to take out loans, to buy cars and to fund the stock in their shops.

It is exactly the same in Ireland. People are asking, for example, if the banks be different for those who want to start small businesses or will the banks continue facilitating property purchases of a speculative kind, many of which are not within the Irish economy at all? The Minister for Finance will be well aware of the amount of property that has been purchased externally and funded by the Irish banking system. It is a matter with which he does not deal.

I intend to return on Committee Stage to the fact that the Minister is embarking on a constitutionally frail exercise. In several places he suggests that he will consult with such Ministers as he finds necessary, but not necessarily with the Cabinet. That will not stand long. Then several other times he takes powers of a discretionary kind that are not related to any sensible credit policy or do not offer us any future regulation. A good example of this is in page 10 of the Bill, which states “on such terms as the Minister sees fit”. This is sloppy drafting and no Minister should be given the powers of discretion the Minister seeks in the legislation. We will return to this on Committee Stage.

Deputy Arthur Morgan: My party understands that the Government needs to intervene to stabilise the financial system. The logic behind this move is to undermine the bear market and lead to investment in our banking system. This legislation is about more than the banks and I accept the point made in this regard by several speakers. It is about offering security to ordinary citizens, investors and Irish businesses, which in turn means jobs. It may well prove to be a move that other states will seek to emulate.

The concern all day is based on what will be the *quid pro quo*. What will the Government extract from the banks in return for this legislation? The Bill does not offer the details needed to inform us of the terms and conditions the taxpayer will require. We need to be particularly cautious about this move because, since the Central Bank has proven itself to be spectacularly incapable of doing its job, we do not know what our major banks’ budget sheets look like and what liabilities Irish taxpayers are undertaking. We need the guarantee to be underpinned by more conditions and we need detail thereon.

When the Government bailed out AIB in the 1980s after the ICI collapse, a levy was introduced on the banks. A similar initiative must be included in this Bill to build a fund that will serve to meet the insurance requirement that is clearly necessary for the banking sector. If this guarantee does what it should, the banks should make a profit from borrowing the Irish State’s name and should pay significant compensation to the State for that security. There should also be a commitment from bank management to forgo bonuses for the time covered by this guarantee, or consider cuts in their exorbitant salaries. Separately, we need to see new transparency in the banking system and we need better regulation.

Today, while welcoming this decisive move, we must point out that action could have been taken many years ago to prevent the move from being necessary. As far back as 2005, the Oireachtas Committee on Finance and the Public Service, of which my colleague Deputy Ó Caoláin was a member, made recommendations on bank charges and interest rates. Deputy Ó

[Deputy Arthur Morgan.]

Caoláin initiated the process. As well as exposing the lack of transparency on the part of banks regarding their charges for customers, the committee urged the need for further regulation of banks. We must not forget the current global financial crisis is of the sector's own making.

We need to know what assurance will be given to ordinary people, including those who have lost their jobs in the construction sector, those who are mortgaged to the hilt and are facing negative equity in their homes, those who risk losing their homes and those who did not earn bonuses during the boom years while others reaped millions. This guarantee will mean nothing to people, hauled before the courts by the banks, currently embroiled in court hearings over mortgage defaults.

When was the last time the Government sat through the night to come up with solutions to solve these people's problems, as it did last night? It is imperative that the Government offer the same level of security offered to the banks to ordinary people in debt to the banks. Thus far, no bank has moved on a major developer to recoup loans, yet homes continue to be repossessed. Along with the guarantee I seek, there should be an immediate moratorium on home repossessions. Every step must be taken to ensure people can reschedule loans where required, defer payments on the capital sum borrowed and, as required, negotiate interest-only repayments for a designated period.

My party has always been in favour of a State bank. This morning's announcement is evidence enough of the value of such a proposition. With a State bank, the Government can adequately protect the investments and deposits of ordinary citizens and small businesses while wisely investing profits into the public purse to the advantage of all. The newfound policy of privatising profit while socialising debt surely magnifies the need for an urgent reorientation of our economy. The sooner such a process commences, the sooner funding will be found for the provision for proper social services.

Minister for Finance (Deputy Brian Lenihan): When I telephoned Deputy Kenny at 7 a.m. this morning and explained to him the circumstances in which the State found itself in regard to financial stability, he responded without hesitation that he would support any measure the Government brought forward. Of course, it is natural and correct that in the course of the day Deputies would express reservations or doubts, or that in the course of the debate Deputies would query particular provisions. I look forward to Committee Stage tomorrow when there will be an opportunity to elucidate some of those provisions and explain the different issues at stake. I do not propose today to go into the detail of all of the elements of this legislation as many of these matters can be addressed on Committee Stage. However, I want to address some points that have been raised on the floor during the debate because they are of importance.

I welcome the broad welcome which was extended to the Bill in the House. I hope we do not divide on the matter because I believe agreement on Second Stage on this legislation will send a clear signal to the markets tomorrow morning to secure the stability of the financial sector.

Deputy Bruton made a very important point in regard to our compliance with European Union obligations. I assure Deputy Bruton that the advice of the Attorney General was sought on this matter and obtained. The Government is satisfied that this legislation is in conformity with our obligations to the European Union. Contrary to what Deputy Rabbitte suggested, namely, that this was the occasion of the delay today, that is far from the case. The advice of the Attorney General was sought on this matter as part of the contingency planning which led to this legislation, and that advice was crystallised in the course of our deliberations yesterday evening. I want to state that the advice of the Attorney General has been obtained on this

legislation and that we are satisfied we are in accordance with our obligations to the European Union in regard to it.

Complaints may be made to the Commission. Complaints are made to the Commission about many matters and when this happens, the Commission rightly and properly seeks explanations from the relevant member state about its position. However, as a Government, we have been advised by the Attorney General that we are acting in accordance with those obligations.

Deputy Quinn raised the question of the banks which are not covered by this guarantee. If one examines the legislation, one will see there are six designated banks which are covered by the guarantee and the option is given to the Minister to extend that guarantee to other entities. However, it is not entered into as a matter of legal obligation. To explain why this is the case, I have to bring Deputies back to the lonely place where the Taoiseach, myself and the Attorney General found ourselves last night. These six institutions do not have any other friend in the European Union or on the Continent of Europe. All of the other banks referred to — we can look at their position in due course — are subsidiaries of a bank the ultimate responsibility for which rests with another member state. There are six institutions for which ultimate responsibility rests with the Irish State. One of the crucial issues running through this debate is the extent of the obligations, or the assumption of obligations, which the State should undertake in regard to them. Deputy Rabbitte touched on this when he referred to the different options that are available to the State.

I want to go back to a point made by Deputy Burton at an earlier stage of the debate when she canvassed the option of following the Swedish model in regard to the problems we face. The Swedish model was adopted in a context where there had been actual bank failure. My Department, and I as Minister, have studied in great detail the Swedish model with regard to bank failure, and it is a very interesting and constructive model. However, the Deputy should be aware that there was a very substantial drop in the gross domestic product of Sweden when there was mass bank failure. The approach taken by the Swedish Government was a constructive one and worthy of emulation, but we are not at that stage yet.

Deputy Coveney raised the question of the possible increase in the cost of borrowing to the State as a result of this guarantee. As I made clear in opening the debate, the process of devising the fee mechanism will take into account such factors as the possibility of increased funding costs for the Exchequer, as well as other factors.

Several Deputies referred to the extensive powers of regulation being conferred on the Minister in this legislation. It is not correct to suggest that a Minister for Finance operates in isolation from his Government colleagues. Powers conferred on the Government are somewhat of a rarity on our Statute Book. The powers conferred on the Minister for Finance are of course exercised by him collectively with his colleagues in Government.

Question put and agreed to.

An Ceann Comhairle: When is it proposed to take Committee Stage?

Deputy Brian Lenihan: Tomorrow.

Deputy Kieran O'Donnell: Is that at 10.30 a.m.?

An Ceann Comhairle: My understanding is that we will commence with Leaders' Questions and the Order of Business and that debate on the legislation will resume on the conclusion of the Order of Business.

Deputy Enda Kenny: You are always correct, a Cheann Comhairle.

An Ceann Comhairle: It is nice of Deputy Kenny to say so. He is one of the very few who does.

Credit Institutions (Financial Support) Bill 2008: Financial Resolution.

Minister for Finance (Deputy Brian Lenihan): I move:

That provision be made in the Act giving effect to this Resolution for the imposition of certain commercial or other terms and conditions in respect of financial support that may be provided to credit institutions or subsidiaries.

Matters selected for the Adjournment have been postponed.

The Dáil adjourned at 11.45 p.m. until 10.30 a.m. on Wednesday, 1 October 2008.

Written Answers.

The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].

Questions Nos. 1 to 112, inclusive, resubmitted.

Questions Nos. 113 to 118, inclusive, answered orally.

Hospitals Building Programme.

119. **Deputy Damien English** asked the Minister for Health and Children if she will review the decision to relocate the Central Mental Hospital from its site at Dundrum to the proposed new site at Thornton Hall taking into account the audit of properties by the Health Service Executive; her views on an alternative location, possibly in existing hospital grounds or property in the ownership of her Department or the HSE; and if she will make a statement on the matter. [32288/08]

128. **Deputy Joan Burton** asked the Minister for Health and Children the funding allocated from budget 2008 for the proposed 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, architects; and if she will make a statement on the matter. [31323/08]

Minister of State at the Department of Health and Children (Deputy John Moloney): I propose to take Questions Nos. 119 and 128 together.

In February 2003, a Project Team to progress the re-development of the Central Mental Hospital (CMH) was established by the then Minister for Health and Children. The Project Team consisted of a broad range of stakeholders including the Department of Health and Children, the Health Boards, the National Development Finance Agency, the Irish Prison Service, the Clinical Director and other staff of the CMH, and was chaired by the then East Coast Area Health Board. In their report, 'Appraisal of Development and Procurement Options', the Project Team examined various options for the re-development of the hospital. With regard to location, several options were considered, from remaining on the current site in Dundrum to re-location to a site outside Dublin. The Team recommended that the CMH be relocated to a new purpose built facility in the greater Dublin area, as this was judged to be the most appropriate option for the delivery of patient care.

[Deputy John Moloney.]

In these circumstances, and having regard to the lack of appropriate alternative sites in the greater Dublin area, the Government, in May 2006, approved the development of a new national forensic mental health facility at Thornton Hall, Co. Dublin. This decision is consistent with 'A Vision for Change' — the report of the Expert Group on Mental Health Policy, which recommends that the hospital should be replaced or remodelled to allow it to provide care and treatment in a modern, up-to-date humane setting and that capacity should be maximised.

The cost of developing the proposed new hospital will be met from the proceeds of the sale of the existing site in Dundrum, Co Dublin. The process for selecting and appointing a dedicated Design Team to develop a detailed design plan/brief for the project is underway; the HSE will not be in a position to define a specific capital investment plan until this detailed design brief is completed. No capital has been expended by the HSE on this project to date. The cost of acquiring the site at Thornton Hall 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.

While I am aware that concerns have now arisen regarding the proximity of the hospital to the prison, the position is that the redevelopment of the CMH will constitute a separate capital development project independent of the prison complex to replace Mountjoy, and will be owned and managed by the Health Service Executive. The new hospital will be built on its own campus and will retain its identity as a distinct therapeutic health facility with a separate entrance and address to the prison complex.

Data Collection.

120. **Deputy Ruairí Quinn** asked the Minister for Health and Children her plans to develop data collection systems that are in accordance with the standards of the World Health Organisation; and if she will make a statement on the matter. [32167/08]

Minister for Health and Children (Deputy Mary Harney): For many decades, the World Health Organisation (WHO) has led the way in the development of standard classification systems for health data. Ireland participates fully in the work of the WHO and this includes adopting WHO standards in the area of health information. Examples of data collection systems which use WHO classification standards include vital statistics, hospital discharge data (HIPE), the national cancer registry and infectious disease notification. My Department updates the WHO Health For All database twice yearly with a wide range of health data for Ireland and follows WHO data definitions for all reported indicators.

Any development of new data collection systems will take account of and adopt, as appropriate, WHO standards. The Health Information and Quality Authority (HIQA) has a central role in assessing gaps in health information and ensuring that the best possible data standards are used and maintained. Comparable health information at international level is essential in monitoring and prioritising health issues and in measuring our performance.

Question No. 121 answered with Question No. 118.

Hospitals Building Programme.

122. **Deputy Martin Ferris** 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. [32223/08]

Minister for Health and Children (Deputy Mary Harney): 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 approximately 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.

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. A tender in respect of Connolly Hospital has been received and is under consideration. Tallaght Hospital, which is also participating in the co-location initiative, is at an earlier stage of the procurement process. Work is being undertaken to finalise the Invitation to Tender (ITT) for Tallaght Hospital.

The project agreements for the Beaumont, Cork and Limerick sites have been signed. Planning permission has been sought for the Beaumont and Cork projects and has been granted by the local authorities concerned and appealed in both cases to An Bord Pleanála. Planning permission has been granted for the Limerick project. The HSE Board has approved the following total numbers of in-patient and day case beds at the co-located hospitals to be developed at these three sites: Beaumont Hospital — 240; Cork University Hospital — 249; Limerick Regional Hospital — 220.

The precise number of beds at these sites may change slightly as the process is finalised in the contractual negotiations and therefore it is not possible to give a precise answer to the information requested on the number of beds planned for the co-located hospitals at St. James's Hospital, Waterford Regional Hospital, Sligo General Hospital and Connolly Hospital.

Health Service Staff.

123. **Deputy John O'Mahony** asked the Minister for Health and Children if, in view of the fact that the consultants contract has been agreed and many consultants have signed up to a new contract, the necessary funds to employ the new consultants agreed in contract negotiations as necessary to implement the new arrangements and services have been provided; the number of new consultants who will be employed by the end of 2008 and in 2009; and if she will make a statement on the matter. [32329/08]

255. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the fact that the consultants contract has been agreed and many consultants have signed up to the new contract, she has the necessary funds to employ the new consultants agreed in contract negotiations as necessary to implement the new arrangements and services; the number of new consultants that will be employed by the end of 2008; the number in 2009; and if she will make a statement on the matter. [32677/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 123 and 255 together.

I am pleased that so many consultants have already accepted, or indicated they will be accepting, the new contract. In April 2008 the HSE re-commenced its consultant recruitment process and 128 posts have been advertised to date. The recruitment process to fill these posts

[Deputy Mary Harney.]

is underway. During the period from May to August the HSE approved a further 59 consultant posts bringing the total number of consultants approved since April to 187.

I would emphasise, however, that it is not a question of simply providing more funding to employ more consultants. The creation and funding of further consultant posts will be driven by service priorities, as reflected in the HSE's Annual Service Plan, and the policy of achieving a better balance between the numbers of consultants and non-consultant hospital doctors. Government policy is to have a consultant-delivered, rather than a consultant-led service. The new contract is designed to support this and, as in many areas of our health services, service improvements will depend to a much greater extent on mobilising and re-configuring existing resources than on new additional funds.

Hospital Services.

124. **Deputy Tom Hayes** asked the Minister for Health and Children her views on the fact that 165,293 bed days were lost in hospitals in 2007 and that 85,232 bed days were lost during the first five months of 2008; her views on the current level of critical infrastructure in respect of health services; her plans to address the rising demand for community beds; and if she will make a statement on the matter. [32299/08]

Minister for Health and Children (Deputy Mary Harney): I acknowledge that the number of bed days lost in acute hospitals as a result of delayed discharges is creating particular difficulties at the moment. Hospitals need to improve their admission/treatment and discharge processes to ensure that care is provided in a more timely, appropriate and efficient manner. Steps are being taken to ensure that patients are given an expected date of discharge within 24 hours of admission and that more patients are discharged at weekends. A new Code of Practice on Discharge Planning is also being introduced across the country.

With regard to health sector infrastructure, we have seen an unprecedented level of investment in recent years under two National Development Plans. Total expenditure under the earlier NDP 2000-2006 was in the order of €3.3 billion, while the NDP 2007-2013 provides for a further €5 billion capital investment under the Health Infrastructure Programme. This year, the capital provision for the health service is €720 million.

In relation to community services, the HSE, commissioned Prospectus to undertake a Needs Assessment of bed capacity requirements in the areas of long-stay, dementia-specific and respite care beds for the period 2006-2036. The report indicated, among other issues, the uneven distribution of beds between and within regions. The HSE is planning to provide an extra 860 public beds under the Fast Track Bed Initiative over the period 2007-2009. The latest information received from the HSE indicates that 188 beds of these beds were provided in 2007, 325 are to be provided in 2008 and 347 in 2009. This additional capacity will help to improve access for patients and provide a basis for more timely discharges.

Departmental Reports.

125. **Deputy Paul Kehoe** asked the Minister for Health and Children when the review of radiology at Our Lady of Lourdes Hospital, Drogheda will be finalised and published; and if she will make a statement on the matter. [32304/08]

137. **Deputy Kathleen Lynch** asked the Minister for Health and Children if the review of radiology in the north east has been completed; when the report of the review will be published; and if she will make a statement on the matter. [32149/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 125 and 137 together.

The radiology look-back review underway in the North East was prompted by concerns that a small number of patients in two Louth/Meath Hospitals during 2006/7 had their diagnosis delayed due to an abnormality on their chest x-ray not being noted on initial radiological examination. The review involves the x-rays and ct scans of approximately 4,600 other patients in the North East. I have been informed by the Health Service Executive that a comprehensive report on the look-back review is almost complete, but on the basis of legal advice, the HSE must allow due process to be finalised before the report can be published. The HSE now expects to be in a position to publish this report during October. I understand that Louth Meath Hospitals have been in continuing dialogue with the individual patients and families involved in this review, including the communication of each patient's review results as they became available. Communication with patients on this matter continues to take precedence over all other updates or public statements.

Cancer Screening Programme.

126. **Deputy Billy Timmins** asked the Minister for Health and Children if her attention has been drawn to the fact that many general practitioner practices have not been supplied the kits necessary to carry out the tests under the national cervical screening programme; when the programme will be implemented and available nationally; and if she will make a statement on the matter. [32273/08]

Minister for Health and Children (Deputy Mary Harney): On 1 September 2008 the National Cancer Screening Service (NCSS) announced the availability of CervicalCheck, the National Cervical Screening Programme. The Programme will provide free smear tests through primary care settings to the 1.1 million women living in Ireland aged between 25 and 60 years. A successful national programme in Ireland has the potential to cut current mortality rates from cervical cancer by up to 80%. In announcing the Programme, the NCSS made it clear that it would take some weeks to register participating medical practitioners and achieve national coverage. It is anticipated that national coverage will be achieved in the coming weeks.

The registration of smear takers is an important quality assurance element. All applications are being processed as quickly as possible. The Programme office is currently receiving an average of 80 contracts a day. There is an inevitable interval between an application being submitted and confirmation of registration being issued as quality checks, including Irish Medical Council status and Primary Care Reimbursement Fund registration, are confirmed. On receipt of the completed contract from smear takers, starter packs of supplies including smear-taking kits, are issued directly to each practice or clinic. To date the NCSS has issued 1,250 kits to smear takers. The NCSS is committed to establishing CervicalCheck on a national basis as quickly as possible. I welcome the commencement of this process and know that the Programme is receiving widespread national support.

Departmental Reports.

127. **Deputy Michael Noonan** asked the Minister for Health and Children when the review of maternity services will be published; and if she will make a statement on the matter. [32322/08]

265. **Deputy Jan O'Sullivan** asked the Minister for Health and Children if the report on the Dublin maternity hospitals has been published; if not, when it will be published; and if she will make a statement on the matter. [31946/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 127 and 265 together.

In May 2007 the Health Service Executive commissioned KPMG consultants to undertake an independent review of maternity and gynaecology services in the Greater Dublin area. In undertaking the review KPMG were asked to focus on four key areas:

- to build on the strengths of the current service configuration and model of care;
- to define the optimal configuration of maternity, gynaecology and neonatology services for the Greater Dublin Area;
- to identify the optimal location of services;
- to provide a roadmap for the future, outlining the steps required to get from where the service is now to the vision for the future.

The review was informed by a detailed analysis of current service delivery, an extensive stakeholder interview programme and a series of workshops with a wide range of stakeholders. It was also informed by an international analysis of maternity and gynaecology service configurations and best practice models of care. The findings of the review are due to be presented shortly to the Joint Standing Committee of the three Dublin Maternity Hospitals and to other stakeholder groups who contributed to the review.

Question No. 128 answered with Question No. 119.

Hospital Services.

129. **Deputy Catherine Byrne** asked the Minister for Health and Children the number of representations made to her from consultants at Our Lady of Lourdes Hospital, Drogheda, regarding the quality and safety of treatment offered to patients; the action she has taken in response to these concerns; and if she will make a statement on the matter. [32261/08]

Minister for Health and Children (Deputy Mary Harney): I have received direct correspondence, and copies of correspondence to the Health Service Executive (HSE), from consultants at Our Lady of Lourdes Hospital, Drogheda regarding acute hospital services at Drogheda. The issues raised have been the subject of detailed discussions between officials of my Department and the HSE in order to ensure that any action necessary is taken to guarantee the provision of safe services to patients.

Management of capacity at Drogheda and across the North East region is complex and involves a major shift in services between the existing five hospitals and to a primary care setting. It is clear that the implementation of the North East Transformation Programme is key to achieving the necessary re-organisation and integration of services in order to ensure that the public has access to better quality services. 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.

Water Quality.

130. **Deputy Mary Upton** asked the Minister for Health and Children her views on findings by the Health Service Executive that water in parts of Galway is unsuitable for consumption; and if she will make a statement on the matter. [32179/08]

Minister for Health and Children (Deputy Mary Harney): Following a recent tap water survey in Galway City elevated levels of lead were found in a number of houses. I am advised by the Health Service Executive that, from a public health perspective, the risk to those affected from raised water lead levels depends on a number of factors, including the duration of exposure, the level of exposure, age and other characteristics which affect the individual's absorption of lead.

The HSE advised residents in households where elevated lead levels in tap water have been recorded to have their blood lead levels checked. The HSE received results of blood lead levels in respect of the 35 people tested yesterday evening and I have been advised that, as the test results are within the normal range, none of those tested have any evidence of lead toxicity. A programme of work has been agreed between Galway City Council, the HSE and the Environmental Protection Agency including the adjustment of the pH of the water, so as to reduce the interaction between the water and the lead pipes over the coming weeks, and the carrying out of the necessary works to replace the lead pipe distribution network thereafter.

Accident and Emergency Services.

131. **Deputy Joe McHugh** asked the Minister for Health and Children her plans to address the ongoing problem of patients on trolleys in accident and emergency departments; and if she will make a statement on the matter. [32313/08]

Minister for Health and Children (Deputy Mary Harney): There have been considerable improvements in the delivery of services in Emergency Departments over the past two years. For example, there has been a reduction in the average daily number of patients awaiting admission from 179 in 2005 to 92 in 2007. The figure for the first five months of 2008 was 99. National data was unavailable since early June because of industrial action taken by IMPACT. The industrial action was suspended last week and national data is again available. The average daily number for the four day period 26 September-29 September was 69. Outstanding difficulties are largely confined to a number of major hospitals and the HSE is working closely with these hospitals to bring about further improvements.

Hospitals need to improve their admission and discharge processes, to ensure that people are appropriately admitted and that their care is efficiently managed, both during their hospital stay and their follow up care in the community. Steps are being taken to ensure that patients have an expected date of discharge within 24 hours of admission, that patients can be discharged in a more proactive manner at weekends and that communication between the hospital system and primary care services is improved. Implementation of a new Code of Practice on Discharge Planning is to commence shortly across the country. This should help to deliver further improvements in overall bed utilisation.

I believe that setting clear targets for improvement and measuring performance against these targets helps to drive further improvements in services. The HSE has already introduced a target waiting time of no more than 12 hours from decision to admit for patients attending Emergency Departments. The intention is to move towards a lower target of no more than 6 hours from decision to admit in line with the recommendation of the Emergency Department Task Force report. The HSE is also starting to collect information on the average waiting time of patients attending Emergency Departments, irrespective of whether the person is admitted or not. I am committed to building on the progress made in recent years. Improving services for patients attending Emergency Departments will continue to be a top priority for the Government.

Financial Management Practices.

132. **Deputy Liz McManus** asked the Minister for Health and Children the controls and monitoring systems that she has put in place to ensure good financial management practices in the Health Service Executive and to address shortcomings identified in the audit undertaken by the Department of Finance; and if she will make a statement on the matter. [32161/08]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive (HSE) has its own Vote and the Chief Executive Officer is the Accounting Officer for the Vote. It must manage its Vote in accordance with the standard Public Financial Procedures. This includes the preparation of the Annual Appropriation Account which is audited by the Comptroller and Auditor General. As Accounting Officer, the Chief Executive Officer submits monthly reports on Vote expenditure to my Department. These form part of the Government's monitoring of expenditure across all Votes. In addition, officials of my Department and the Department of Finance meet with the HSE on a monthly basis to monitor expenditure trends. Each year the HSE also submits to me, along with its Service Plan, an estimate of its income and expenditure which is consistent with its approved Vote. It is required under the Health Act 2004 to prepare an annual report and statement of accounts. These accounts are also audited by the Comptroller and Auditor General.

These financial management controls form part of a wider framework of accountability which is provided for in the Health Act 2004. This includes, in particular, the submission of a Service Plan every year for my approval. The Plan must include the volume of services to be provided by the Executive, its capital plan and details of employee numbers. My Department receives monthly progress reports on the Service Plan. There are quarterly meetings between my Department's Secretary General and the CEO of the Executive, with their respective management teams, to evaluate the implementation of the Service Plan. In addition, there is ongoing contact between officials in my Department and their counterparts in the HSE in relation to service and expenditure issues.

I am aware of the just published report by the Comptroller and Auditor General in which he raised a number of concerns in relation to financial management within the HSE. In response, the Accounting Officer set out the measures taken, and being taken, to improve in-year expenditure management. A report, commissioned by my Department, by a former Secretary General of the Department of Finance is due to be completed soon. It is likely to make recommendations for further improvements in financial reporting by the HSE. Work is also in progress to develop a new financial system for the Executive to replace the existing multiple systems inherited from the former health boards and other agencies which were incorporated in the HSE.

Robust financial management systems are an essential feature of any health service but they are not an end in themselves. Our primary focus has to be on patients. Each hospital, each local health office, managers, clinicians and others working in the health services have a responsibility to ensure not just that they live within their assigned budgets each year but that they also strive to provide the best possible service to patients and other clients of our health services within those budgets.

Departmental Agencies.

133. **Deputy Willie Penrose** asked the Minister for Health and Children the discussions she has had regarding the proposals by the Health Service Executive to devolve decision making to regional levels; if decisions have been made on the nature and number of these regions; and if she will make a statement on the matter. [32166/08]

Minister for Health and Children (Deputy Mary Harney): I have had ongoing discussions with the Chairperson and CEO of the Health Service Executive (HSE) regarding its plans to introduce revised management structures at both national and regional level in order to improve the delivery of health and personal social services. The overall result of these changes will be:

- better integration of primary, community and hospital care for the benefit of patients and to optimise the efficient use of resources;
- more clinical involvement in the design and management of patient services;
- more local responsibility and authority within defined national parameters through the establishment of service delivery areas.

The proposed new regional structures will not be autonomous entities and will operate in line with the organisation's national strategic direction, standards, operational policies, budgets and employment controls. An Implementation Team led by the HSE'S National Director of Human Resources has been established to oversee the process. While the number of service delivery areas, and their boundaries, has yet to be finalised, the clear intention is that area directors will have operational responsibility and authority to deliver all hospital and community care services, and personal and social services, in their specific geographical areas within their budgets and employment allocations. This approach will strengthen and simplify area governance. It will also ensure more efficient and responsive delivery of local services and facilitate more local responsibility, authority and decision making within defined national parameters.

Hospital Services.

134. **Deputy Seán Sherlock** asked the Minister for Health and Children the assurances she will give that the necessary resources will be provided in order to provide the highest standards of diagnosis and care at the proposed eight specialist cancer centres; and if she will make a statement on the matter. [32171/08]

Minister for Health and Children (Deputy Mary Harney): The objective of the National Cancer Control Programme is to improve survival rates for persons diagnosed with cancer. It was established just over a year ago and the Director of the Programme took up his post last November. The Programme involves moving from the present fragmented system of care to one which is consistent with international best practice. Eight centres have been designated to ensure that patients receive high quality of care while at the same time allowing access to local services, where appropriate.

The success of the Programme depends as much on mobilising existing resources as providing extra resources. However, an additional €7m has been allocated this year to improve breast cancer services in the eight designated centres. This funding has been provided to support additional staff, including Consultant, Radiography, Nursing and clerical posts. Funding has also been allocated for some additional necessary equipment. I can assure the Deputy that the Government will continue to support the development of the cancer control programme in order to improve outcomes for patients.

Departmental Reports.

135. **Deputy Joan Burton** asked the Minister for Health and Children the progress made on the implementation of the recommendations contained in the report of the Health Information and Quality Authority on the misdiagnosis of cancer in the case of a person (details supplied); and if she will make a statement on the matter. [32148/08]

267. **Deputy Joe Carey** asked the Minister for Health and Children the progress made in relation to each of the recommendations detailed in the Health Information and Quality Authority report on the circumstances surrounding the provision of care to a person (details supplied); and if she will make a statement on the matter. [31955/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 135 and 267 together.

Last April the Health Information and Quality Authority published its report of the investigation into the circumstances surrounding the provision of care to the person concerned in relation to her symptomatic breast disease, the pathology services at Cork University Hospital and symptomatic breast disease services at the Mid Western Regional Hospital, Limerick. An implementation plan has been developed by the HSE and progress is being monitored on a quarterly basis. The first progress report, covering the period June to August 2008, has recently been published and is available on the HSE's website.

I particularly welcome the confirmation that Multi Disciplinary Teams (MDT) are in place in the eight designated centres and MDT meetings are held at least weekly as part of the normal working day. Stereotactic mammography machines and radiology-led image guidance are also in place in all eight centres, as part of the triple assessment process. I look forward to further quarterly reports on the implementation of the recommendations of the HIQA report on the care provided to the person referred to by the Deputies.

Cancer Screening Programme.

136. **Deputy Eamon Gilmore** asked the Minister for Health and Children when women in each of the counties of the south and west will be included in the BreastCheck programme; and if she will make a statement on the matter. [32154/08]

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. I officially opened the BreastCheck clinical static units in Galway and Cork last December. The expansion of the BreastCheck programme to the Southern region covers counties Limerick, Kerry, Cork, Waterford and Tipperary South Riding. The expansion of the BreastCheck programme to the West covers counties Clare, Donegal, Galway, Leitrim, Mayo, Roscommon, Sligo and Tipperary North Riding. The National Cancer Screening Service is making every effort to roll-out the programme to all remaining counties as quickly as possible. Screening has already been made available in Counties Roscommon, Galway, Mayo and Tipperary North Riding in the West and will commence in Limerick by early November. Screening has been made available in Counties Cork and Waterford in the South.

The Deputy's specific question in relation to the roll-out to each of the other counties in the South and the West 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.

Question No. 137 answered with Question No. 125.

Child Care Services.

138. **Deputy Pat Rabbitte** asked the Minister for Health and Children the progress made regarding the provision of an out-of-hours social worker service; and if she will make a statement on the matter. [32169/08]

180. **Deputy Aengus Ó Snodaigh** 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. [32220/08]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I propose to take Questions Nos. 138 and 180 together.

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.

139. **Deputy Kieran O'Donnell** asked the Minister for Health and Children the additional resources, beds and staff theatre capacity that have been allocated to Waterford General Hospital to deal with the extra caseload of cancer patients from the surrounding community hospitals in that area in view of the fact that cancer services in that region are to be closed and moved to Wexford General Hospital from October 2008; and if she will make a statement on the matter. [32324/08]

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.

Medical Cards.

140. **Deputy Róisín Shortall** asked the Minister for Health and Children her views on a

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request to include people with post-polio syndrome in the medical card scheme without subjection to a means test; and if she will make a statement on the matter. [32174/08]

Minister for Health and Children (Deputy Mary Harney): Persons and their dependants who would otherwise experience undue hardship in meeting the cost of General Practitioner (GP) services qualify for a medical card, which entitles them to a range of health services free of charge. In general, eligibility for a medical card is determined by the Health Service Executive (HSE) following an examination of the means of the applicant and his/her dependants. The main exception is persons aged 70 and over, who have an automatic statutory entitlement to a medical card. In assessing eligibility, the HSE use guidelines based on peoples' means, which includes their income, relevant outgoings and other certain factors such as medical need.

I have no plans to provide for the granting of medical cards to any particular group as a whole. However, 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 currently reviewing the assessment criteria for medical cards in the context of financial, medical and social need in line with the commitment in Towards 2016. A Steering Group has been established to undertake this review and is expected to complete its work and report to me within the next few months.

Health Services.

141. **Deputy Frank Feighan** asked the Minister for Health and Children the delay in receiving finances from the British Government in respect of people who pay social insurance in the UK but receive treatment here; the amount outstanding; and if she will make a statement on the matter. [32291/08]

Minister for Health and Children (Deputy Mary Harney): Funding is received from the UK Government in accordance with Regulation (EC) 1408/71. In relation to healthcare, the provisions of the regulations ensure that where people are affiliated with the healthcare 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 healthcare system of that member state. Under the terms of a bilateral reimbursement agreement between Ireland and the UK net liability between the two countries has been calculated on a lump sum basis. 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 healthcare 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. Discussions on the amount due in 2008 have been proceeding with the UK authorities and a payment, profiled for receipt by the HSE in July this year, has not yet been made by the UK pending the completion of these discussions. It is expected that these discussions will be concluded shortly.

Vaccination Programme.

142. **Deputy David Stanton** asked the Minister for Health and Children her Department's policy in relation to the provision of BCG vaccine to all babies; the advice she or her Department has given to the Health Service Executive in relation to the waiting list for the BCG vaccine for children in Cork; and if she will make a statement on the matter. [32184/08]

Minister for Health and Children (Deputy Mary Harney): Ireland's recommended immunisation programme is based on the guidelines of the National Immunisation Advisory Committee (NIAC) of the Royal College of Physicians of Ireland. These guidelines are prepared with the assistance of an active committee from associated disciplines in paediatrics, infectious diseases, general practice and public health. As part of the Primary Childhood Immunisation Programme the NIAC recommends that the BCG vaccination is administered to newborn babies. It also recommends that a BCG booster is given at 10-14 years for those who are known to be tuberculin negative and who have had no previous BCG.

As arrangements for the roll-out of BCG vaccination clinics in Cork were being prepared in 2007, a difficulty emerged with the supply of vaccine in Ireland and across Europe in October. This issue has now been resolved and the supply of vaccine has again recommenced. However, the waiting list has significantly increased in the interim. The Health Service Executive (HSE) is working on the roll-out of its plan for the expansion of the BCG service and to address the waiting list. At present, the BCG vaccine is being offered to newborns who are at risk of developing TB, i.e., babies whose parents or siblings have a history of TB, whose parents work in a healthcare setting with patients affected by TB or whose parents come from countries where there is a high incidence of TB and children intending to visit high incidence countries for more than one month. BCG vaccine is also given to the child contacts of confirmed TB cases.

It is proposed to commence the neonatal BCG programme in the Cork region on Monday 13th October, 2008 in Cork University Hospital with clinics being held on Monday, Wednesday and Friday. Neonatal catch up clinics will be held in each appropriate Local Health Office for those missed in hospital and put on a priority list. A number of additional clinics have been held recently to address the community BCG waiting list and reduce the numbers.

Proposed Legislation.

143. **Deputy Leo Varadkar** asked the Minister for Health and Children the date the fair deal nursing home support scheme legislation will be published; if the necessary funds will be allocated for the proposed scheme; the reason for the delay in publication; and if she will make a statement on the matter. [32254/08]

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 in 2009. 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 expects to bring the Bill before the Houses of the Oireachtas for debate in this Dáil session. Details of the Nursing Homes Support Scheme were announced in December 2006 in order to facilitate consultation with the social partners and other stakeholders and such consultation has taken place. However, a number of legal issues emerged in the discussions with Parliamentary Counsel which meant it was not possible to finalise the Bill for Government approval prior to 1 January 2008 as originally intended. However, despite the delay, the principles of the scheme remain the same as originally announced.

The Fair Deal is designed to remove real financial hardship from many individuals and their families who, under the current system of Nursing Home Subvention, have to sell or re-mortgage homes to pay for the cost of nursing home care. There will be one, transparent system of support towards the cost of care that will be fair to all, irrespective of whether they are in public or private nursing homes. The basic commitments of the new scheme are that:

- Individuals will be asked to contribute, based on their income and assets;

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- The HSE will meet the balance of cost in nursing homes approved for the purpose;
- Individuals won't have to sell or mortgage their house;
- Individuals won't have to borrow to fund costs;
- Individuals won't experience unaffordable costs;
- An individual's family won't have to find money for their care.

The new scheme encompasses key steps. The first of these is a care needs assessment carried out by a multi-disciplinary team of HSE healthcare professionals. If a person is assessed as requiring residential care, he/she can apply to the HSE for a means assessment which will calculate his or her contribution to care. On publication of the Bill, further engagement will take place with stakeholders on the details of the new scheme. This will take place under the auspices of Towards 2016. Any decisions regarding overall funding for the scheme will have to be taken by Government within the context of the budgetary and economic position.

Departmental Reports.

144. **Deputy Jack Wall** asked the Minister for Health and Children if the second investigation into the Leas Cross Nursing Home has been completed; if not, when the report will be published; and if she will make a statement on the matter. [32181/08]

Minister of State at the Department of Health and Children (Deputy Máire Hctor): The Final Report from the Commission of Investigation, established to investigate the management, operation and supervision of the former Leas Cross Nursing Home was due to be completed and submitted to the Minister for Health and Children earlier this month. The Sole Member to the Commission recently advised that this report would not be completed within the time originally envisaged. He requested a revision of the time frame as provided for in the Commissions of Investigation Act, 2004. Following consideration of his request, Minister Harney decided to extend the time for completion of the above investigation from September, 2008 to the end of December, 2008. The implications of the report will be considered within the Department when it is received.

Mental Health Services.

145. **Deputy David Stanton** asked the Minister for Health and Children her views on the statement by the monitoring group for A Vision for Change in which concern was expressed regarding the rate of progress on the provision of child and adolescent services including appropriate inpatient facilities; the action she will take to improve the provision of these services and address these concerns; and if she will make a statement on the matter. [32185/08]

151. **Deputy Thomas P. Broughan** asked the Minister for Health and Children the number of inpatient beds for child and adolescent psychiatry that are in place; the extra beds expected to be in place by the end of 2008; the number of new child and adolescent community teams that have been established in 2008; the number expected to be put in place by the end of 2008; and if she will make a statement on the matter. [32150/08]

Minister of State at the Department of Health and Children (Deputy John Moloney): I propose to take Questions Nos. 145 and 151 together.

I welcome the fact that the Health Service Executive has prioritised the development of Child and Adolescent Mental Health Services in 2008. In this regard the Service Plan for 2008 includes the completion of eight additional child and adolescent multi-disciplinary teams to further support the provision of child psychiatric services. In relation to in-patient facilities the position is that the HSE expect to provide an additional 18 children's beds in the current year; the provision of these beds will increase the acute bed complement to 30. Four of the additional beds have already been commissioned in St. Anne's, Galway, and a further 6 at St Vincent's Fairview and 8 at St Stephen's in Cork will be provided in the last quarter of the year. The HSE also hopes to begin construction on two 20 bedded child and adolescent units — one in Galway and one in Cork — later this year.

Care of the Elderly.

146. **Deputy Michael D'Arcy** asked the Minister for Health and Children if she will licence nursing agencies or home help providers in order to promote and encourage patient safety; her plans to licence private health care facilities; and if she will make a statement on the matter. [32279/08]

Minister of State at the Department of Health and Children (Deputy Máire Hocht): There are no plans at present to licence nursing agencies providing home-based care or home help providers. With regard to private health care facilities, the present standards for nursing homes are set out in the Care and Welfare Regulations and the Health Service Executive (HSE) inspects private nursing homes on the basis of these standards. Earlier this year, the Health Information and Quality Authority (HIQA) submitted "Draft Standards for Residential Care Settings for Older People" for approval, and these are currently under consideration in the Department. Once introduced, these standards will apply to all nursing homes — public, private and voluntary.

The HSE provides a wide range of community-based home care services such as home care packages, home helps, meals-on-wheels, and day/respice care. In this context, the Department is at present progressing an evaluation of the home care packages initiative introduced in recent years. It is intended to complete the Evaluation early next year, and that it will make an important contribution towards informing future policy and service developments for home care services generally. Recent improvements in the home help service have included the implementation of the National Home Help Agreement, which has led to the professionalisation of the service at HSE level. This has resulted in greater flexibility in service delivery and has improved consistency and service quality, to the benefit of users.

The HSE works closely with voluntary and private providers in relation to promoting patient safety, good practice, and standards generally for clients. The implications of introducing statutory standards for home care provision would obviously be wide ranging and significant, and have to be the subject of detailed consideration by all stakeholders. In the circumstances, the question of introducing any new standards for the areas referred to by the Deputy, whether on a statutory or voluntary basis would, in the first instance, have to await the outcome of the various initiatives I have outlined.

Infectious Diseases.

147. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of incidents of MRSA, Clostridium difficile or other similar hospital based infections identified or suspected throughout the health services in each of the past five years to date; the action or actions taken to address this issue; the extent to which the remedial action taken compares

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with best practice in jurisdictions throughout Europe; and if she will make a statement on the matter. [32335/08]

329. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the efforts that have been made to make all hospitals and the practices therein compliant with the highest standards and best practice throughout Europe; and if she will make a statement on the matter. [32577/08]

330. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of hospitals that have been affected by MRSA or Clostridium difficile in the past five years to date in 2008; and if she will make a statement on the matter. [32578/08]

331. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the extent to which action has been taken or is being taken to address the ongoing problem of MRSA and Clostridium difficile; and if she will make a statement on the matter. [32579/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 147, 329, 330 and 331 together.

Tackling all Health Care Associated Infections (HCAIs), including MRSA and *C. difficile*, 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. This Steering Group is supported by eight Local Implementation Teams which ensure that all local facilities are focused on achieving the national targets. The HSE aims over the period of the plan 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.

A new National Surveillance System has been established to collect data and provide information based on four key areas in order to monitor HCAIs in our health system:

1. Staphylococcus bacteraemia (bloodstream infection);
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. This report represents a significant step forward in terms of providing essential data that will serve as a benchmark for assessing progress in the future. This is the first report providing information on a hospital by hospital basis. The number of hospitals in this report which did not return any cases of MRSA was seven. I firmly believe that you cannot manage what you do not measure. We have now with this system begun a very useful measurement process. The results so far show some improvement in 2007 over 2006. The overall *S. Aureus* bloodstream infection rate was lower in 2007 (0.36) compared to 2006 (0.37). The overall proportion of MRSA was also lower in 2007 (38.5%) compared to 2006 (42.4%). The number of MRSA blood stream infections for the past five years are — 477 cases in 2003, 550 cases in 2004, 586 cases in 2005, 589 cases in 2006 and 533 cases in 2007.

Ireland participated in the Third Prevalence Survey of Health Care Associated Infections in acute hospitals in 2006 which surveyed a number of hospitals in Ireland, England, Northern Ireland and Wales. This study revealed that the Republic of Ireland was shown to have the

lowest prevalence rate of both HCAs and MRSA when compared with England, Northern Ireland and Wales. In European terms, the rates of MRSA for Ireland are better than many of the South European countries but not as low as some of the Scandinavian countries. Since May 4th of this year, *C. difficile* has become a notifiable disease and all cases now have to be reported to the relevant Department of Public Health. The range identified in the Third Prevalence Survey of Health Care Associated Infections in acute hospitals in 2006 was 0.5% of patients studied. The information available to date is the number of cases reported up to the 13th September 2008 which is 956 and is consistent with the results of the 2006 survey.

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 contracted HCAs. In addition, new environmental building guidelines to inform infection control policy in all new builds and refurbishments are expected to be published shortly by the HSE.

In relation to hygiene standards and best practice, 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. This review was based on hygiene standards which were accredited by the International Society for Quality in Healthcare. The report represents a thorough assessment of how hygiene services are provided and managed in 51 HSE-funded acute care hospitals. HIQA is following up on this review to ensure that deficits identified during that process are rectified and the Authority has already commenced a further national review this month.

In addition, HIQA is due to publish Infection Prevention and Control Standards later this year. These standards are consistent with international best practice. When finalised, these, along with the National Hygiene Standards, will provide a comprehensive framework to control infection in all healthcare settings. 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.

EU Directives.

148. **Deputy Emmet Stagg** asked the Minister for Health and Children her views on the EU proposals to control the sale of vitamins and other health supplements; and if she will make a statement on the matter. [32175/08]

Minister of State at the Department of Health and Children (Deputy Mary Wallace): I presume the Deputy is referring to The Food Supplements Directive, 2002/46/EC, which makes provision for the European Commission to determine maximum and minimum levels of vitamins and minerals in food supplements. This matter remains under preliminary consideration at European Commission level. The Commission is currently working, in consultation with Member States, to develop a methodology under which maximum safe levels for vitamins and minerals in food supplements would be set. My Department is taking the lead on this matter on behalf of the Irish authorities and has advised the European Commission that it should proceed on a cautionary basis with a view to setting maximum limits for vitamins and minerals based on scientific evidence. The intention should be to protect the consumer from possible risks to health resulting from the inadvertent over consumption of vitamins and minerals.

I await the outcome of the European Commission's deliberations. My understanding is that the Commission intends to submit a Proposal for a Directive on the matter to the European Parliament in early 2009. This Proposal will, thereafter, be the subject of further discussions between Member States. I will discuss any matters arising with Government colleagues. Ulti-

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mately Ireland's position on the European Commission's Proposal will need to take full account of the views of other bodies with responsibilities and expertise in this area in addition to the views outlined to my Department by Irish consumers, industry stakeholders, and other interested parties on the matter.

Health Insurance.

149. **Deputy Richard Bruton** asked the Minister for Health and Children her views on whether the health insurance premia for older and sicker persons will increase in view of the decision of the Supreme Court to strike down the risk equalisation scheme; the steps she is taking to stabilise the health insurance market and ensure community rating in order that health insurance remains affordable; and if she will make a statement on the matter. [32257/08]

170. **Deputy Thomas P. Broughan** asked the Minister for Health and Children her views on the effect of the Supreme Court's decision on risk equalisation; if she will introduce measures to protect the principle of community rating within the health insurance market; and if she will make a statement on the matter. [32151/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 149 and 170 together.

A primary objective of Government policy in health insurance is that it should be affordable for the broadest possible cross section of the community including older people and those who suffer ill-health. This policy objective has been implemented through a substantial body of primary and secondary legislation providing for open enrolment, community rating and lifetime cover. I have yet to hear any argument made against the continuing need for community rating. It is a fundamental principle of the health insurance market in Ireland. Following the liberalisation of the market in 1994 every political party and successive governments have supported the maintenance of community rating.

It is an inescapable fact, supported by international evidence, that community rating cannot be sustained without some scheme to support the higher claims costs of older or sicker people, effectively a risk equalisation mechanism. There may be differences of opinion in how such a mechanism must work, but few dispute the need for one. Although the Supreme Court found the particular Risk Equalisation Scheme to be ultra vires, it did not strike down the principle of applying risk equalisation or any of the other important elements of the regulatory framework that supports private health insurance in Ireland. However, the decision of the Supreme Court gives rise to some complex issues that now need to be addressed.

I am currently assessing all available options. Since the Judgement was delivered, I have engaged in consultations with officials, the Attorney General and the Health Insurance Authority. I also received submissions from and met with insurers in the market. There are complex financial, legal and policy matters involved. It is my intention to bring forward measures to ensure that health insurance remains affordable for older and sicker people at the earliest opportunity. I will be bringing such proposals to Government shortly.

Primary Care Strategy.

150. **Deputy Jan O'Sullivan** asked the Minister for Health and Children the progress made on the establishment of primary care teams; the range of services that will be supplied in each centre; the number of teams that are operational; and if she will make a statement on the matter. [32147/08]

305. **Deputy James Reilly** asked the Minister for Health and Children the primary care centres open and operating under the control of the Health Service Executive; the services available in each centre; the number of general practitioners and other staff; the funds allocated to the primary care centres individually and in total, for running costs and capital costs; the primary care centres that operate from a central building in one location; the number of centres and teams providing services from more than one location; the number of centres planned to open by the end of 2008; the number of centres that will open in 2009; the funds that have been allocated for these centres; and if she will make a statement on the matter. [32370/08]

306. **Deputy James Reilly** asked the Minister for Health and Children her plans for primary care centres in Drogheda, County Louth; the stage the plans are at for the centres; the number of expressions of interest that have been received; the number being considered; if the deadline has passed for expressions of interest; if further expressions of interest will be considered; when the primary care centres will be opened; the funds that have been allocated for the primary care teams in Drogheda, both for capital and running costs; and if she will make a statement on the matter. [32371/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 150, 305 and 306 together.

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 replies issued directly to the Deputies.

Question No. 151 answered with Question No. 145.

National Treatment Purchase Fund.

152. **Deputy Liz McManus** asked the Minister for Health and Children her plans to give the National Treatment Purchase Fund a role in identifying suitable nursing homes for individual persons; and if she will make a statement on the matter. [32162/08]

Minister of State at the Department of Health and Children (Deputy Máire Hackett): The National Treatment Purchase Fund's (NTPF) role under the proposed Nursing Homes Support Scheme is not to identify suitable nursing homes for individual persons. Under the new scheme, NTPF will negotiate prices for long-term care with private nursing home owners on behalf of the State. Where nursing homes agree prices for the purposes of the scheme with the NTPF, the NTPF will recommend the homes to the Health Service Executive for inclusion on the list of nursing homes 'approved' for the scheme. A person availing of the scheme can then choose any approved private nursing home or public nursing home on the list subject to availability and the suitability of the home to meet their care needs. The NTPF's negotiating role under the scheme will be an ongoing one. The price agreed with private nursing homes for the purposes of the scheme will naturally be subject to periodic re-negotiation to take account of inflation and other developments.

Proposed Legislation.

153. **Deputy Ciarán Lynch** asked the Minister for Health and Children when she expects to publish the Health (Long-term Residential Care Services) Bill; if the legal difficulties encountered have substantially altered her original proposals for the so-called fair deal; and if she will make a statement on the matter. [32159/08]

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. 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. However, the principles of the scheme remain the same as originally announced. The Minister expects to bring the Bill before the Houses of the Oireachtas for debate in this Dáil session.

Hospital Services.

154. **Deputy Brendan Howlin** asked the Minister for Health and Children if she will clarify reports that two of the proposed centres of excellence for cancer will now operate as one centre; if, in those circumstances, she will reconsider retaining a centre in County Sligo, at which a high standard pertains; and if she will make a statement on the matter. [32182/08]

Minister for Health and Children (Deputy Mary Harney): I understand that Deputy is referring to St. Vincent's Hospital and the Mater Hospital. Both of these hospitals are designated centres under the National Cancer Control Programme and so will not operate as a single designated centre. The Health Service Executive (HSE) has designated University Hospital Galway and Limerick Regional Hospital as the two cancer centres in the Managed Cancer Control Network for the HSE Western Region, which includes Sligo. The designation of cancer centres aims to ensure that patients receive the highest quality care while at the same time allowing local access to services, where appropriate.

Where diagnosis and treatment planning is directed and managed by multi-disciplinary teams based at the cancer centres, then much of the treatment (other than surgery) can be delivered in local hospitals, such as Sligo General Hospital. In this context, chemotherapy and support services will continue to be delivered locally. Cancer day care units, including at Sligo General Hospital, will continue to have an important role in delivering services to patients as close to home as possible.

Health Service Staff.

155. **Deputy Brian O'Shea** asked the Minister for Health and Children the number of new consultants that have been recruited since the agreement on contracts with the Irish Hospitals Consultants Association; and if she will make a statement on the matter. [32164/08]

Minister for Health and Children (Deputy Mary Harney): Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Services.

156. **Deputy Seymour Crawford** asked the Minister for Health and Children if her attention has been drawn to the fact that elderly and disabled persons have difficulty in getting a reasonable level of home help or home care resulting in many of them going into full-time care with a resultant higher cost to the State; and if she will make a statement on the matter. [31905/08]

Minister of State at the Department of Health and Children (Deputy Máire Hctor): The Government has committed very significant investment in recent years to develop both community-based and residential services for older people. Additional funding of just over €400 million was provided under Budgets 2006 and 2007, of which €190 million was ear-marked for community-based services such as Homecare Packages, Home-Helps, Day Care, Respite and Meals on Wheels. In this context, the Home Help Service nationally is a well established and successful component of overall strategy to enable older people to remain in their own homes and communities for as long as possible. The development of the service, to address increasing demands, over the period 2006 to 2008 shows, for example:

- €211 million revenue funding provision, including over €55 million for new service developments.
- In excess of 11 million Home-Help hours were provided by the HSE in 2007.
- Numbers benefiting increased from just over 41,000 in 2006 to around 54,000 clients at present.
- Total Home-Help hours increased from just over 9 million hours in 2006 to over 11 million hours expected this year, i.e. an increase of 22%.

In addition to the above, the Home Care Package Initiative formally commenced in 2006, following a pilot programme in 2005. Home Care Packages are an additional support over and above existing mainstream community services and are used to maintain an older person at home via additional supports and therapy services. They are designed to be flexible and are particularly targeted at those at risk of admission to long-term care, inappropriate admission to acute hospital or requiring discharge home from an acute hospital. Funding of €110 million was provided over the years 2006 and 2007 to roll-out the Home Care Package programme. This has resulted in just over 4,300 new packages introduced to the system which now benefits approximately 11,000 people per annum.

As the Deputy will be aware, 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 matters raised by the Deputy. My Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to have these investigated and to have a reply issued directly to the Deputy.

Proposed Legislation.

157. **Deputy Joanna Tuffy** asked the Minister for Health and Children her plans to introduce legislation to establish a register of persons considered unsafe to work with children; and if she will make a statement on the matter. [32177/08]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The issue raised by the Deputy is currently being considered in the context of the recent interim report of the Joint Committee on the Constitutional Amendment on Children. I am currently working with the Minister for Justice Equality and Law Reform to bring to Government a legislative proposal to give effect to the Committee's recommendation. In this regard, officials from my Office have been in contact with their counterparts in the Department of Justice Equality and Law Reform to begin the process of formulating proposals to give legal authority for the collection and exchange of information concerning the risk or the occurrence of endangerment, sexual exploitation or sexual abuse of children.

Health Services.

158. **Deputy Bernard J. Durkan** asked the Minister for Health and Children her views on whether the standard and quality of the health service is expected to improve in the foreseeable future; if so, the location at which these improvements are expected to take place; the impact that co-location plans will have on the situation; if her attention has been drawn to the public concern at the quality, availability and reliability of health services here; her proposals to address these fundamental issues; and if she will make a statement on the matter. [32334/08]

Minister for Health and Children (Deputy Mary Harney): The fundamental objective of the Government in health policy continues to be to maximise the health status of the population. 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.

The services and targets to be provided by the Health Service Executive in 2008 are set out in the National Service Plan, which I approved in November 2007 and the addendum to the Service Plan which I approved in February 2008. Both of these documents have been laid before the Houses of the Oireachtas and published. The Annual Output statement demonstrates that substantial progress has been made in the delivery of health services. Only by continuing to push forward with and supporting an agenda of reform within the health services can we hope to deliver the kind of health service we all want to benefit from within the resources that are available to us. The gross provision for the HSE in 2008 is €14,337 million revenue and €594 million capital.

In the area of acute hospitals, the HSE is supporting the continuous improvement of the safety and quality of care in hospitals which it operates or funds. A pilot of the project for implementation of the HSE Standards for Quality and Risk Management has been completed and roll-out across hospitals will commence later this year. The Government and the Executive are also 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.

Change is happening on a number of other fronts such as the first full modernisation in 30 years in the Medical Council and the regulation of doctors, the modernisation of the law regulating the pharmacy profession and health and social care professions, putting in place a fundamental new contract for consultants for the first time in 30 years. The Health Information and Quality Authority (HIQA) was established in 2007, as part of the restructuring of the health service under the Health Reform Programme. One of the main functions of HIQA is the setting of standards and monitoring healthcare quality. For the first time, we will have national standards across major programmes of care. Such standards in the field of symptomatic breast disease services have already been developed and are in the process of being implemented.

The Authority also has responsibility under the Health Act 2007 for undertaking investigations as to the safety, quality and standards of services where it is believed that there is serious risk to the health or welfare of a person receiving services. Recent developments have led to the commencement of a number of investigations by HIQA. In January 2007, as part of the Government's commitment to ensuring patient safety and quality in our healthcare, I established a Commission on Patient Safety and Quality Assurance to develop clear and practical recommendations to ensure that quality and safety of care for patients is paramount within the

healthcare system. The Commission's Report — 'Building a Culture of Patient Safety' was published in August 2008. This is the first report of its kind and it makes far reaching recommendations which when implemented will impact very positively on patients and their families.

The most significant recommendation in the report is the introduction of a licensing system for all health services whether they are delivered publicly or privately. 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 and will bring the report to Government shortly. The implementation plan endorsed by the Commission recommends the establishment of an Implementation Steering Group (ISG) with clear and regular reporting obligations to the Minister for Health and Children. It also recommends the establishment of expert sub-groups comprised of representatives of relevant stakeholders, each of which will report to the ISG on the practical and detailed implementation of the recommendations within their remit.

In July 2005 I issued a policy direction to the HSE 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 approximately 1,000 additional beds for public patients of the 1,500 additional acute public beds to be provided set out in the Programme for Government.

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. The Board of the Health Service Executive (HSE) has approved preferred bidder status for the development of co-located hospitals at six public hospital sites and two other public hospitals which are also participating in the co-location initiative, are at an earlier stage of the procurement process.

Pharmacy Services.

159. **Deputy Brian O'Shea** asked the Minister for Health and Children her plans to achieve savings under the community drugs scheme following the recent decision of the High Court in relation to changes introduced on payments to pharmacists; and if she will make a statement on the matter. [32163/08]

339. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the extent to which final agreement has been reached between her Department and the pharmacists; and if she will make a statement on the matter. [32587/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 159 and 339 together.

The Government remains 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. It is clear that there are significant savings capable of being made for taxpayers, presently and in the future. My Department is considering the legal, financial and service implications of the recent High Court judgement for the payments made to community pharmacists.

Long-Term Illness Scheme.

160. **Deputy Róisín Shortall** asked the Minister for Health and Children if consideration has

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been completed on extending the recognised illnesses and conditions covered by the long-term illness scheme; and if she will make a statement on the matter. [32173/08]

Minister for Health and Children (Deputy Mary Harney): Under the 1970 Health Act, the Health Service Executive may arrange for the supply, without charge, of drugs, medicines and medical and surgical appliances to people with a specified condition, for the treatment of that condition, through the Long Term Illness Scheme (LTI). The LTI does not cover GP fees or hospital co-payments. The conditions are: mental handicap, mental illness (for people under 16 only), phenylketonuria, cystic fibrosis, spina bifida, hydrocephalus, diabetes mellitus, diabetes insipidus, haemophilia, cerebral palsy, epilepsy, multiple sclerosis, muscular dystrophies, parkinsonism, conditions arising from thalidomide and acute leukaemia. Products which are necessary for the management of the specified illness are available to LTI patients. Other products are available according to the patient's eligibility. There are currently no plans to extend the list of eligible conditions.

Care of the Elderly.

161. **Deputy Kathleen Lynch** asked the Minister for Health and Children her plans to provide additional public long stay elderly care beds in order to address the growing need for such facilities; and if she will make a statement on the matter. [32160/08]

Minister of State at the Department of Health and Children (Deputy Máire Hctor): In 2006, the HSE, in conjunction with Prospectus, undertook a Needs Assessment of bed capacity requirements in the areas of long-stay, dementia-specific and respite care beds for the period 2006-2036. This report was submitted to the Department of Health and Children in September 2006. It indicated, among other issues, the uneven distribution of beds between and within regions. In particular, HSE Dublin North East and HSE South were identified as having a requirement for additional beds.

The report has informed proposals to expand capacity through the provision of 860 additional public beds under the Fast Track Bed Initiative over the period 2007–2009. The latest information received from the Health Service Executive indicates that 188 of these 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. The report is the subject of ongoing deliberations between the Department and HSE and feeds into the development of future policy and infrastructure in the area of long-term care services for older people.

Proposed Legislation.

162. **Deputy Pat Rabbitte** asked the Minister for Health and Children her plans to introduce legislation in order that the national cancer registry can be integrated with the national cancer control programme; and if she will make a statement on the matter. [32170/08]

Minister for Health and Children (Deputy Mary Harney): In November 2006 I informed the Board of the National Cancer Registry (NCR) that I had decided that its functions should form part of the Health Service Executive's National Cancer Control Programme (NCCP). Following the appointment of the National Director of the NCCP the position was reviewed and it was agreed to postpone the integration of the NCR into the HSE until the roll out of Programme was at a more advanced stage.

It remains policy to integrate the NCR into the NCCP. The transfer is subject to my Department being satisfied in relation to a number of caveats, including the maintenance and develop-

ment of the Register, the development of the cancer surveillance functions of the Registry, the development of an effective and integrated national approach to data collection and analysis and that human resource issues are adequately addressed. Consideration is being given to providing for integration of Registry functions into the HSE's NCCP in the context of the proposed Health Information Bill, which will address the issue of confidentiality and national registries.

Ambulance Service.

163. **Deputy Brian Hayes** asked the Minister for Health and Children the progress made regarding a commitment given by her to a call by the Association of Ambulance Personnel to provide stab vests to paramedics operating in high risk areas; if she met with ambulance personnel within the Health Service Executive in view of her assurance that such a group would be recognised as stakeholders to investigate claims made by ambulance personnel; if so, the actions that she has taken consequent to that meeting; and if she will make a statement on the matter. [31907/08]

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.

Departmental Reports.

164. **Deputy Aengus Ó Snodaigh** 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. [32221/08]

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.

165. **Deputy Joe Costello** asked the Minister for Health and Children her plans to implement the recommendations of the report of the Commission on Patient Safety and Quality Assurance, Building a Culture of Patient Safety; if same will require legislation; and if she will make a statement on the matter. [32152/08]

Minister for Health and Children (Deputy Mary Harney): In January 2007, as part of the Government's commitment to ensuring patient safety and quality in our health service, I established a Commission on Patient Safety and Quality Assurance to develop clear and practical recommendations to ensure that quality and safety of care for patients is paramount within the healthcare system. The Commission's Report — 'Building a Culture of Patient Safety' was published in August 2008. The Commission's recommendations will be considered by me and my Department and proposals on implementation will be submitted to Government in the near future. This is the first report of its kind and it makes far reaching recommendations which when implemented will impact very positively on patients and their families.

The implementation plan endorsed by the Commission recommends the immediate establishment of an Implementation Steering Group (ISG) with clear and regular reporting obligations to the Minister for Health and Children regarding progress on the implementation of the recommendations of the Report. This also requires the establishment of expert sub-groups

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comprised of representatives of relevant stakeholders, each of which will be required to report to the ISG on the practical and detailed implementation of the recommendations within their remit. The advantages of this model are that it immediately builds on the structures already in place and can deliver results quickly.

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 and such a system would of course require legislation which will be extremely complex and take some time to develop. Other recommendations in the report which would require legislation include a mandatory system of adverse event reporting and legal protection for information collected through such a system. Similar protection is also suggested for information provided in the context of a process of open disclosure or clinical or other patient safety audit.

Nursing Homes (Repayment) Scheme.

166. **Deputy Mary Upton** asked the Minister for Health and Children her plan to restore a portion of the funds allocated for the introduction of the fair deal to the Health Service Executive to cover the estimated potential shortfall of €77 million in the budget provided for the nursing home repayment scheme; and if she will make a statement on the matter. [32180/08]

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. However it should be noted that the repayments offered in November cannot be paid until the statutory 28 day period has elapsed.

An allocation of €150m was provided for the scheme in the estimates for 2008. All eligible applications received prior to the closing date will be repaid in full and an appropriate provision will be made as necessary to meet any costs arising under the scheme. An operational plan submitted by the HSE to my Department indicates that the additional costs associated with the scheme in 2008 will amount to €77m. My Department is in discussion with the Department of Finance concerning the matter and I expect the situation to be resolved shortly.

Medical Cards.

167. **Deputy Brendan Howlin** asked the Minister for Health and Children when her review of eligibility for medical cards will be completed; if it will be published when completed; and if she will make a statement on the matter. [32172/08]

Minister for Health and Children (Deputy Mary Harney): The Eligibility Review Team was established in my Department in 2005, to begin working on a new legislative framework to provide for clear statutory provisions on eligibility for health and personal social services. As part of this work the Department is reviewing the eligibility criteria for the assessment of medical cards in the context of financial, medical and social need in line with the commitment in Towards 2016 to clarify entitlement to a medical card. A Steering Group has been established to carry out this work and is expected to report to me within the next few months. The purpose of the review is to inform the decision-making process in relation to medical card eligibility and it is not my intention to publish the report.

Hospital Services.

168. **Deputy Arthur Morgan** 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 of Cavan, Monaghan, Louth and Meath 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. [32219/08]

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. 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. The HSE is working to maintain elective orthopaedic services as far as possible and funding has been reprioritised in this context. Any necessary measures are being discussed with senior clinicians. It is not expected that the waiting lists for adult elective inpatient orthopaedic procedures in the North East will breach the national target limit of 6 months. The waiting lists are currently at 3 months or less in the region.

Organ Retention.

169. **Deputy Michael D. Higgins** asked the Minister for Health and Children when she will meet with a group (details supplied); if she will address their concerns that information they have received under the Freedom of Information Act 1997 suggest that investigations held to date into the retention of organs of deceased patients have been inadequate and incomplete. [32156/08]

Minister for Health and Children (Deputy Mary Harney): I am satisfied that the retention of organs following post-mortem examination on deceased children and adults has been properly investigated. The information referred to by the Deputy consists of documents which were released to Parents for Justice (PFJ) by individual hospitals under Freedom of Information (FOI) legislation. The documents do not represent new disclosures but rather are copies of the documentation which those hospitals submitted to the Dunne Post-Mortem Inquiry. When Dr. Madden was appointed by the Government to complete the report on post-mortem practice and procedures the documentation collated by Ms. Dunne was made available to her. Dr. Madden produced a robust and thorough evaluation of the papers which she examined and took all relevant matters into consideration in drafting her report.

Parents for Justice released a subset of the documentation which they received under FOI to the media on 14th July 2008 and subsequently sent me a copy of this subset. The documents relate largely to the supply of pituitary glands by hospitals to pharmaceutical companies between 1976 and 1988. Dr. Madden addressed this matter in detail in Chapter 6 of her report. It would not be appropriate for me to re-visit the conclusions reached by Dr. Madden, who is an eminent expert in medical law, and who had access to an extensive body of documentation, including witness statements, in preparing her report. I have given PFJ an undertaking that I will meet them when the independent review of the organisation being conducted on behalf of the Health Service Executive has been completed and I will listen to their views on all relevant matters on that occasion.

Question No. 170 answered with Question No. 149.

Hospital Services.

171. **Deputy Arthur Morgan** asked the Minister for Health and Children the plans she has to intervene to address the crisis in dermatology services in the north-east Health Service Executive region in view of the chronic waiting list at Our Lady of Lourdes Hospital, Drogheda and further 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. [32217/08]

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.

Care of the Elderly.

172. **Deputy Ciarán Lynch** asked the Minister for Health and Children if she has commenced the evaluation of the Health Service Executive's home care packages; when she expects the review to be completed; and if she will make a statement on the matter. [32158/08]

Minister of State at the Department of Health and Children (Deputy Máire Hackett): The importance this Government attaches to the continued development of community-based services for older persons is reflected in the unprecedented levels of funding given to this sector in recent years. In 2006 and 2007, just over €400 million was provided to enhance service developments across the older persons sector. Of this specific investment of €110 million over those years has provided for a total of 4,300 new home care packages.

Under the Framework Social Partnership Agreement, Towards 2016, the Government and social partners committed to the establishment of a Steering Committee, chaired by my Department, to begin preparatory work of evaluating the effectiveness of Home Care Packages. This commitment also gives effect to a recommendation of the Long Term Care Working Group that an evaluation be undertaken. The Steering Committee commenced its work some time ago and recently sought tenders through the public procurement process for an independent consultancy to undertake the Evaluation. A number of tenders were subsequently received and are at present being considered.

My Department hopes to be in a position to award this contract at an early date, with a view to receiving a Final Report in the first quarter of 2009. It is intended that this Evaluation will make an important contribution towards informing future policy and service developments for home care services for older people.

Patient Safety.

173. **Deputy Michael D. Higgins** asked the Minister for Health and Children if she will establish a patient safety authority or agency; and if she will make a statement on the matter. [32157/08]

Minister for Health and Children (Deputy Mary Harney): In January 2007, I established a Commission on Patient Safety and Quality Assurance to develop clear and practical recommendations to ensure that quality and safety of care for patients is paramount within the healthcare system. The Commission's Report — 'Building a Culture of Patient Safety' was published on 7th August 2008. The report contains 134 recommendations spanning across

almost every area of the health service. 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 should be operated by HIQA. I am currently considering the Commission's recommendations in detail. It is my intention to bring the report, together with an implementation strategy, to Government as soon as possible.

The implementation plan endorsed by the Commission recommends the immediate establishment of an Implementation Steering Group (ISG) with clear and regular reporting obligations to the Minister for Health and Children regarding progress on the implementation of all the recommendations of the Report. This also proposes the establishment of expert sub-groups comprised of representatives of relevant stakeholders, each of which will be required to report to the ISG on the practical and detailed implementation of the recommendations within their remit. The advantages of this model are that it immediately builds on the structures already in place and can deliver results quickly. On this basis, I am not proposing the establishment of a new patient safety authority or agency.

Social Inclusion.

174. **Deputy Ruairí Quinn** asked the Minister for Health and Children her views on the findings of a report in August 2008 by the Institute of Public Health and the Combat Poverty Agency which indicates that 5,400 people here die prematurely each year as a result of social inequality and deprivation; the plans she has to address the problem; and if she will make a statement on the matter. [32168/08]

Minister for Health and Children (Deputy Mary Harney): The report to which the Deputy refers is the recently launched joint Institute of Public Health/Combat Poverty Agency publication "Tackling Health Inequalities: An-All Ireland Approach to Social Determinants". The report examines the influence of social, economic and environmental factors on health, such as poor housing, nutrition and education, across the island of Ireland and advocates a whole-of-Government approach across a range of policies to address and tackle inequalities in health among low income groups; it draws on a range of national and international research — including research published in 2002 by the Department of Health, Social Services and Public Safety, Northern Ireland.

Addressing health inequalities is a common challenge for health systems across the world. As with many other countries, the Irish health sector is strongly committed to implementing a range of measures aimed at tackling and reducing health inequalities. Measures taken include the establishment, in late 2005 as part of the health reform process, of a dedicated Social Inclusion Unit in the Department of Health and Children to co-ordinate the Department's work on health inequalities and policies in relation to vulnerable groups. An important element of the work of this Unit is to develop policy and services aimed at addressing the specific health needs of vulnerable groups such as Travellers, the homeless, drug users, prisoners and asylum seekers. An additional, and equally important, element of the Unit's work, is to co-ordinate measures across other health policy areas that seek to promote greater social inclusion and equity in health generally. Actions are being pursued in conjunction with a range of stakeholders both within and outside the health services and with local communities.

In addition, social inclusion-relevant aspects of existing health strategies and plans feature in the social partnership agreement, *Towards 2016*, published in June 2006 and in Ireland's National Action Plan for Social Inclusion, *Building an Inclusive Society 2007-2016 (NAPinclusion)*, published in February 2007 which details a number of health commitments aimed at tackling and reducing health inequalities and improving the health status of the more vulnerable members of our society. The health sector also strongly supports the social determi-

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nants approach to tackling health inequalities. One way in which it seeks to advance a more integrated approach to policy on key cross-cutting social issues is through the Department of Health and Children's participation in the Seniors Officials Group on Social Inclusion which operates under the aegis of the Department of the Taoiseach.

Health Promotion.

175. **Deputy Jimmy Deenihan** asked the Minister for Health and Children if she has taken the lead responsibility to provide an integrated and consistent proactive approach to addressing overweight and obesity and to the implementation, monitoring and evaluation of the national strategy on obesity, as recommended by the national task force on obesity; and if she will make a statement on the matter. [25907/08]

Minister of State at the Department of Health and Children (Deputy Mary Wallace): A range of initiatives are being taken by various Government Departments and Agencies in response to the report of the National Taskforce on Obesity. These include:

- my Department and the Department of Education and Science are developing healthy eating guidelines for schools. Guidelines for preschools and primary schools are already developed and appropriate healthy eating training by community dieticians with pre-school and primary school staff is currently underway. The guidelines for post-primary schools will be published very shortly. Guidelines on levels of physical activity are currently being devised by the Population Health Directorate of the Health Service Executive.
- my Department will be publishing the first National Nutrition Policy later this year. This will fulfil a key recommendation of the Taskforce on Obesity. While addressing the nutritional needs of the whole population, it will have a particular focus on the 0-18 year age group.
- the Cardiovascular Health Policy Group, due to report this year, will be advising on measures to tackle lifestyle issues like obesity at population level as well as in the primary care setting.
- the Health Service Executive has taken a number of anti-obesity initiatives, including:
 - the recruitment of Specialist Community Dieticians;
 - the appointment of Physical activity Co-ordinators;
 - the development of specialist hospital services for the treatment of obesity.
- the Department of Transport is developing a Sustainable Travel and Transport Action Plan. A consultative document has been published which discusses the potential of cycling and walking, and suggests ways in which these could be promoted as alternative modes of healthy travel.
- the Departments of Arts, Sports and Tourism, Environment and Community Rural and Gaeltacht Affairs have developed a range of sports, recreational and playground facilities for children and young adults.

In order to give a new impetus to this issue, I am this week commencing a series of bilateral discussions with relevant Departments with regard to the implementation of the recom-

mendations of the Taskforce. It is my intention to work closely with Government colleagues to ensure a coherent approach to implementing the recommendations of the Taskforce.

Services for People with Disabilities.

176. **Deputy Willie Penrose** asked the Minister for Health and Children if she will provide an assurance that funding earmarked for the development funding for people with disabilities in 2008 has been transferred to the relevant service providers in time to provide placements as planned; and if she will make a statement on the matter. [32165/08]

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.

Mental Health Services.

177. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of mental health properties that have been sold; the funds available as a result of such sales for the development of mental health services; the discussions she has had regarding the effects of a downturn in the construction industry on the sale of such sites; and if she will make a statement on the matter. [32176/08]

Minister of State at the Department of Health and Children (Deputy John Moloney): 'A Vision for Change', the Report of the Expert Group on Mental Health Policy has been accepted by Government as the basis for the future development of our mental health services. The Report recommends inter alia that a plan to bring about the closure of all psychiatric hospitals should be drawn up and implemented, and that the resources released by these closures should be protected for reinvestment in the mental health service. It is understood that the Health Service Executive (HSE) has disposed of a small number of assets since the launch of the Report in January 2006.

As the HSE has primary responsibility for implementing this recommendation, 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 matter investigated and to have a reply issued directly to the Deputy.

Health Services.

178. **Deputy Seán Sherlock** asked the Minister for Health and Children if her attention has been drawn to the case of a person (details supplied) in County Cork; and if she will make a statement on the matter. [31910/08]

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.

Services for People with Disabilities.

179. **Deputy Ulick Burke** asked the Minister for Health and Children if she will take responsibility in the area of special needs education particularly in the area of speech and language therapy, occupational therapy and the other needed ancillary support services required in this

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area in view of the fact that many parents find that these services, which are crucial at an early age, are either not available or being delivered on an *ad hoc* basis; and if she will report on the co-ordination of these services between her Department and other Departments. [26391/08]

Minister of State at the Department of Health and Children (Deputy John Moloney): The new Office for Disability and Mental Health spans four Government Departments and brings together responsibility for a range of different policy areas and State services which directly impact on the lives of people with a disability and people with mental health difficulties. The Office aims to bring about improvements in the manner in which services respond to the needs of people with disabilities and mental health difficulties, by continuing to develop person-centred services, focussing on the holistic needs of clients and service users and actively involving them in their own care.

Very substantial progress has been made in recent years in the areas of disability and mental health, but much remains to be done. In particular, there is a need to improve co-ordination and communication across different Government Departments and agencies in their delivery of services to this client group. This will be the main focus for the new Office. A key priority for the Office is to facilitate the delivery of integrated health and education support services for children with special needs, by further developing existing mechanisms for co-operation and co-ordination between the health and education sectors, both at national and local level.

It is recognised that intervention early in life can have a significant impact on the disabling effects of a condition or impairment. In recognition of this, Part 2 of the Disability Act 2005 was commenced for children aged under 5 years with effect from 1 June 2007. This provides parents of young children with disabilities with an entitlement to an independent assessment of their child's health and educational needs and a statement of the services which it is proposed to provide for them. In the first year of operation, almost 2,300 applications for an assessment of need were received and continue to be processed by the HSE.

Representatives from the Office for Disability and Mental Health, the Department of Health and Children, the Department of Education and Science, the Health Service Executive and the National Council for Special Education meet on a regular basis to address a range of issues including matters arising in relation to the ongoing implementation of the Disability Act 2005. This work includes planning for the further commencement of Part 2 of the Disability Act 2005 in conjunction with the Education for Persons with Special Educational Needs Act 2004, to children aged between 5 and 18 years and to adults. Issues in relation to the timely and appropriate provision of health and education supports to children with a range of disabilities are being considered in the context of these discussions. Health related supports for children aged 5 to 18 and for adults will continue to be enhanced, as resources permit, to enable the Health Service Executive to meet needs identified for these groups.

The Deputy's question regarding the availability of services 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. 180 answered with Question No. 138.

National Treatment Purchase Fund.

181. **Deputy Michael D'Arcy** asked the Minister for Health and Children her plans to ease the backlog that has developed in the National Treatment Purchase Fund which has led to

more than 2,000 patients waiting for more than a year for surgery and several hundred more waiting up to two years under the scheme. [31906/08]

Minister for Health and Children (Deputy Mary Harney): I have asked the National Treatment Purchase Fund, in conjunction with the Health Service Executive, to address the issue of persons waiting for longer than 12 months for hospital treatment as a matter of priority during 2008. I regard it as unacceptable that anyone should have to wait for so long when an alternative pathway to treatment is possible and available through the NTPF. The NTPF has informed my Department that at the end of August 2008 the total number of surgical patients over a year on hospital waiting lists was 1,831. This represents a very significant improvement on the position as at the end of August 2007, when the total number waiting over 12 months was 4,614. The Fund has also indicated that it is confident that a further reduction will be achieved by the end of this year.

Waiting times have been falling significantly since the setting up of the NTPF. The average median wait time for a procedure via the Fund is now 3.2 months. Indeed, for 19 of the 20 most common adult surgical operations, patients are treated within two to five months while children, for the 10 most common paediatric surgical procedures, also receive their treatment within two to five months.

Health Services.

182. **Deputy Martin Ferris** asked the Minister for Health and Children the number of home help hours which have been cut since October 2007; and if she will make a statement on the matter. [32222/08]

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.

Hospital Waiting Lists.

183. **Deputy Eamon Gilmore** asked the Minister for Health and Children if her attention has been drawn to the long waiting times for persons seeking appointments with dermatologists; her plans to increase the number of dermatologists; and if she will make a statement on the matter. [32155/08]

287. **Deputy Jan O'Sullivan** asked the Minister for Health and Children if her attention has been drawn to the waiting times for dermatology services throughout the country, including a wait for at least five years at a hospital (details supplied) in Dublin 24; if her attention has further been drawn to the fact that the waiting lists are closed to all new patients in some parts of the country; her plans to improve this situation; and if she will make a statement on the matter. [32226/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 183 and 287 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 Deputies. My Department has requested the

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Parliamentary Affairs Division of the Executive to arrange to have the matters investigated and to have a reply issued directly to the Deputies.

Health Services.

184. **Deputy Joanna Tuffy** asked the Minister for Health and Children if she will establish a national diabetic retinopathy detection programme; and if she will make a statement on the matter. [32178/08]

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.

Care of the Elderly.

185. **Deputy Joe Costello** asked the Minister for Health and Children if her attention has been drawn to cases of elderly or disabled people being asked to give a monetary contribution for home help; if she will make it clear that this is a free service; and if she will make a statement on the matter. [32153/08]

Minister of State at the Department of Health and Children (Deputy Máire Hocht): The over-arching policy in relation to older people is to support them insofar as possible to live at home and in their own communities. The Home Help Service, delivered by or on behalf of the Health Service Executive (HSE), is therefore a core community service enabling people to remain at home, where appropriate, who otherwise might need to be cared for in long-term residential care. It is also a critical support to older people in facilitating their early discharge from and in preventing inappropriate admission to acute hospitals. Home-Help is one of a wide range of community based services being provided by the HSE including Primary Care Teams, Home Care Packages, Meals on Wheels, Day/Respite Care, or through similar services provided by voluntary agencies or private providers.

Significant progress has been made in developing home based and community services since 2006. This has had a considerable impact in terms of numbers of people benefiting from such services, as well as providing much needed support to the acute hospital sector. The development of this service over the period 2006 to 2008 shows, for example, the following:

- €211 million revenue funding provision, including €55.6 million for new service developments.
- in excess of 11 million Home-Help hours were provided by the HSE in 2007.
- numbers benefiting increased from just over 41,000 in 2006 to around 54,000 clients at present.
- total Home-Help hours increased from just over 9 million hours in 2006 to over 11 million hours expected this year, i.e. an increase of 22%.

The HSE provides a Home-Help Service under Section 61 of the 1970 Health Act which states that “a health board may make arrangements to assist in the maintenance at home of a sick or infirm person or a dependant of such a person.” The Act specifies “may” and therefore the provision of a Home-Help Service is discretionary. To qualify for Home-Help service an assess-

ment of need of the client concerned is undertaken in all instances. Section 61 also provides an option to charge for such services “either (as the chief executive officer of the board may determine in each case) without charge or at such charge as he considers appropriate”.

Historically, varying financial eligibility practices were in operation in the former health board areas. Generally, however, medical card holders were deemed eligible. In addition, some voluntary agencies who provide Home-Help services on behalf of the HSE will accept a donation from clients towards the cost of the service. This does not apply in areas where Home-Help service is provided directly by the HSE.

Currently, where a financial assessment is applied, it ranges from applying the same financial guidescale which pertains to eligibility for a medical card in some areas, to a maximum income of €300 a week for a single person living on their own, in other areas. Where a financial assessment is applied, it is treated as a general guide line and applied in a flexible manner, to ensure that clients are appropriately supported to continue living in their own homes for as long as possible and in order to avoid inappropriate admissions to continuing care units. The operation of this service is at present being examined by the HSE, with a view to standardising nationally all aspects of its operation.

Levels of services provided by the Home-Help Service are reviewed regularly, and as a result, the service in individual cases may increase, decrease or may remain unchanged, based on the assessed need of the individual. Professional staff on the front line, who are aware of local circumstances, undertake the individual client assessments. Services are targeted at those with a high level of dependency and in accordance with their assessed need. The development of the Home-Help Service has also seen the professionalisation of the service in recent years with the implementation of the National Home Help Agreement. This has resulted in greater flexibility in service delivery and has improved consistency and service quality, through training, to the benefit of service users.

Services for People with Disabilities.

186. **Deputy Olwyn Enright** asked the Minister for Health and Children the progress made on the publication of a review of the cost of disability payment; her plans to introduce such a payment; if so, the timeframe within which it is envisaged to introduce the payment; and if she will make a statement on the matter. [24898/08]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy is aware the Department of Health and Children published a Sectoral Plan in 2006 as part of the implementation of Disability Act 2005. The Department of Health and Children Sectoral Plan is subject to annual review and the first review of the Plan was published in December 2007. The Sectoral Plan identifies key objectives in relation to income support and associated benefits for people with disabilities including an agreed protocol with the Department of Social and Family Affairs to develop income and related supports for people with disabilities in order to ensure that they have adequate, secure and sustainable income. The Government is working towards ensuring that income supports and associated benefits do not create financial barriers to people with disabilities.

The Office for Disability and Mental Health remains committed to considering the issues around the cost of disability following the development of the needs assessment system provided for in the Disability Act. In the meantime, there is significant assistance currently available to mitigate the impact of the additional costs incurred by people with a disability. These measures include weekly/monthly allowances, additional income supports; other benefits such as medical cards, free travel, mobility allowance and tax concessions.

187. **Deputy Seán Barrett** asked the Minister for Health and Children if she will expedite the commencement of construction of the new National Rehabilitation Hospital at Dún Laoghaire, the services of which are needed by patients countrywide; and if she will make a statement on the matter. [31904/08]

Minister of State at the Department of Health and Children (Deputy John Moloney): A key Government initiative in the area of rehabilitation is the commitment by the Department of Health and Children and the Health Service Executive (HSE) to develop a national policy and strategy for the provision of medical rehabilitation services. It is expected that this will:

- Define the scope of rehabilitation services;
- Research best practice approaches to rehabilitation services;
- Assess the needs of the population;
- Outline a model of service delivery that will encompass all stages of service required to meet the needs of service users;
- Recommend a framework that will ensure that service developments are within an agreed national framework with common principles;
- Develop an approach in line with the transformation of HSE services toward increased delivery at primary care level.

The strategy will focus on the service provision needs of the following categories:

- Static and progressive neurological conditions; traumatic and non-traumatic brain injury; and
- persons with other physically disabling conditions who may benefit from medical, psychological or social rehabilitation service provision.

A Steering Group, comprised of senior officials from the Department of Health and Children and the HSE, has been established to oversee the development of the policy and strategy. A Working Group has also been formed, which will assist with the production of the policy and strategy. This Group met for the first time in July and it is hoped that the National Policy and Strategy will be completed by the end of the year.

The Programme for Government committed to increasing the existing rehabilitation capacity in addition to redeveloping the National Rehabilitation Hospital. The HSE has informed the Department of Health and Children that plans have been prepared to develop a satellite unit of the National Rehabilitation Hospital attached to Beaumont Hospital, linking the rehabilitation expertise of NRH with the neurological services in Beaumont. This new proposed unit will provide acute medical rehabilitation services and early rehabilitation for those suffering from brain injury who access the National Neurosciences Unit at Beaumont Hospital and who currently have to access services at the National Rehabilitation Hospital. Plans are also being advanced to develop rehabilitation services on the campus of Merlin Park Hospital in Galway. The Working Group will consider the appropriate strategy for service provision including this proposed extension of facilities and the proposed new units.

Departmental Staff.

188. **Deputy Joan Burton** asked the Taoiseach the bonuses awarded by his Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt

of bonuses for each of those years; the average bonus paid; and if he will make a statement on the matter. [32006/08]

The Taoiseach: Civil service posts at the levels of Assistant Secretary and Deputy Secretary are covered by a scheme of performance related awards. The operation of the scheme is overseen by the Committee for Performance Awards. The funding for awards is based on 10% of the payroll for the posts covered by the scheme. Within this overall limit, payments of up to 20% can be made to individuals. 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). The amount paid out under this scheme is detailed below:

Year	No. of staff who received bonuses	Average amount paid
		€
2005	4	11,000
2006	4	11,700
2007	4	12,800

In addition, under the Employee Recognition Awards Scheme, which is used to acknowledge and reward exceptional performance on the part of individuals and teams, merit payments were made as follows:

Year	Total value of awards	No. of individuals	Average award
	€		
2005	7,600	54	140
2006	8,500	29	290
2007	10,500	52	200

The highest individual award under this scheme to date is 500.00.

Decentralisation Programme.

189. **Deputy Joan Burton** asked the Taoiseach if he will list in regard to his Department and State agencies or bodies operating under the aegis of his Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if he will make a statement on the matter. [32021/08]

192. **Deputy Kieran O'Donnell** asked the Taoiseach the moneys under the decentralisation programme for the period from 3 July to date in 2008 that have been expended, properties purchased and employees decentralised specifying all relevant locations under each of these headings; and if he will make a statement on the matter. [32121/08]

195. **Deputy Joan Burton** asked the Taoiseach the number of civil servants and other public servants in his Department who had been decentralised from Dublin to other locations by the

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original deadline for the completion of the plan of December 2006; and if he will make a statement on the matter. [33064/08]

The Taoiseach: I propose to take Questions Nos. 189, 192 and 195 together.

The Deputy will be aware that there are no proposals to decentralise my Department or any of the agencies or bodies under its aegis and that the Department of Finance has responsibility in Government for the overall Decentralisation Programme.

Compulsory Purchase Orders.

190. **Deputy Leo Varadkar** asked the Taoiseach the State sponsored bodies, quangos and other agencies within the remit of his Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if he will make a statement on the matter. [32036/08]

The Taoiseach: None of the Agencies under the remit of my Department has the power to issue compulsory purchase orders.

National Statistics.

191. **Deputy Joe Costello** asked the Taoiseach the population in each of the 26 counties; and if he will make a statement on the matter. [31670/08]

Minister of State at the Department of the Taoiseach (Deputy Pat Carey): The most up to date information on the population in each of the 26 counties is taken from the 2006 Census and is set out in the table:

Persons, usually resident and present on Census Night, in each Province, County and City, Census 2006

Province, County or City	Population
<i>State</i>	4,172,013
<i>Leinster</i>	2,259,914
Carlow	49,688
Dublin	1,163,437
<i>of which</i> Dublin City	491,555
Dún Laoghaire-Rathdown	190,421
Fingal	236,774
South Dublin	244,687
Kildare	184,330
Kilkenny	86,689
Laoighis	66,538
Longford	34,072
Louth	110,300
Meath	161,351
Offaly	70,207
Westmeath	78,402
Wexford	130,518
Wicklow	124,382

Province, County or City	Population
<i>Munster</i>	1,153,661
Clare	108,331
Cork	474,161
of which Cork City	117,222
Cork County	356,939
Kerry	135,500
Limerick	181,601
of which Limerick City	51,886
Limerick County	129,715
North Tipperary	65,271
South Tipperary	82,417
Waterford	106,380
of which Waterford City	45,109
Waterford County	61,271
<i>Connacht</i>	495,127
Galway	226,812
of which Galway City	69,807
Galway County	157,005
Leitrim	28,559
Mayo	121,680
Roscommon	58,218
Sligo	59,858
<i>Ulster (part of)</i>	263,311
Cavan	63,264
Donegal	144,685
Monaghan	55,362

The Population and Migration Estimates published in August 2008 give the population at Regional Authorities (NUTS 3) area level only and is set out in the table.

Estimated Population classified by Sex, Age Group and Regional Authority Area, April 2008¹

State	Border	Dublin	Mid-East	Midland	Mid-West	South-East	South-West	West
4,422,077.0	492,508.0	1,217,848.0	514,494.0	266,819.0	371,915.0	487,817.0	644,598.0	426,078.0

¹ Preliminary.

Question No. 192 answered with Question No. 189.

Data Protection.

193. **Deputy Ruairí Quinn** asked the Taoiseach the policies in place to secure portable electronic data devices in his Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in his Department; the date by which he expects a satisfactory security policy on portable electronic data devices to have been implemented; and if he will make a statement on the matter. [32410/08]

The Taoiseach: All members of staff of my Department, who have portable electronic data devices issued to them for work purposes, are issued with a specific policy which they must read, sign and return for records purposes. This policy details the terms and conditions associated with securing the usage of this portable equipment. It is available on my Department's internal system. In addition to this, all staff in the Department are issued with a copy of the Departmental Code of Practice relating to the use of all IT facilities provided by my Department. Again, this code of practice is available on my Department's Intranet.

These policies are reviewed, updated and reissued on a regular basis to take account of any new threats to security of information. All laptops issued by my Department have their hard disks encrypted and store no data locally.

194. **Deputy Ruairí Quinn** asked the Taoiseach the number of Department owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from his Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if he will make a statement on the matter. [32425/08]

The Taoiseach: No computer, desktops, laptops or other data devices, such as blackberries and memory keys, have been reported missing or stolen from my Department to date in 2008.

Question No. 195 answered with Question No. 189.

Work Permits.

196. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the position of an application for a work permit in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [32244/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): The Employment Permits Section has no record of an application for a work permit in respect of the above named.

Job Creation.

197. **Deputy Seymour Crawford** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of jobs created in County Monaghan during the period from June 1997 to date in 2008; and if she will make a statement on the matter. [31919/08]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): State support for enterprise and job creation is channelled through the industrial development agencies. While I may give general policy directives to the agencies, I am precluded under the Acts from giving directives regarding individual undertakings, or from giving preference to one area over others. Employment data in respect of agency assisted companies is collated on an annual basis and as such it is not possible to isolate data from June 1997 to year end nor is it possible to supply figures to date for 2008. In the 11 year period from 1997 to 2007, 4,317 new full time jobs were created by Enterprise Ireland and IDA Ireland in County Monaghan. In addition, Monaghan County Enterprise board assisted in the creation of 1,028 net new jobs in the same period.

In line with the National Spatial Strategy, IDA is focused on delivering investments to all of the Gateway and Hub locations. In the case of Monaghan, the Agency is concentrating its efforts on the county town of Monaghan and is actively marketing the town through its range

of overseas offices. In addition the Agency works closely with its existing client companies in an effort to encourage them to increase and expand their operations in this country.

As Ireland competes for investments at the highest end of the value chain the concept of scale is crucial to our economic destiny. Leading corporations require a significant population of highly qualified talent, effective physical and digital infrastructure and the availability of sophisticated professional support services. If we are to make progress in attracting FDI to the regions we need to continue our investments under the NDP and all economic and social stakeholders will need to commit to the goal of balanced regional development as envisaged in the National Spatial Strategy. Future thinking and action must have a regional rather than a local bias and this requires a significant change in mindset.

Promoting entrepreneurship and facilitating the key infrastructural needs of Irish enterprise is vital to ensuring a vigorous pipeline of new business leaders, new business ideas and stability in employment numbers in Irish Industry. Strong balanced regional development and thriving entrepreneurship in all parts of Ireland are fundamental to the country's economic growth and employment prosperity. Enterprise Ireland is committed to creating and growing internationally competitive businesses, which in turn will increase employment and reduce the impact of job losses in all Irish Regions.

Through its Regional Network EI is working in close co-operation with IDA, FÁS, County and City Enterprise Boards and County Councils to bring focus and action to areas where required. EI are focused on the creation of new jobs through supporting entrepreneurs setting up new High Potential Start-Up Companies, the retention and creation of new jobs in existing companies and in enhancing the innovation capability of Ireland at a national and regional level through support of research in companies and third level institutions.

The role of the Monaghan County Enterprise Board (CEB) is to provide a source of support for micro-enterprise in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate economic activity and entrepreneurship. The Board supports individuals, firms and community groups provided that the proposed projects have the capacity to achieve commercial viability. Through the provision of both financial and non-financial support, such as advice, mentoring and training programmes, the Monaghan CEB remains central in assisting many micro-enterprises in developing their growth potential.

Community Employment Schemes.

198. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment if a person in receipt of credits from social welfare is entitled to obtain a position on a FÁS scheme; and if she will make a statement on the matter. [31960/08]

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. The qualifying criteria for Community Employment participation are intended to facilitate the movement of participants, allowing new participants who may not otherwise have such an opportunity to avail of the programme.

A person in receipt of credits from Social Welfare would not be eligible to obtain a position on a FÁS Community Employment Project. Persons must be at least 12 months in receipt of a payment (e.g. Jobseekers Allowance, Jobseekers Benefit, One Parent Family Payment etc.) in order to qualify. Any unemployed person can apply to participate on a FÁS training prog-

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ramme. However, priority is given to people in receipt of payments from the Department of Social and Family Affairs.

199. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of community employment participants that were and are on community employment schemes in the Dublin 3, 5 and 17 areas in the years 2002 to 2007 and to date in 2008; the breakdown per scheme; and if she will make a statement on the matter. [31964/08]

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. In relation to the information sought by the Deputy the table sets out details of the number of participants that were and are on CE Schemes in the Dublin 3, 5 and 17 areas in the years 2002 to 2007 and to date in 2008.

Year	Dublin 3	Dublin 5	Dublin 17
2002	113	305	207
2003	82	266	194
2004	160	273	312
2005	164	281	336
2006	136	284	332
2007	193	286	369
2008	185	283	379

Departmental Staff.

200. **Deputy Joan Burton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the bonuses awarded by her Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if she will make a statement on the matter. [31999/08]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The scheme of performance-related awards in the civil service applies to Deputy and Assistant Secretaries and equivalent grades. Details of awards to individual officers under the performance related scheme are not disclosed on the basis that they are confidential to the officer concerned. The awards paid to officers of my Department and associated Offices under the scheme for the years 2005, 2006 and 2007 were as follows:

Year	Total awards	Number of people
	€	
2005	160,000	14
2006	168,000	14
2007	196,000	14

Decentralisation Programme.

201. **Deputy Joan Burton** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will list in regard to her Department and State agencies or bodies operating under the aegis of her Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if she will make a statement on the matter. [32014/08]

208. **Deputy Joan Burton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of civil servants and other public servants in her Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if she will make a statement on the matter. [33057/08]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): I propose to take Questions Nos. 201 and 208 together.

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 Minister, Ministers of State and officials while in Dublin on business. As part of the Decentralisation Programme announced in December 2003, it was decided that 250 staff of my Department would decentralise to Carlow. At that time, it was also decided that four of my Department's Agencies — FÁS, National Standards Authority of Ireland, Health and Safety Authority and Enterprise Ireland — were to decentralise to Birr, Arklow, Thomastown and Shannon respectively.

The following is a summary of the progress, to date, with regard to the decentralization programme for my Department and Agencies. Obviously further progress in regard to these moves is subject to decisions of the Government which will be announced following consideration of the reports referred to above.

Department Decentralisation

My Department has been making good progress in the relocation of the required 250 posts to Carlow under the Government's Decentralisation Programme. The following business units/Offices of my Department are earmarked for decentralisation:

- Companies Registration Office/Registry of Friendly Societies;
- National Employment Rights Authority (NERA);
- Redundancy Payments Section;
- Insolvency Payments Section.

No staff from my Department were decentralised by the original deadline for the completion of the plan of December 2006, as announced by the Minister for Finance in December 2003. However, officials of my Department, in consultation with the Department of Finance and the

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OPW, as well as decentralising staff and Business Units, opened an advance office in Carlow on July 30th 2007. The number of staff in this decentralised advance office is 100. The number of staff relocated from Dublin is 61, which is 61% of the total. As well as staff already decentralised, there are 48 staff within my Department due to decentralise when the substantive move takes place, with a further 47 Carlow-bound applicants yet to be assigned from other Departments.

With regard to the property side of the Department's move, the OPW completed the purchase of a site in Carlow town centre for the construction of my Department's permanent office in Carlow. My colleague Minister of State Noel Ahern TD, announced on 13th December 2007 that the OPW has invited The Macquarie Partnership as the consortium to become the 'Successful Tenderer' in respect of this decentralisation project. This forms part of a major PPP project, which also involves the provision of office accommodation for the Department of Agriculture, Fisheries and Food in Portlaoise and the Department of Education and Science in Mullingar.

The formal application for planning permission was lodged with Carlow Town Council on 18th April 2008 and planning permission, with conditions, was granted on 12th June 2008 subject to appeal. The Office of Public Works has since advised that two objections lodged against the planning permission have been referred to An Bord Pleanála. An Bord Pleanála website indicates that the appeal cases are due to be decided by 10 November 2008. In light of this, it is difficult to provide a target date for completion of construction of the permanent office which appears is unlikely to happen before last quarter 2010.

Agency Decentralisation

Since the Government Decentralisation Programme was announced in December 2003, six Agencies under the aegis of my Department are due to decentralise or have already been decentralised, as follows:

Health and Safety Authority

The Health and Safety Authority (HSA) is to move 110 posts to Thomastown, Co Kilkenny as part of the decentralisation programme. In anticipation of the move to Thomastown, the Authority established an interim office in Kilkenny city in August 2006. As at 31 December 2006, a total of 15 staff had relocated to this office and 7 of these staff relocated from the Authority's Dublin office. To date a total of 27 staff have decentralised to the Authority's interim office in Kilkenny city. Of the 27 staff in that office, 6 staff have relocated from the Dublin office and the remaining 21 staff have been assigned to Kilkenny on recruitment to the Authority. With regard to the Thomastown site, the Office of Public Works has identified a site in Thomastown and the contracts for the sale of the site have been exchanged. The sale is at an advanced stage but has not yet been completed. No premises occupation date has yet been agreed with the OPW.

NSAI

Under the Government's decentralisation programme the National Standards Authority of Ireland (NSAI) is due to relocate to Arklow, Co. Wicklow. The number required to decentralise from the NSAI is 132. No staff from the NSAI has transferred to Arklow to date. The current NSAI implementation plan anticipates a target date of April 2009 as the completion date. The accommodation requirements for the NSAI in Arklow will be addressed by the OPW.

To date no progress has been made in identifying or securing suitable office accommodation in the Arklow area.

FÁS

Under the Government's decentralisation programme, FÁS is due to transfer its Head Office including some 383 posts to Birr, Co Offaly. The original proposal was for 250 staff to transfer. FÁS has completed the purchase of a site of approximately 5.59 acres in Birr, Co Offaly with a view to the construction of a permanent decentralised location. A planning application to allow development of the site is currently being progressed. In the meantime, FÁS has leased a floor of a building within the Birr Technology Centre to accommodate staff in the decentralised location pending the completion of a permanent Headquarters. There are currently 23 Head Office staff based in the temporary premises, which has a capacity for approximately 40 staff; of these, 9 were recruited directly to the location, 7 moved from Dublin and 7 moved from locations other than Dublin. Two staff had decentralised from Dublin to Birr by December 2006. FÁS' target date for completing the move to Birr is 2009.

Enterprise Ireland

Enterprise Ireland (EI) is to move 300 posts to Shannon under the decentralisation programme announced in 2003. To date, no persons have been relocated to or from Enterprise Ireland under this programme. Progress on the full transfer of EI's HQ to Shannon, within the Government decentralisation programme, will be influenced by factors (many exogenous to EI) such as the level of interest in the Shannon location expressed by CAF applicants and by progress made in discussions at a central level on various issues central to Agency decentralisation. In terms of acquiring a building, Enterprise Ireland, working closely with the Office of Public Works (OPW) has identified, but not yet acquired, a preferred site for the construction of a suitably sized new HQ building in Shannon. The preferred site comprises 13-acres owned by Shannon Development. In co-operation with Shannon Development and the OPW, the site was valued and a feasibility study carried out. The site occupies a prime position in Shannon and is considered suitable for a major landmark building or civic structure.

National Consumer Agency (NCA)

The National Consumer Agency (NCA) was formally established on 1st May 2007 and inherited the functions of the Office of the Director of Consumer Affairs (ODCA). The Government agreed that the Agency should have a headquarters in Cork City. The Department of Finance has granted sanction for an overall complement of 80 members of staff. The NCA expects that there will be a significant turnover of staff as many of the existing staff, who formerly worked in ODCA and are on secondment from the Department of Enterprise, Trade and Employment, return to the Department. Decentralisation plans are being progressed with a view to the Agency relocating to Cork in the course of 2009. The Agency has forwarded details of its accommodation requirements to the OPW. Five staff have been recruited on the basis of relocation to Cork. However no relocations have occurred to date.

Irish Auditing and Accounting Supervisory Authority (IAASA)

In the case of the Irish Auditing and Accounting Supervisory Authority (IAASA), a decision was made prior to its establishment that it would be located in Naas, Co Kildare. Having been established in December, 2005 it moved to new offices at Naas, in January 2006. All IAASA staff have been based in its offices in Naas since its establishment, and as such the Authority is fully decentralised.

Compulsory Purchase Orders.

202. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the State sponsored bodies, quangos and other agencies within the remit of her Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if she will make a statement on the matter. [32029/08]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Both IDA Ireland and Forfás have the power to issue compulsory purchase orders. Neither of those agencies has initiated any such orders for the years 2005 to date.

FÁS Training Programmes.

203. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will provide a tabular statement giving a yearly breakdown for the past eight years regarding the number of people who have participated in training courses through the FÁS system; the number of people who have qualified through this system to work at a particular trade; the number of people who have been retrained in a particular trade; the number of job placements obtained by participants through the system; and if she will make a statement on the matter. [32057/08]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Details are set out in the tables for:

- those who have completed FÁS training courses (throughput) and placement (table 1);
- apprentices who have received their National Craft Certificate (table 2).

Information concerning placements for 2006 and 2007 and the number of people who have been retrained in a particular trade will be provided at a later date.

Table 2: National Craft/Advanced Craft Certificates

Count of apprentices	Year Certificate Issued								Total
	2000	2001	2002	2003	2004	2005	2006	2007	
Trade									
Agricultural Mechanics	60	49	43	21	50	45	53	32	353
Aircraft Mechanics	53	36	37	51	53	68	76	26	400
Bookbinding	12	13	9	7	16	3	5		65
Cabinetmaking	63	82	174	166	187	161	182	138	1,153
Carpentry & Joinery	434	583	755	671	1,076	999	959	998	6,475
Carton Making	10	4	6	1	1			1	23
Construction Plant Fitting	47	70	64	55	75	85	64	84	544
Electrical	563	886	1,297	1,122	1,640	1,515	1,398	1,352	9,773
Electrical Instrumentation	8	27	22	22	46	33	32	28	218
Floor & Wall Tiling			5		22	16	16	24	83
Heavy Vehicle Mechanics	99	55	132	70	132	100	144	105	837
Instrumentation	11	17	22	18	36	27	19	9	159
Metal Fabrication	134	180	206	146	230	153	153	157	1,359
Motor Mechanics	188	237	308	224	374	324	292	295	2,242
Network Technicians	56				82	1			139
Origination	12	13	12	7	13	5	12		74
Painting & Decorating	67	44	71	55	92	80	69	91	569
Plastering	56	32	48	59	72	51	87	128	533

Count of apprentices Trade	Year Certificate Issued								Total
	2000	2001	2002	2003	2004	2005	2006	2007	
Plumbing	207	263	344	341	387	473	500	719	3,234
Printing	49	30	31	9	43	13	20	15	210
Refrigeration & Air Conditioning	30	59	45	47	68	70	51	65	435
Toolmaking	97	111	106	65	106	69	42	28	624
Vehicle Body Repairs	55	52	47	43	57	51	73	67	445
Wood Machinery	13	9	18	20	21	29	17	14	141
Fitting	189	239	257	195	300	257	184	170	1,791
Sheet Metalworking	49	44	58	58	67	60	53	39	428
Brick & Stonelaying	98	136	224	159	272	259	259	332	1,739
Total	2,660	3,271	4,341	3,632	5,518	4,947	4,760	4,917	34,046

Throughputs/% Placed by FÁS Programme

	2007	2006	2005	2004	2004	2003	2002	2001	2000	2000
	Throughput #	Throughput #	Throughput #	Throughput #	Throughput #	Throughput #	Throughput #	Throughput #	Throughput #	Throughput #
			Placed %	Placed %	Placed %	Placed %	Placed %	Placed %	Placed %	Placed %
Bridging Foundation	5,480	6,429	49%	5,133	3,744	48%	3,204	2,733	2,232	59%
Foundation/Progression CTCs	1,790	1,849	49%	1,868	2,521	48%	2,920	2,592	2,541	59%
Return to Work	777	602	49%	976	1,360	48%	1,619	1,624	1,306	59%
Skills Training	5,704	6,160	52%	6,510	8,871	49%	8,705	9,845	11,154	63%
Traineeship	1,995	2,093	64%	1,720	1,790	62%	1,384	1,302	1,457	79%
Local Training Initiatives	2,792	2,652	39%	2,104	2,912	37%	3,577	3,676	4,407	51%
Specialist Training Providers	1,503	1,419	33%	1,593	1,419	30%	1,277	1,981	0	0%
Apprenticeship										
Phase 2	6,787	6,761		6,055	6,657		7,502	6,973	5,815	
Phase 4	5,864	5,922		5,219	5,682		6,262	5,894	4,544	
Phase 6	5,268	4,717		5,083	4,840		4,892	4,787	2,834	
Sponsored Training	1,702	1,669		3,244	4,564		5,436	3,544	3,411	
Evening Courses	8,000	8,674		8,038	11,217		12,504	0	0	
Total	47,662	48,947		47,543	55,577		59,282	44,951	39,701	

1. Throughputs sourced from Appendix 1 — FÁS Annual Reports, 2007 to 2000. Evening Courses figures per relevant December Management Accounts — Movements In Training Report.
 2. % Placed (new starts) sourced from Appendix 3 (a) FÁS Annual Reports. Placement includes progression.
 3. Placement: All items exclude employer-sponsored training. All apprentices are regarded as employer-sponsored.

Skill Shortages.

204. **Deputy Michael McGrath** asked the Tánaiste and Minister for Enterprise, Trade and Employment the position regarding the funding of Skillnets for the remainder of 2008 and for 2009; and if she will make a statement on the matter. [32091/08]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Skillnets has received a total funding allocation of €26.734m for 2008. A total of €23.207m has been paid to date, leaving a balance of €3.527m. It is expected that Skillnets will draw down this amount during the remainder of 2008. Details of funding for Skillnets for 2009 will become available following publication of the Budget for 2009 in October. The Government has significantly increased funding provided to Skillnets in recent years, from a total of €1.5m in 1999 to €7.7m in 2005 and to some €26.7m in 2008.

Work Permits.

205. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the position regarding an application for an employment permit for a person (details supplied) in County Kildare; and if she will make a statement on the matter. [32396/08]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): The Employment Permits Section has no record of an application for a work permit in this case. However, if the employer or proposed employee wishes to submit an application it will be considered on its merits.

Data Protection.

206. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Enterprise, Trade and Employment the policies in place to secure portable electronic data devices in her Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in her Department; the date by which she expects a satisfactory security policy on portable electronic data devices to have been implemented; and if she will make a statement on the matter. [32403/08]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): In 2006 my Department published a comprehensive set of IT and Information Systems security policies and standards, covering a wide range of issues including the security of portable electronic devices. These policies are published on my Department's Intranet and are presented to all new entrants to my Department as part of an induction training programme.

One of these policies concerns the implementation of laptop encryption and consequently a project is already well underway within my Department to apply whole disk encryption to all laptops. The majority of existing laptops have already been encrypted and the target is to have all remaining laptops encrypted by year-end. All new laptops are being encrypted before they are issued to officers. In addition encrypted USB flash drives are provided to officers who have a requirement to carry data on such devices and my Department is hoping to introduce centralised USB port control on PCs and laptops in 2009.

Many officers within my Department use Blackberry devices for access to email while out of the office. It is my Department's policy to invoke the facility to remotely erase all data from a BlackBerry device as soon as it is reported missing, and immediately cancel the subscription with the service provider. 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

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significant part of my Department's new ICT Strategy (2008-2010) which focuses on ensuring continuity of ICT availability including increased security awareness of users, additional process and technological controls and ongoing inclusion of security considerations as part of a project's planning process. This strategy is available on my Department's website.

My Department recognises that ensuring the security of sensitive and personal information is an ongoing process. Accordingly my Department will review and update its policies, procedures and technologies as deemed necessary to ensure continuous improvements in securing such data. A key component of information security is user awareness and so a security awareness programme is currently underway in my Department, involving newsletters, workshops and presentations to staff along with reminders of ICT usage policies and regulations.

207. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of Department owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from her Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if she will make a statement on the matter. [32418/08]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): My Department's records indicate that to date in 2008 one laptop has been reported stolen, one laptop reported missing and one BlackBerry device reported stolen. None has been recovered or found. There have been no other computers or data devices reported lost, missing or stolen during this period. It is my Department's policy to invoke the facility to remotely erase all data from a BlackBerry device as soon as it is reported missing, and immediately cancel the subscription with the service provider. In the case of the stolen BlackBerry it was not possible to do this locally and the device was disabled by the service provider at my Department's request.

It is also the policy in my Department to encrypt all new laptops before they are issued. A project to encrypt all laptops already issued to officers of my Department is currently underway and should be completed by year-end. The two missing laptops were not encrypted but they were reported not to contain any sensitive or private data at the time of their loss.

Question No. 208 answered with Question No. 201.

Tax Code.

209. **Deputy Pat Breen** asked the Minister for Finance if his attention has been drawn to the interpretation of apart-hotel which is included in section 3 of the Valuation Act 2001, as applied by the Valuation Tribunal; the consequences of this interpretation for those properties designated holiday homes under section 268 of the Taxes Consolidation Act 1997; and if he will make a statement on the matter. [31895/08]

Minister for Finance (Deputy Brian Lenihan): "Apart-hotel" as defined in section 3 of the Valuation Act, 2001 "means one or more apartments, including any ancillary facilities associated with such apartments, which are used for the purposes of hotel-keeping". It is indicated that the Valuation Tribunal has recently given several judgements in relation to the meaning of "apart-hotel" for the purposes of determining the appropriate rateable valuation to be applied to the relevant properties.

I am informed by the Revenue Commissioners that for the purposes of tax relief there are no properties that are designated as "holiday homes" as such or as "apart-hotels". Section 268 Taxes Consolidation Act 1997 contains a number of definitions for buildings, known as

“industrial buildings” that can qualify for tax relief in the form of capital allowances in respect of the cost of their construction. Included in those definitions are certain buildings that are used as tourist/holiday accommodation. The relevant buildings are:

- Hotels;
- Guest houses;
- Holiday hostels;
- Holiday cottages.

To qualify for capital allowances, these buildings must be included in the relevant register maintained by Fáilte Ireland under the Tourist Traffic Acts 1939 to 2003. Where hotels, guest houses, holiday hostels and holiday cottages are registered in the register of hotels, guest houses, holiday hostels or holiday cottages, respectively, section 268 deems them to be in use for the trade of hotel-keeping. However, this is merely a drafting mechanism for granting capital allowances: there is no requirement for the buildings to have any actual connection with a hotel.

During the course of the hearings before the Valuation Tribunal, reference may have been made to the fact that certain buildings were of the type that could qualify for capital allowances. For example, some of the cases involved buildings that were registered in the register of holiday cottages maintained by Fáilte Ireland. However, the definition of “apart-hotel” in the Valuation Act 2001 has no bearing on the interpretation of tourist/holiday accommodation buildings for purposes of determining entitlement to capital allowances. Therefore, any interpretation of “apart-hotel” applied by the Valuation Tribunal does not have any consequences for capital allowances that might be due in relation to certain tourist/holiday accommodation such as registered holiday cottages.

Customs Service.

210. **Deputy Terence Flanagan** asked the Minister for Finance if he will respond to a query (details supplied); and if he will make a statement on the matter. [32465/08]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that the Customs controls at the location in question are risk-based and are carried out by mobile Customs enforcement staff. Attendance is selective and targeted and is based on analysis and evaluation of national and international seizure trends, traffic frequency, routes and other risk indicators. Attendance can also be as a result of specific intelligence. Traffic with origins and destinations with a high-risk rating would attract particular interest. These attendances cover the full range of traffic at this location.

It is important to note by way of context that the operating environment for Customs has been shaped to a significant degree by the introduction of the Internal Market and the related principles of freedom of movement within the EU. Of specific relevance are the abolition of routine and systematic Customs checks on goods and passengers moving within any part of the EU and the elimination of Customs controls on the baggage of intra-Community passengers other than anti smuggling checks. This is particularly relevant in the case of this location where passenger traffic is predominantly intra-Community. The approach has of necessity been to balance the freedom of movement principle in regard to people and goods with the need to control smuggling and enforce prohibitions and restrictions. I have been assured by the Revenue Commissioners that they are satisfied with the level of Customs controls at this location. In particular, they are satisfied that the risk-based approach applied remains valid

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and that their operations are on par with, and may even exceed, those of many other EU Member States.

Tax Code.

211. **Deputy Jack Wall** asked the Minister for Finance if inheritance tax is payable by a person in relation to the transfer of family lands (details supplied); and if he will make a statement on the matter. [31940/08]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that for the purposes of both Gift and Inheritance Tax, the relationship between the person who provides the gift or inheritance and the person who receives the gift or inheritance, determines the maximum tax-free threshold known as the “Group Threshold”. The Group threshold applying to a gift or inheritance received by a grandchild from a grandparent is the Group B threshold and, for 2008, this threshold figure is €52,121. Any other gifts/inheritances that might have been received by the grandchild from grandparents since 5 December 1991 will also be taken into account when applying the threshold for the purposes of calculating the gift/inheritance tax.

If, therefore, the value of the site now being transferred, plus the value of any other gifts/inheritances received by the grandchild from grandparents since 5 December 1991, exceeds the Group B tax-free threshold of €52,121, gift/inheritance tax would be payable on the excess over this tax-free threshold figure at the rate of 20%. Also, where a person receives a gift as opposed to an inheritance of property, the first €3,000 of the value of the gift is ignored for tax purposes by way of an annual small gift exemption.

Where a gift or inheritance consists of agricultural lands, as distinct from the transfer of a site, the market value of the agricultural lands may be reduced by 90% for tax purposes provided certain conditions are met. The conditions attaching to the relief are that the land is taken by a “farmer”, who is defined in the legislation as an individual in respect of whom not less than 80 per cent of his or her assets, after taking the gift or inheritance, consist of agricultural property and also that the land is not disposed of for 6 years after the date of the receipt of the gift or inheritance.

House Prices.

212. **Deputy Joan Burton** asked the Minister for Finance if he and he is considering a shared-equity home ownership scheme in the context of the budget 2009 process; and if he will make a statement on the matter. [31970/08]

Minister for Finance (Deputy Brian Lenihan): As Deputies are aware it would not be appropriate for me to comment in advance of the Budget on possible Budget decisions.

Departmental Expenditure.

213. **Deputy Joan Burton** asked the Minister for Finance the forecast of public expenditure for each Department based on the maintenance of existing levels of service; and if he will make a statement on the matter. [31971/08]

Minister for Finance (Deputy Brian Lenihan): The projected out-turn for 2008 public spending and the estimates for 2009 will be published in the Budget. This will provide relevant information on the implications of changes for the existing levels of service involved.

Civil Service Recruitment.

214. **Deputy Joan Burton** asked the Minister for Finance if he is considering a Civil Service recruitment embargo; and if he will make a statement on the matter. [31972/08]

Minister for Finance (Deputy Brian Lenihan): On the 8th of July last, I announced a number of cost saving measures that the Government had decided to implement with immediate effect. These measures included a 3% reduction in the payroll bill of all Departments, State Agencies and Local Authorities, with the exception of certain sectors of the Health and Education areas. To meet this requirement, a range of possible measures were outlined to all Departments. These included curtailing or suspending staff recruitment with immediate effect, the control of premium pay, the management of vacancies, the organisation of work processes and the level at which work is done. Any further proposals for the control of public sector pay or numbers will be considered in the context of the Budget.

Tax Code.

215. **Deputy Joan Burton** asked the Minister for Finance if an update is planned of the Revenue Commissioners' study of the effective tax rates of the top 400 earners; the timetable for the publication of this updated report; and if he will make a statement on the matter. [31973/08]

Minister for Finance (Deputy Brian Lenihan): I am informed by the Revenue Commissioners that, as the measure to restrict the use of incentive tax reliefs and exemptions by high earners (section 17 of the Finance Act 2006) came into effect in the tax year 2007, they plan to publish a study on the effectiveness of the restriction, which will look in detail at the use of tax incentives by high earners and their effective tax rates. This study will cover all high earners subject to the 2006 Act restriction (generally those with earnings of more than €250,000 in a tax year) and will therefore be broader in scope than the previous "top 400" studies carried out by Revenue. The first study for the tax year 2007 will be published once sufficient tax returns for that year have been processed and the data has been analysed. This is expected to be in the early part of 2009.

I am advised by Revenue that the study will include, subject to any confidentiality issues which may arise, an analysis of the numbers affected by the restriction by reference to income bands, details of the additional tax paid due to the measure, an analysis of the effective tax rates of those affected and a breakdown of the amount of income sheltered by the use of each incentive or relief restricted by the measure.

Tax Code.

216. **Deputy Joan Burton** asked the Minister for Finance the steps which have been taken and those which remain to be taken in terms of the implementation of the recommendations of Indecon International Economic Consultants' Review of Property-based Tax Incentive Schemes February 2006; and if he will make a statement on the matter. [31974/08]

Minister for Finance (Deputy Brian Lenihan): In his 2005 Budget Statement, my predecessor announced that a review of a broad range of tax incentive schemes would be undertaken in 2005. The review process included studies by external consultants Indecon and Goodbody Economic Consultants, as well as internal reviews by officials from the Department of Finance and the Office of the Revenue Commissioners, with the involvement of other Government Departments as appropriate. In the Budget 2006 documentation, summaries of the recommendations of the various reviews were published, and the full reviews were published by my Department in three volumes on 6 February 2006. The general findings and recommendations

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arising from the review of tax schemes were taken into account and will continue to be taken into account where appropriate in the context of the ongoing formulation of tax policy.

Indecon International Economic Consultants were retained in April 2005 to undertake a detailed review of various sectoral property-based tax incentive schemes. In Budget 2006, in line with the recommendations of Indecon my predecessor announced the termination, subject to certain transitional provisions, of the following property tax incentive schemes: reliefs for holiday cottages, student accommodation, multistorey car parks, third-level educational buildings, sports injuries clinics, developments associated with park and ride facilities, the general rental refurbishment scheme and the special accelerated reliefs for hotels and holiday camps.

In line with the recommendations of the consultants, the tax reliefs available for private hospitals, registered nursing homes and child care facilities were retained. In addition, in Finance Act 2006 the clawback period for investors was increased from 7 to 15 years for these three reliefs. In the case of all new schemes introduced since the completion of the reviews in 2005 and for private hospitals that are first used on or after 1 February 2007 provision was made in the relevant legislation to provide for the full disclosure of key information to the Exchequer by investors promoters to enable the full cost and impact of the schemes to be monitored.

In Budget 2006 the introduction of a limit, with effect from 1 January 2007, on the use of tax reliefs, including certain exemptions, by high-income individuals was announced. Section 17 of Finance Act 2006 gave effect to this announcement. This measure was designed to address the situation where a small number of individuals with high incomes had been able to reduce their income tax liability to a very low level or to zero by means of the cumulative use of various tax incentive reliefs. Such individuals are no longer able to do so. This provision ensures that such individuals who use tax incentive schemes will have an effective rate of income tax for each year of not less than about 20 per cent on the income sheltered by such schemes.

The reviews also proposed that any new reliefs should be time limited and should, where relevant, be subject to an assessment of costs and benefits prior to their introduction. I will continue to follow this advice as far as appropriate. The role that time-limited tax relief schemes can play in supporting public policy objectives is routinely assessed as part of the ongoing process of tax policy formulation.

Departmental Expenditure.

217. **Deputy Joan Burton** asked the Minister for Finance if he will provide a detailed breakdown of non-Exchequer capital spending for the years 2007 and 2008; and if he will make a statement on the matter. [31975/08]

Minister for Finance (Deputy Brian Lenihan): I would refer the Deputy to the 2008 Public Capital Programme (PCP) which was published on 21 February 2008. The PCP sets out the provisional outturn figures for non-exchequer capital spending for 2007 in Table 4 on pages 104-108, together with the estimates for 2008.

Tax Yield.

218. **Deputy Joan Burton** asked the Minister for Finance the forecast receipts from the health levy for 2008; the actual figures on a comparative basis for each year since 2002; and if he will make a statement on the matter. [31976/08]

Minister for Finance (Deputy Brian Lenihan): The 2008 forecast for health levy receipts is €1,330m — receipts were marginally above profile at end August. The actual health levy

receipts for each year since 2002 are as follows: 2007 — €1,298m; 2006 — €1,188m; 2005 — €1,117m; 2004 — €951m; 2003 — €856m; 2002 — €751m.

Tax Code.

219. **Deputy Joan Burton** asked the Minister for Finance his views on the charging of VAT on safety equipment used in sports activity; if he will introduce reductions in the VAT rate on safety equipment used in sports activity in budget 2009; and if he will make a statement on the matter. [31977/08]

Minister for Finance (Deputy Brian Lenihan): The Deputy will be aware that in matters relating to the VAT rating of goods and services, I am constrained by the requirements of EU VAT law with which Irish VAT law must comply. In relation to the VAT rate that applies to safety equipment used in sports activity, the position is that under the VAT Directive, Member States may retain the zero rates on goods and services which were in place on 1 January 1991, but cannot extend the zero rate to new goods and services. As safety equipment used in sports activity was not subject to the zero rate on 1 January 1991 it is not possible to apply the zero rate to the supply of such products. In addition, Member States may only apply the reduced VAT rate to those goods and services which are listed under Annex III of the EU VAT Directive. While Annex III does include the supply of medical equipment for the exclusive personal use of a disabled person, it does not include safety equipment for general use. The reduced rate therefore cannot be applied to the supply of safety equipment used in sports activity. In this respect, the only rate of VAT that can apply to the supply of safety equipment used in sports activity is the standard VAT rate which in Ireland is 21%.

Departmental Expenditure.

220. **Deputy Joan Burton** asked the Minister for Finance his views on maintaining all front-line public services at 2008 levels, accounting also for inflation and demographic changes; and if he will make a statement on the matter. [31978/08]

Minister for Finance (Deputy Brian Lenihan): The Government's policy decisions in relation to expenditure on public services in 2009 will be announced in the forthcoming Budget.

Departmental Staff.

221. **Deputy Joan Burton** asked the Minister for Finance his views on the introduction of a temporary bonus holiday for high-paid public servants; and if he will make a statement on the matter. [31979/08]

Minister for Finance (Deputy Brian Lenihan): The great majority of public servants do not qualify for performance-related awards and the cost of such awards is a very small part of the public service pay bill. Following recommendations of the Review Body on Higher Remuneration in the Public Sector, schemes of performance-related awards were introduced for the levels of Deputy Secretary and Assistant Secretary in the civil service, the Deputy Commissioner and Assistant Commissioner ranks in the Garda Síochána and the ranks of Brigadier General and Major General in the Defence Forces. The Review Body recommended these awards as part of the overall remuneration package of the groups concerned. In 2007, 221 persons in those groups received an award. The overall cost of the awards was about 3 million euro.

Performance-related awards do not apply to the most senior posts of Secretary General, Garda Commissioner and Chief of Staff of the Defence Forces. The schemes of awards are based on performance by reference to demanding targets. The pool for performance awards is 10% of the pay bill for the group concerned. Within that overall limit individuals can receive

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payments of up to 20% of pay (although payments at that level would be very rare). I have no role in the decisions on awards. Decisions on awards are made by the Committee for Performance Awards (CPA), which includes a majority of private sector members. Details of the procedures, the numbers covered by the schemes, 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).

There are separate schemes of performance-related awards for senior staff of local authorities and the health service. These schemes of awards were also recommended by the Review Body on Higher Remuneration in the Public Sector. I have no role in the decisions on these awards either. The Committee for Performance Awards in the Local Authority sector deals with the assessment of performance for senior managers in local authorities. For senior managers in the health service, the board of the HSE/relevant agency makes awards based on the agreed criteria. The scheme is quality assured by an Oversight Committee which is chaired by the Secretary General of the Department of Health and Children. Schemes of performance-related awards may also apply to the Chief Executive Officers of non-commercial State sponsored bodies (and in some cases, to the second tier of management). Decisions on awards are the responsibility of the Board of the body concerned. Access to a scheme of performance-related awards may be part of the employment contract of the persons concerned.

Banking Sector Regulation.

222. **Deputy Joan Burton** asked the Minister for Finance his views on whether an offer either implicit or explicit to support a distressed bank which had previously followed less than fastidious lending practices could introduce a moral hazard (details supplied); and if he will make a statement on the matter. [31980/08]

Minister for Finance (Deputy Brian Lenihan): As the Deputy will be aware the Government has decided to put in place with immediate effect a guarantee arrangement to safeguard all deposits (retail, commercial, institutional and interbank), covered bonds, senior debt and dated subordinated debt (lower tier II), with the following banks: Allied Irish Bank, Bank of Ireland, Anglo Irish Bank, Irish Life and Permanent, Irish Nationwide Building Society and the Educational Building Society and such specific subsidiaries as may be approved by Government following consultation with the Central Bank and the Financial Regulator. It has done so following advice from the Governor of the Central Bank and the Financial Regulator about the impact of the recent international market turmoil on the Irish Banking system.

The guarantee is being provided at a charge to the institutions concerned and will be subject to specific terms and conditions so that the taxpayers' interest can be protected. The guarantee will cover all existing aforementioned facilities with these institutions and any new such facilities issued from midnight on 29 September 2008, and will expire at midnight on 28 September 2010. The decision has been taken by Government to remove any uncertainty on the part of counterparties and customers of the six credit institutions. The Government's objective in taking this decisive action is to maintain financial stability for the benefit of depositors and businesses and is in the best interests of the Irish economy.

The Financial Regulator has advised that all the financial institutions in Ireland will continue to be subject to normal ongoing regulatory requirements. This very important initiative by the Government is designed to safeguard the Irish financial system and to remedy a serious disturbance in the economy caused by the recent turmoil in the international financial markets. As far as the question of 'moral hazard' is concerned, it will be a priority for the Government to ensure that the highest regulatory standards and standards of corporate governance apply in all of the institutions concerned including in relation to lending practices to safeguard the interests of taxpayers against any risk of financial loss.

Decentralisation Programme.

223. **Deputy Joan Burton** asked the Minister for Finance the leases taken out by the Office of Public Works on behalf of Departments or by State agencies since the announcement of the decentralisation programme in December 2003; the length of each lease; the annual rents involved; and if he will make a statement on the matter. [31981/08]

Minister of State at the Department of Finance (Deputy Martin Mansergh): The leases taken out under the Decentralisation Programme since December 2003 are outlined on the tables:

Leases taken under the Decentralisation Programme since December 2003

Location	Department/Agency	Term of Lease	Rental Cost (p.a)
			€
Ballina	Road Safety Authority	4 years 9 Months	151,641
Kilrush	Revenue Commissioners	25 years	85,050
Listowel	Revenue Commissioners	20 years	183,000
Carrick-on-Shannon	Social & Family Affairs	20 years	800,000
Loughrea	Road Safety Authority	20 years	139,250
Navan	D/JELR	20 years	440,000
Navan	Revenue & Property Regulator	20 Years and 1 Month	575,360
Athy	Revenue Commissioners	7 years	231,554
Carlow	D/ETE	20 years	369,436
Cavan Lease 1	D/CENR	4 years	46,970
Cavan Lease 2	D/CENR	4 years	25,928
Cavan Lease 3	D/CENR	4 years	29,920
Claremorris	OPW	4 years 9 Months	68,712
Clonakilty (Lease 1)	D/CENR	3 years 5 months	157,480
Clonakilty (Lease 2)	Sea Fisheries Protection Authority	2 years	118,910
Dundalk	Sustainable Energy Ireland	3 years	96,000
Furbo	D/CRAGA	4 years 6 months	24,382
Killarney	D/AST	2 years with an agreed 9 month extension	140,000
Tubbercurry Lease 1	D/CRAGA	3 years	86,755
Tubbercurry Lease 2	D/CRAGA	4 years	88,138
Limerick	D/FA	1 year and monthly thereafter	128,694
Newcastle West (Limerick)	Revenue Commissioners	5 years	68,771
Portarlington	Data Protection Commission	20 years	73,500
Portlaoise (Lease 3)	D/AFF	5 years	75,000
Portlaoise (Lease 2)	D/AFF	5 years	264,640
Portlaoise (Lease 1)	D/AFF	5 years	191,000
Roscrea	Equality Authority	20 years	108,000
Thurles (Lease 1)	Garda Fines Office	5 years	186,186
Thurles (Lease 2)	Garda Vetting Unit	5 years	66,254
Tipperary	D/JELR	5 years	103,957
Tipperary	D/JELR	5 years	108,200
Trim	OPW	3 years	67,752
Wexford	D/EHLG	3 years	75,000

224. **Deputy Joan Burton** asked the Minister for Finance the latest information available from the central applications facility in respect of applications from civil servants and other public servants located in Dublin who wish to transfer to new locations outside of Dublin under

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the Government's decentralisation programme; the way this compares with the Government target of 10,300; and if he will make a statement on the matter. [31982/08]

227. **Deputy Joan Burton** asked the Minister for Finance if an estimate has been undertaken of the number of civil or public servants who do not wish to relocate and who will be surplus to requirements as a result of their jobs being transferred to other locations under the Government's decentralisation programme; the jobs that will be provided for these personnel; and if he will make a statement on the matter. [31985/08]

228. **Deputy Joan Burton** asked the Minister for Finance the number of civil servants and other public servants who applied for relocation under the Government's decentralisation programme and who subsequently withdrew their application; and if he will make a statement on the matter. [31986/08]

Minister for Finance (Deputy Brian Lenihan): I propose to take Questions Nos. 224, 227 and 228 together.

The Central Applications Facility (CAF), which was launched in May 2004, remains open and continues to receive applications. Up to September 2008, over thirteen thousand civil and public servants have applied on the CAF to relocate under the Programme. Over 7,000 of these — or 53% — were Dublin based applicants. A total of 868 people have withdrawn their application since CAF was launched. Because of the nature of the programme and the timescales involved, individual circumstances are open to change and application status may change as a result.

Across the public service, recruitment and promotion practices generally are being managed in a way which facilitates the achievement of the Decentralisation Programme in an efficient manner. In that context agreement has been reached with the Civil Service unions representing general service staff that an assignment will not be made to a decentralising post until alternative arrangements have been identified for an existing post holder who does not wish to decentralise with it. The primary mechanism for placing Civil Servants who are in posts which are due to decentralise but wish to remain in Dublin is by way of bilateral transfer. As staff who have applied to decentralise continue to be transferred into decentralising organisations, the posts they vacate become available to those wishing to remain in Dublin.

Further arrangements have been initiated for general service grades. The objective of these Dublin Arrangements is to provide to the Public Appointments Service details of staff who wish to remain in Dublin at each grade level so that a proportion of vacancies arising in Dublin based posts may be filled by those staff. The arrangements seek to balance the need to facilitate the effective achievement of the decentralisation programme with the business needs of departments and the aspirations of staff to be placed in appropriate posts in Dublin. To achieve this, they allow for prioritisation at certain times of staff in organisations who have an immediate need to be placed in Dublin posts due to the timing of the relocation of their current department or office. It is intended that the arrangements will continue over the full transition phase of the Programme and my department is monitoring them in co-operation with Departments and the relevant unions to ensure that they are operating efficiently.

The Government decided on 8 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 Ministers, Ministers of State and officials while in Dublin on business. I expect that these reports will be presented to the Government for consideration over the coming weeks.

225. **Deputy Joan Burton** asked the Minister for Finance the number of civil servants and other public servants in his Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; if in view of the response to the scheme to date, he has plans to review the scale or scope of the proposal; and if he will make a statement on the matter. [31983/08]

Minister for Finance (Deputy Brian Lenihan): One hundred and ten staff (110) of my Department decentralised to Tullamore by end December 2006. Of those seventy-eight (78) were previously Dublin based staff, twenty-one (21) were based in other locations and eleven (11) were recruited for posts in Tullamore. With regard to the agencies under the aegis of my Department no staff had decentralised under the programme by end December 2006. The Government decided on 8 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 to present these reports for consideration by the Government over the coming weeks.

226. **Deputy Joan Burton** asked the Minister for Finance the anticipated costs, in terms of acquiring and equipping premises and other related costs at the latest date for which figures are available arising from the original decentralisation programme announced in budget 2004; and if he will make a statement on the matter. [31984/08]

Minister of State at the Department of Finance (Deputy Martin Mansergh): The total amount of expenditure to date under the Government's Decentralisation Programme is approximately €244m. This includes the cost of site/property acquisitions, fit-out works and rent paid to date. The costs to date have been offset by property disposals in Dublin. The estimated cost for the entire Decentralisation Programme is of the order of €900m.

Questions Nos. 227 and 228 answered with Question No. 224.

National Pension Reserve Fund.

229. **Deputy Joan Burton** asked the Minister for Finance if the National Treasury Management Agency engages, through equity participations held under the National Pension Reserve Fund or other programmes, in the practice of lending or borrowing equities to or from short-sellers; if any of the investment managers responsible for administering NPRF equity holdings engage in this practice; and if he will make a statement on the matter. [31987/08]

Minister for Finance (Deputy Brian Lenihan): The NPRF's equity mandates do not allow for the taking of short positions in stocks. It has invested a total of \$350 million in two highly specialised investment vehicles which may, as part of their investment strategy, take short positions in very restricted circumstances. The Fund operates a securities lending programme through its global custodian which generated income of €22.3 million in 2007. The NPRF Commission withdrew all Irish stocks from its securities lending programme early this year. More recently, it withdrew a number of international financial stocks from the programme.

Tax Collection.

230. **Deputy Joan Burton** asked the Minister for Finance the number and proportion of taxpayers for the years 2007 and to date in 2008 paying tax at the standard rate who are nominally liable to pay tax at the higher rate before tax credits and reliefs are taken into account. [31989/08]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that the information requested by the Deputy is as follows in respect of the income tax years 2007 and 2008.

Tax year	Exempt (Standard rate liability fully covered by credits or Age Exemption Limits)		Marginal Band		Paying tax at the standard rate (including those whose liability at the higher rate is fully offset by credits)		Higher rate Liability not fully offset by credits		All cases
	Number	%	Number	%	Number	%	Number	%	
2007	900,100	38.2	18,400	0.8	980,200	41.6	458,400	19.5	2,357,200
2008	898,200	38.0	18,700	0.8	982,800	41.5	466,100	19.7	2,365,800

Because of the operation of tax credits, many taxpayers who are nominally liable at the higher rate of tax pay tax at no more than the standard rate of tax. This is due to their higher rate liability for tax being fully offset by the value of their personal credits, as explained in pages C23 to C28 of the 2007 Budget booklet. The above data allows for this effect. What matters to earners is the amount of their earnings that they keep in their pockets. For all income earners, whether single or married, the position is that their take home pay has increased very significantly in real terms over the last number of years.

Notes

The figures are estimates from the Revenue tax-forecasting model using actual data for the year 2005 adjusted as necessary for income and employment growth for the years in question. They are 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.

Figures in the table are rounded to the nearest hundred and any apparent discrepancies in totals are due to this.

Price Inflation.

231. **Deputy Joan Burton** asked the Minister for Finance the expected inflationary impact of increasing excise duty respectively by 10 cent per packet of 20 cigarettes, 10 cent per litre of petrol, 10 cent per pint of beer and 10 cent per bottle of wine; if he will increase excise duties in budget 2009; and if he will make a statement on the matter. [31991/08]

Minister for Finance (Deputy Brian Lenihan): I am informed by the Revenue Commissioners that, based on data currently available, the inflationary impact of increasing excise duty by 10 cent per packet of 20 cigarettes, 10 cent per litre of petrol, 10 cent per pint of beer and 10 cent per bottle of wine respectively would be a 0.426% increase in the Consumer Price Index. It is assumed that the Deputy is referring to a 10 cent (VAT inclusive) price increase. A breakdown of the individual estimated additional receipts and CPI effect is as follows:

Additional Total Revenue (Full Year) and CPI effect of Increases of 10c (VAT Inclusive)

	Revenue	C.P.I. Effect
	€m	%
Cigarettes (per pack of 20)	21.2	0.041
Unleaded petrol (per litre)	209.6	0.245
Beer (per pint)	79.2	0.128
Wine (per 75cl bottle)	6.5	0.012
Additional Total Revenue (Full Year)	316.5	
Total CPI effect		0.426

The Deputy will be aware that it is a long-standing practice of the Minister for Finance not to comment in advance of the Budget on any tax or expenditure matters that might be the subject of Budget decisions.

Departmental Staff.

232. **Deputy Joan Burton** asked the Minister for Finance the bonuses awarded by his Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if he will make a statement on the matter. [32001/08]

Minister for Finance (Deputy Brian Lenihan): The following are the details of bonus payments in my Department.

Following recommendations made by the Review Body on Higher Remuneration in the Public Sector, schemes of performance-related awards were introduced for the levels of Deputy Secretary and Assistant Secretary in the civil service, as well as for the Deputy Commissioner and Assistant Commissioner ranks in the Garda Síochána and the ranks of Brigadier General and Major General in the Defence Forces. The schemes of awards are based on performance by reference to demanding targets. The pool for performance awards is 10% of the pay bill for the group concerned. Within that overall limit individuals can receive payments of up to 20% of pay.

Decisions on awards are made by the Committee for Performance Awards (CPA), which includes a majority of private sector members. The main roles of the Committee are to monitor the application of the scheme of performance-related awards and to bring independent judgement to bear in approving objectives for the persons covered by the scheme and in approving recommendations for awards. Details of the procedures, the numbers covered by the schemes, 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). The Committee does not identify the amount paid to individuals as this is regarded as personal information.

Year	Total paid	No.	Average
	€		€
2005	115,250	14	8,232
2006	169,000	13	13,000
2007	177,000	13	13,615

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Principals and Assistant Principals have a separate scheme which arises as a result of the restructuring agreement for these grades under the Programme for Competitiveness and Work. It provides that 1% of payroll for these grades be made available in the form of Special Service Payments, for which staff are invited to apply, based on the following criteria:

- contribution by the individual to the work of the Department in his/her job;
- special demands of the job;
- experience brought to the job.

Year	Total paid	No.	Average
	€		€
2005	38,610	21	1,839
2006	38,636	20	1,932
2007	54,175	21	2,580

In 1993, the then Minister for Finance sanctioned expenditure in respect of Merit Awards to individual staff members or groups of staff below Assistant Secretary level by way of recognition for exceptional performance of duty which was based on 0.1% of the salary allocation (as published in the Revised Estimates) in any one calendar year. This percentage was revised to 0.2% in 1998. An independent committee administers the Merit Awards scheme up to AO/HEO level; an Assistant Secretary group administers the Awards at Assistant Principal and Principal level. Nominees for the annual Merit Awards must, during the year, have demonstrated one or more of the following criteria:

- given an exceptional performance in some aspect of his/her work;
- demonstrated unusual commitment and dedication to some aspect of his/her work;
- made a notable contribution to the successful achievement of the section's targets.

Year	Total paid	Number of Individual awards	Number of Group awards	Average Individual	Average Group
	€			€	€
2005	54,023	157	19	281	522
2006	60,537	211	13	234	862
2007	63,690	193	11	280	845

Ex-gratia payments are made in a number of situations which are outside the remit of the schemes already mentioned.

Year	Total paid	No.	Average
	€		€
2005	8,250	6	1,375
2006	14,950	6	2,492
2007	24,677	10	2,468

Overall, 198 people (plus 19 groups) received bonus payments in 2005 — authorised staff numbers in the Department at end 2005 were 614.50; 250 people (plus 13 groups) received bonus payments in 2006 — staff numbers in the Department at end 2006 were 644.50; 237 people (plus 11 groups) received bonus payments in 2007 — staff numbers in the Department at end 2007 were 644.50.

Decentralisation Programme.

233. **Deputy Joan Burton** asked the Minister for Finance if he will list in regard to his Department and State agencies or bodies operating under the aegis of his Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if he will make a statement on the matter. [32016/08]

Minister for Finance (Deputy Brian Lenihan): The following tables list the information requested by the Deputy in respect of my Department and agencies under the aegis of my Department:

Department of Finance

Location	Tullamore
Number of Posts	130
Current Position	Opened July 2006
Number of persons relocated	127
Number and percentage of those relocated who were originally in Dublin	89 (70%)
Number and percentage of those relocated who were originally in other locations	38 (30%) (includes 10 new recruits and 4 non-Central Applications Facility (non-CAF) assignments)
Project Status	Complete
Target Date for completion	N/A

Location	Kildare
Number of Posts	Circa 30
Current Position	There are 26 staff assigned for decentralisation to Kildare.
Number of persons relocated	0
Number and percentage of those relocated who were originally in Dublin	N/A
Number and percentage of those relocated who were originally in other locations	N/A
Project Status	See current position
Target Date for completion	Awaiting Government decision re announcement of 8 July 2008

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Office of the Revenue Commissioners

Location	Kilrush
Number of Posts	50
Current Position	Opened July 2007
Number of persons relocated	57
Number and percentage of those relocated who were originally in Dublin	5 (8%)
Number and percentage of those relocated who were originally in other locations	52 (92%) (included 2 new recruits)
Project Status	Complete
Target Date for completion	N/A

Location	Listowel
Number of Posts	50
Current Position	Opened August 2007
Number of persons relocated	52
Number and percentage of those relocated who were originally in Dublin	8 (15%)
Number and percentage of those relocated who were originally in other locations	44 (85%) (includes 8 Non CAF assignments, 1 promotion and 7 new recruits)
Project Status	Complete
Target Date for completion	N/A

Location	Newcastle West
Number of Posts	50
Current Position	Temporary Office accommodation — Estuary House, Limerick
Number of persons relocated	48
Number and percentage of those relocated who were originally in Dublin	2 (4%)
Number and percentage of those relocated who were originally in other locations	46 (96%)
Project Status	To be completed by end 2008
Target Date for completion	End 2008

Location	Navan* (See note hereunder)
Number of Posts	100
Current Position	Opened January 2008
Number of persons relocated	103
Number and percentage of those relocated who were originally in Dublin	81 (83%)
Number and percentage of those relocated who were originally in other locations	22 (17%) (includes 1 new recruit, 1 non CAF assignee and 9 on transfer from the local VRO)
Project Status	Complete
Target Date for completion	N/A

*In October 2006, the Government approved Revenue's proposal to relocate 100 additional posts from Dublin to Navan, Co Meath under the Decentralisation Programme.

Location	Athy
Number of Posts	250
Current Position	Advance accommodation opened December 2007
Number of persons relocated	73
Number and percentage of those relocated who were originally in Dublin	64 (87%)
Number and percentage of those relocated who were originally in other locations	9 (13%) (includes 2 promotions)
Project Status	N/A
Target Date for completion	Awaiting Government decision re announcement of 8 July 2008

Location	Kildare
Number of Posts	380
Current Position	Awaiting Government decision re announcement of 8 July 2008
Number of persons relocated	N/A
Number and percentage of those relocated who were originally in Dublin	N/A
Number and percentage of those relocated who were originally in other locations	N/A
Project Status	N/A
Target Date for completion	See current position

Office of Public Works

Location	Trim
Number of Posts	333
Current Position	Advance office in place since February 2008. Permanent building due for completion early 2009.
Number of persons relocated	31
Number and percentage of those relocated who were originally in Dublin	31 (100%)
Number and percentage of those relocated who were originally in other locations	0
Project Status — Shell & Core	On site
Target date for completion	November 2008
Project Status — Fit-out	Awaiting commencement. Awaiting Government decision re announcement of 8 July 2008.
Target Date for completion	Six months from placing of contract.

Location	Claremorris
Number of Posts	142
Current Position	Advance office in place since September 2007
Number of persons relocated	29

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Location	Claremorris
Number and percentage of those relocated who were originally in Dublin	5 (17%)
Number and percentage of those relocated who where originally in other locations	24 (83%)
Project Status	Tender documents for permanent accommodation complete.
Target Date for completion	Awaiting Government decision re announcement of 8 July 2008.

Location	Kanturk
Number of Posts	88
Current Position	Awaiting commencement
Number of persons relocated	0
Number and percentage of those relocated who were originally in Dublin	N/A
Number and percentage of those relocated who where originally in other locations	N/A
Project Status	As above
Target Date for completion	Awaiting Government decision re announcement of 8 July 2008.

Public Appointments Service and the Valuation Office

Location	Youghal
Number of Posts	200 (100 posts from each organisation)
Current Position	Brief of Public Appointments Service accommodation requirements under consideration.
Number of persons relocated	0
Number and percentage of those relocated who were originally in Dublin	N/A
Number and percentage of those relocated who where originally in other locations	N/A
Project Status	As above
Target Date for completion	Awaiting Government decision re announcement of 8 July 2008.

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 Ministers, Ministers of State and officials while in Dublin on business. I expect to present these reports for consideration by the Government over the coming weeks.

Compulsory Purchase Orders.

234. **Deputy Leo Varadkar** asked the Minister for Finance the State sponsored bodies, quangos and other agencies within the remit of his Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies

for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if he will make a statement on the matter. [32031/08]

Minister for Finance (Deputy Brian Lenihan): There are no State sponsored bodies or other agencies for which I have responsibility that have the power to issue compulsory purchase orders.

Departmental Properties.

235. **Deputy Enda Kenny** asked the Minister for Finance if his attention has been drawn to the facilities at a building (details supplied) in County Mayo for persons on the live register having to sign on in bad weather conditions and of the numerous instances of applicants having to stand in the rain for considerable periods in the recent past; if he has received reports of this situation; his proposals to rectify the situation in the future; and if he will make a statement on the matter. [32102/08]

Minister of State at the Department of Finance (Deputy Martin Mansergh): Due to a recent increase in the number of persons on the live register the waiting area at Davitt House, Castlebar is now considered to be inadequate. Internal layouts are being revised, to provide an increased number of serving hatches as well as an increase in the capacity of the public waiting area. External shelter to the entrance area will also be provided. Tender documents for this work are being prepared. Proceeding with this work will depend on the availability of adequate funding.

Tax Collection.

236. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) will be furnished with a P21 statement for 2007; and if he will make a statement on the matter. [32188/08]

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 person.

237. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) will be furnished with a P21 statement for 2007; and if he will make a statement on the matter. [32189/08]

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 person.

Tax Code.

238. **Deputy Bernard J. Durkan** asked the Minister for Finance if a person (details supplied) in County Kildare qualifies for a home carer's tax credit in respect of their spouse; and if he will make a statement on the matter. [32214/08]

Minister for Finance (Deputy Brian Lenihan): I have been advised by the Revenue Commissioners that a tax credit certificate including home carers credit issued to the person on 2 July 2008.

Harbours and Piers.

239. **Deputy Dinny McGinley** asked the Minister for Finance his plans to establish a border inspection post at Killybegs Harbour, County Donegal; and if he will make a statement on the matter. [32344/08]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that one officer is assigned full time to Killybegs Port and is accommodated in Killybegs Fisheries Harbour Centre. The Revenue Customs Mobile Enforcement Service also covers Killybegs Port as part of their ongoing patrols. Customs officers have assessed the risk at Killybegs and other ports or landing places over a number of years and this assessment is continually updated. Attendance by Customs officers is selective and targeted and is based on analysis and evaluation of national and international seizure trends, traffic frequency, routes and other risk indicators. Attendance can also be as a result of specific intelligence.

Patrols of the ports are kept under constant review to take account of available intelligence and emerging smuggling trends. As well as land-based Customs staff, Revenue has a sea-going vessel, the Customs Cutter, which patrols the coastline. The Revenue Commissioners have placed an order for a second cutter with a delivery date of September 2009 and this vessel will be of further benefit in the implementation of maritime border controls. Where necessary, Revenue can call on assistance from the Naval Service and the Air Corps. There are no plans to extend the current level of border inspection at Killybegs Port.

Tax Collection.

240. **Deputy Róisín Shortall** asked the Minister for Finance the number of cases where tenants' tax credits have been reduced with regard to the requirement for tenants to deduct 20% of the gross payable directly to their landlord's bank account when their landlord is non-resident; the number of these cases that have been appealed to the Revenue Commissioners; and if he will make a statement on the matter. [32353/08]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that where they are notified by a PAYE taxpayer that s/he has paid rent to a non-resident landlord, a reduction in tax credits is automatically created in order to collect the tax that has/should have been withheld by the tenant. This meets the tenant's liability in relation to the tax withheld. The number of cases where tenants' tax credits have been reduced to collect the tax that has/should have been withheld by the tenant are as follows:

Year	No.
2005	106
2006	186
2007	193

As a reduction in credits only arises where the tenant notifies Revenue that s/he has paid rent to a non-resident landlord, and the tenant has already withheld the tax amount, appeals are not a feature.

Departmental Properties.

241. **Deputy Paul Kehoe** asked the Minister for Finance if the Office of Public Works have taken charge of Johnstown Castle, County Wexford; if not, the reason for same; and if he will make a statement on the matter. [32367/08]

Minister of State at the Department of Finance (Deputy Martin Mansergh): Teagasc offered the Office of Public Works the opportunity of taking over the running and management of Johnstown Castle several years ago. OPW explained to Teagasc at that time that they would be happy to do so, provided restrictive covenants were removed from the legal arrangements which governed the gift of the property to the State. Teagasc undertook to pursue this matter with the Department of Agriculture, Fisheries and Food. Teagasc have not so far been able to offer the property to the OPW with the restrictions removed.

National Pension Reserve Fund.

242. **Deputy Arthur Morgan** asked the Minister for Finance the amount that would be saved were he not to pay into the National Pension Reserve Fund in 2009. [32392/08]

Minister for Finance (Deputy Brian Lenihan): The National Pensions Reserve Fund (NPRF) Act 2000 requires the Government to make a contribution of 1% of GNP to the NPRF each year. The 2008 Budget provision is for €1,690 million. The same Budget projected a 2009 GNP figure of €178.85 billion, 1% of which would be €1,789 million approximately. A revised estimate for GNP in 2009 will be published with Budget 2009. The contributions to the Fund, which do not count as expenditure for the purposes of calculating the General Government Balance, are invested on a long-term basis in order to meet as much as possible of the cost to the Exchequer of social welfare and public service pensions to be paid from 2025 until at least 2055.

Data Protection.

243. **Deputy Ruairí Quinn** asked the Minister for Finance the policies in place to secure portable electronic data devices in his Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in his Department; the date by which he expects a satisfactory security policy on portable electronic data devices to have been implemented; and if he will make a statement on the matter. [32405/08]

Minister for Finance (Deputy Brian Lenihan): My Department has a risk-based security policy for the operation of the Department's computer systems. The policy document is updated as required to cope with new security threats, to specify the general needs of new systems categories, to reflect new thinking on architectures, to take on new possibilities etc. Examples of security policy updates currently being implemented are encryption of portable laptop and memory stick electronic data devices and the facility to immediately erase all corporate emails and data from mobile email devices should such a device be reported lost or stolen. The policy document has not been published externally. My Department is currently rolling out file-level encryption to all laptops.

244. **Deputy Ruairí Quinn** asked the Minister for Finance the number of Department-owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from his Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if he will make a statement on the matter. [32420/08]

Minister for Finance (Deputy Brian Lenihan): Following is the information requested by the Deputy:

[Deputy Brian Lenihan.]

Year	Device Type	Reported lost/ missing/stolen	Recovered
2008	USB Memory Stick	1	0

To date in 2008, one memory stick has been reported stolen and has not been recovered. I understand that no sensitive or private data was compromised with the loss of this device.

Departmental Properties.

245. **Deputy Tom Hayes** asked the Minister for Finance when the Office of Public Works will launch the conservation plan in respect of Athassel Abbey in south Tipperary. [32488/08]

Minister of State at the Department of Finance (Deputy Martin Mansergh): The conservation plan for Athassel Abbey is currently at the design and print stage. As the Minister with special responsibility for the Office of Public Works, I will be launching the conservation plan in the local area later this year.

Nursing Homes Repayment Scheme.

246. **Deputy Michael Ring** asked the Minister for Health and Children if a contract (details supplied) was extended; the cost of same; and if she will make a statement on the matter. [31878/08]

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.

247. **Deputy Michael Ring** asked the Minister for Health and Children the number of claimants pursuant to an Act (details supplied) that have received payment on their claims. [31879/08]

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 since the commencement of the scheme 12,756 claimants have received payments under the Health (Repayment Scheme) Act 2006. The value of these repayments amounts to €260m. Offers can only be paid after the statutory 28 day period has elapsed. In addition, the Scheme Administrator must await the return of a completed Acceptance Form from each claimant before a payment can be processed.

Health Services.

248. **Deputy Michael Ring** asked the Minister for Health and Children the number of people in an area (details supplied) who have to avail of dental services in alternative locations due to the lack of a dentist. [31883/08]

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.

Parliamentary Questions.

249. **Deputy Michael Ring** asked the Minister for Health and Children the reason a response has not issued to date from her Department to a previous parliamentary question (details supplied); and if she will make a statement on the matter. [31897/08]

Minister of State at the Department of Health and Children (Deputy Máire Hctor): A response to the Parliamentary Question referred to has issued to the Deputy.

Health Services.

250. **Deputy Jack Wall** asked the Minister for Health and Children if there is a grant system or funding available to groups (details supplied) to carry out research and technology improvements relating to the care of senior citizens; and if she will make a statement on the matter. [32194/08]

Minister of State at the Department of Health and Children (Deputy Máire Hctor): Responsibility for funding a range of agencies dealing with services for older people rests with the Health Service Executive. Applications for funding for the purposes described by the Deputy would, in the first instance, be a matter for consideration by the Executive. In addition, the Office for Older People intends to progress the Strategy on Positive Ageing. Research needs and how to promote technological initiatives in relation to older people in the future are among the issues to be considered in this context.

Health Service Allowances.

251. **Deputy Seán Sherlock** asked the Minister for Health and Children if she will expedite a decision on an application for domiciliary care allowance by a person (details supplied) in County Cork; and if she will make a statement on the matter. [32432/08]

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.

252. **Deputy Seán Sherlock** asked the Minister for Health and Children if she will expedite a decision on an application for domiciliary care allowance by a person (details supplied) in County Cork; and if she will make a statement on the matter. [32433/08]

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.

Genetically Modified Organisms.

253. **Deputy Brendan Howlin** asked the Minister for Health and Children if her attention has been drawn to the reports, in regard to genetically modified animals in the United States of America, which suggest that foods produced from some bioengineered animals will not have to be labelled; if there is a requirement that all foods imported into Ireland from the United States must be labelled to indicate all ingredients including genetically modified ingredients; and if she will make a statement on the matter. [32441/08]

Minister of State at the Department of Health and Children (Deputy Mary Wallace): The Food Safety Authority of Ireland (FSAI) is the competent authority in Ireland for the enforcement of EU legislation regarding food derived from Genetically Modified Organisms (GMOs) — generally referred to as GM food. The labelling of GM food within the EU is governed specifically by the GM Food and Feed Regulations (EC Regulations 1829/2003). These regulations require that all food and feed imported into the single market, including Ireland, must comply with specific labelling rules.

Specific GM labelling is required where more than 0.9% of a food or ingredient is produced from, or contains a GMO, and this requirement is not dependent on the presence of GM DNA or protein. Where the GM content of a food or ingredient is no more than 0.9%, specific GM labelling is not required provided operators can demonstrate that they have taken steps to avoid the presence of GM ingredients and therefore its presence is adventitious or technically unavoidable. Genetically modified food and feed is only authorised for placing on the Community market after a scientific evaluation under the responsibility of the European Food Safety Authority, of any risks which they present for human and animal health and, as the case may be, for the environment. This scientific evaluation is followed by a risk management decision by the Community, under a regulatory procedure ensuring close cooperation between the Commission and the Member States.

In addition GM Food and Feed must meet the requirements of the General Labelling Directive (2000/13/EC) which stipulates that labelling must not mislead the consumer as to the characteristics of the foodstuff and, in particular, as to its nature, identity, properties, composition, method of production and manufacturing. Foods imported into Ireland from the USA must therefore be labelled in compliance with the aforementioned EU legislation. I have also been advised by the Food Safety Authority of Ireland (FSAI) that in the United States GM animals are only in research facilities and consequently labelling is not an issue as none are yet authorised for food production. The FSAI routinely surveys the food supply in Ireland to ensure that only EU-authorised and appropriately labelled GM food ingredients are placed on the market. In their recent survey, published in February 2008, no breaches of GM food legislation were found.

Question No. 254 with Question No. 118.

Question No. 255 with Question No. 123.

Irish Blood Transfusion Service.

256. **Deputy James Reilly** asked the Minister for Health and Children the blood banks here which have not met the ISO standards which the Irish Medicines Board has set as a requirement to operate in the future; the blood banks which have met the ISO standards; the implications if the blood banks do not meet the standards set by the Irish Medicines Board by 8 November 2008; and if she will make a statement on the matter. [31900/08]

Minister for Health and Children (Deputy Mary Harney): Under the European Communities (Quality and Safety of Blood and Blood Components) Regulations, 2005 (S.I. No. 360 of 2005) hospital blood banks are required to comply with certain good practice requirements and to obtain accreditation to ISO 15189 by the 8th November 2008. The Irish Medicines Board (IMB) is responsible for monitoring compliance with the legislation. The Irish Medicines Board has informed me that all hospital blood banks have engaged in the ISO 15189 accreditation process. At this time a number of blood banks have been accredited or have successfully completed the evaluation process. For others, the accreditation process is ongoing. Obtaining accreditation to the ISO 15189 standard is one aspect of the requirements for compliance with the Regulations.

In parallel with the accreditation process, the IMB monitors blood bank activities on a regular basis. Based on a review of annual reports received from all hospital blood banks for 2006 and 2007, the IMB has carried out inspections at a number of blood banks during 2007 and 2008 and, where necessary, has sought the implementation of corrective actions. The IMB has confirmed that considerable progress towards full compliance has been observed during the majority of inspections that have been carried out in 2008 and it continues to follow up closely with those that have outstanding issues. The IMB has informed me that compliance of all blood banks with the Regulations is being kept under regular review and, if necessary appropriate action will be taken.

Clinical Indemnity Scheme.

257. **Deputy James Reilly** asked the Minister for Health and Children if she will report on the issue of medical negligence insurance for medical practitioners; if such insurance is obligatory; if the Medical Council can as of right demand evidence that such insurance is in place before a doctor is given a licence to practise; if she will confirm that there is no loophole in regulations that would allow medical practitioners to practise without professional medical negligence insurance; and if she will make a statement on the matter. [31901/08]

Minister for Health and Children (Deputy Mary Harney): Professional indemnity insurance is not a requirement for registration with the Medical Council. However, section 4.15 (Professional Indemnity) of the Medical Council's publication "A Guide to Ethical Conduct and Behaviour" states: "Doctors must ensure that they have adequate professional indemnity for the work they perform". Consultants, NCHDs, public health doctors and other clinical staff in the HSE and other agencies covered by the Clinical Indemnity Scheme (CIS) are provided with professional indemnity cover in respect of all work undertaken as part of their normal duties. It is important to stress that the CIS does not provide cover to individuals per se. The cover is provided to the agencies scheduled in the two Orders made under the National Treasury Management Agency (Amendment) Act 2000. Doctors are covered by virtue of being employees of these agencies. While consultants are covered for the treatment of private patients in public hospitals they are not covered for private practice outside the public hospitals and need to organise professional indemnity cover for this work.

Departmental Expenditure.

258. **Deputy Andrew Doyle** asked the Minister for Health and Children the reason a company (details supplied) was chosen to undertake a study of Health Service Executive integration at a cost of €720,000 when there are a number of suitably qualified professionals in Irish universities and public agencies available for this type of work for a fraction of the cost. [31913/08]

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.

Medicinal Products.

259. **Deputy Catherine Byrne** asked the Minister for Health and Children the alternatives to methadone available to recovering drug users in this country; and if she will make a statement on the matter. [31922/08]

260. **Deputy Catherine Byrne** asked the Minister for Health and Children the research and pilot studies carried out in this country on the use of the drug buprenorphine as an alternative to methadone; if such research has indicated the potential for abuse of the substitute drug; and if she will make a statement on the matter. [31923/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 259 and 260 together.

Buprenorphine (trade name Subutex) is an alternative to methadone for the treatment of people who are opiate dependent. The National Advisory Committee on Drugs commissioned research in 2002 into the use of buprenorphine which showed that it can be as effective as methadone for the treatment of opiate addiction and that it has a better safety profile. Buprenorphine is especially suitable for particular client groups such as young people and those who wish to undergo detoxification or withdraw from a methadone maintenance programme to become opiate-free but there is some risk of diversion. Buprenorphine has been available for several years in specialist drug treatment clinics, where its prescription and dispensing are tightly controlled.

Another alternative to methadone is Buprenorphine and Naloxone combined (trade name Suboxone). Buprenorphine/Naloxone has a better safety profile than methadone and it has a lower risk of diversion than Buprenorphine only. Its use is currently confined to certain specialist drug treatment clinics but a feasibility study of the prescribing and dispensing of Buprenorphine/Naloxone in specialist drug treatment clinics and in a selected number of community settings (level II trained GPs and community pharmacies) is due to commence shortly. Following an evaluation of this study, a decision will be made on whether to extend the availability of Buprenorphine/Naloxone to the wider community.

261. **Deputy Catherine Byrne** asked the Minister for Health and Children the difference in the cost of treating a patient with methadone and treating a patient with buprenorphine; and if she will make a statement on the matter. [31924/08]

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. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Voluntary Sector Funding.

262. **Deputy Tony Gregory** asked the Minister for Health and Children her views on the issues raised in correspondence (details supplied); if she will have this reviewed; and if she will make a statement on the matter. [31926/08]

Minister for Health and Children (Deputy Mary Harney): Under the Health Act 2004, responsibility for the funding of voluntary organisations which are involved in the provision of health and personal social services rests with the Health Service Executive. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the specific matter investigated and to have a reply issued directly to the Deputy.

Nursing Homes Repayment Scheme.

263. **Deputy Michael Ring** asked the Minister for Health and Children if an appeal will be opened in respect of a claim made under the health repayment scheme in view of the fact that the patient was in a public bed as confirmed by the declaration submitted from his or her general practitioner; and when payment will issue to the claimant in this case. [31932/08]

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.

264. **Deputy Denis Naughten** asked the Minister for Health and Children the reason for the delay in processing appeals under the nursing home repayment scheme; the number of appeals officers processing applications; the average time it takes to process an appeal; if interest is granted on awards for the period from the date of receipt of the appeal application until the date of the decision of the appeals officer; the costs involved; and if she will make a statement on the matter. [31934/08]

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 26 September 2008 the Health Repayment Scheme Appeals Office has received 4,158 completed appeal forms. Two Appeals Officers have been appointed to consider appeals.

The Appeals Office has advised my Department that the average waiting time for an appeal to be decided on is 91 days. The Appeals Officers 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 26 September 2008 the Appeals Officers have carefully and thoroughly considered and assessed 2,158 appeals and have issued decisions to each of these appellants. On amount appeals where the decision of the Appeals Officer varies with that of the Scheme Administrator the Consumer Price Index element is updated to the date of the revised offer.

Question No. 265 answered with Question No. 127.

Cancer Screening Programme.

266. **Deputy Joe Carey** asked the Minister for Health and Children if she will provide a breakdown of the €1,359,996 professional costs contained in the non-pay revenue costs section of the accounts published in the 2006- 2007 annual BreastCheck report; and if she will make a statement on the matter. [31954/08]

Minister for Health and Children (Deputy Mary Harney): The Deputy's specific question in relation to a breakdown of professional costs by BreastCheck 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.

Question No. 267 answered with Question No. 135.

Health Services.

268. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter concerning a person (details supplied) in Dublin 5. [31957/08]

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.

269. **Deputy Joanna Tuffy** asked the Minister for Health and Children the number of full medical cards issued for the years 2004 to 2008 inclusive; if she will provide the findings in tabular form; and if she will make a statement on the matter. [31958/08]

Minister for Health and Children (Deputy Mary Harney): Details of the numbers of medical card holders are provided to my Department each month by the Health Service Executive. The figures are provided on a net basis showing the balance after new cards have been issued and other cards, as appropriate, have been deleted from the Executive's database, e.g. following a review of a person's circumstances. The following table shows the number of persons with a medical card on the dates requested by the Deputy:

Year	Number of Medical Card holders
31st December 2004	1,145,083
31st December 2005	1,155,727
31st December 2006	1,221,695
31st December 2007	1,276,178
31st August 2008	1,324,477

270. **Deputy Joanna Tuffy** asked the Minister for Health and Children the number of general practitioner cards issued for the years 2005 to date in 2008; if she will provide the findings in tabular form; and if she will make a statement on the matter. [31959/08]

Minister for Health and Children (Deputy Mary Harney): Details of the numbers of GP visit card holders are provided to my Department each month by the Health Service Executive. The figures are provided on a net basis showing the balance after new cards have been issued and other cards, as appropriate, have been deleted from the Executive's database, e.g. following a review of a person's circumstances. The table below shows the number of persons with a GP visit card on the dates requested by the Deputy:

Year	Number of GP Visit Card holders
31st December 2005	5,080
31st December 2006	51,760
31st December 2007	75,589
31st August 2008	82,198

271. **Deputy Róisín Shortall** asked the Minister for Health and Children the details of the agreement regarding the fee per patient payable to medical practitioners in respect of medical card patients with a breakdown for each category of medical card holder. [31963/08]

Minister for Health and Children (Deputy Mary Harney): Doctors holding contracts under the General Medical Services (GMS) Scheme with the Health Service Executive (HSE) are remunerated on the basis of the composition of their patient panel and the annual capitation rates payable reflect the age, gender and location of the patient.

A detailed list of the current rates payable is set out in tabular form below:

Age	Up to 3 Miles		3-5 Miles		5-7 Miles		7-10 Miles		Over 10 Miles	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
	€	€	€	€	€	€	€	€	€	€
up to 4 years	83.53	81.57	87.76	85.83	94.01	92.11	100.19	98.30	107.85	105.94
5-15	50.12	50.64	51.87	52.39	54.45	55.03	56.95	57.49	60.09	60.58
16-44	62.89	100.38	65.17	102.65	68.54	106.00	71.84	108.76	75.89	113.38
45-64	121.74	133.38	127.20	138.85	135.26	146.89	143.20	154.87	153.09	164.70
65-69	128.04	142.39	143.22	157.59	165.77	180.12	187.89	202.26	215.42	229.81
70 and over	139.59	154.38	155.22	170.06	178.52	193.33	201.37	216.20	229.79	244.64

A capitation rate of €640 per annum is paid to GPs for the provision of service under the GMS contract for each person who qualifies for a medical card for the first time on the basis of being aged 70 years and over in the community. In respect of medical card holders, aged 70 years and over, who are resident in a private nursing home (approved by the HSE) for any continuous period of five weeks, the GP is paid a capitation rate of €927 per annum per card holder.

Hospital Waiting Lists.

272. **Deputy Thomas P. Broughan** asked the Minister for Health and Children the number of persons who are on the waiting lists to see consultants at Beaumont Hospital; the length of time each of the patients have been on the waiting list; the estimated time each will be on the list before seeing a consultant; and if she will make a statement on the matter. [31966/08]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Services.

273. **Deputy Michael Ring** asked the Minister for Health and Children the reason it took the Health Service Executive from 4 March 2008 to 22 September 2008 to respond to a parliamentary question (details supplied); and if she will make a statement on the matter. [31969/08]

Minister of State at the Department of Health and Children (Deputy Máire Hocht): The Department requested that the Health Service Executive contact the Deputy directly on this matter. I am informed by the Executive that an explanation together with an apology issued to the Deputy on 26th September.

Departmental Staff.

274. **Deputy Joan Burton** asked the Minister for Health and Children the bonuses awarded by her Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if she will make a statement on the matter. [32003/08]

Minister for Health and Children (Deputy Mary Harney): Performance awards are made by my Department under a Performance Award Scheme (Deputy and Assistant Secretaries and equivalent grades) and in respect of individual/group Exceptional Performance (Principal Officers, PO equivalent and lower grades) including a staff suggestion scheme. The information requested by the Deputy is set out in the table:

2005

Award	Total	No. of People	% Eligible Staff	Average Award
	€			€
Performance Award	96,000	7	100%	13,714.29
Exceptional Performance (Individual)	4,040	4	0.64%	1,010.00
Exceptional Performance (Group)	8,000	7 Groups	Not Applicable	1,143.00
EU Presidency Bonus Scheme	7,100	2	Not Applicable	3,550.00

2006

Award	Sum	No. of People	% Eligible Staff	Average Award
	€			€
Performance Award	100,000	8	100%	12,500
Exceptional Performance (Individual)	4,000	8	1.31%	500
Exceptional Performance (Group)	2,100	3 groups	Not Applicable	700

2007

Award	Sum	No. of People	% Eligible Staff	Average Award
	€			€
Performance Award	123,000	8	100%	15,375

The Exceptional Performance Schemes are currently under review and no payments were made in 2007.

Decentralisation Programme.

275. **Deputy Joan Burton** asked the Minister for Health and Children if she will list in regard to her Department and State agencies or bodies operating under the aegis of her Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if she will make a statement on the matter. [32018/08]

Minister for Health and Children (Deputy Mary Harney): As the Deputy will be aware my Department is not one of the Departments scheduled for decentralisation under the Government's Decentralisation Programme. To date fifty-five civil servants have transferred to decentralising Departments from my Department. Further details in respect of the transfer of these officers are available from the decentralising Departments.

With regard to the Health Sector, the original Government announcement stated that the Programme included 500 health sector staff but, in view of the position at that time in relation to the health reform programme, the Government had decided not to make any decisions about exactly what staff should be decentralised and to what locations these jobs should be assigned. However, the announcement did go on to say that the Government had decided that the then new Health Service Executive and the Health Information and Quality Authority (HIQA) would be located outside Dublin. As regards the HSE, the delivery of health and personal social services already takes place on a decentralised basis, with personnel and facilities in locations spread across the entire country. HIQA was formally established in May 2007 and its headquarters are located in Cork. HIQA has informed my Department that there are currently a total of 35 (permanent and contract) staff working in its Cork office.

Compulsory Purchase Orders.

276. **Deputy Leo Varadkar** asked the Minister for Health and Children the State sponsored bodies, quangos and other agencies within the remit of her Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if she will make a statement on the matter. [32033/08]

Minister for Health and Children (Deputy Mary Harney): None of the agencies directly funded by my Department have powers to issue compulsory purchase orders. The Health Service Executive have powers to issue compulsory purchase orders and have confirmed that no such orders have been initiated between January 2005 and September 2008.

General Medical Services Scheme.

277. **Deputy Michael Ring** asked the Minister for Health and Children the annual capitation fee for each eligible person paid to doctors under the GMS contract; the schedule of GMS fees and the fee for each doctor patient contract under the fee per item of service agreement; and if she will make a statement on the matter. [32064/08]

Minister for Health and Children (Deputy Mary Harney): Doctors holding capitation contracts under the General Medical Services (GMS) Scheme with the Health Service Executive (HSE) are remunerated on the basis of the composition of their patient panel and the annual capitation rates payable reflect the age, gender and location of the patient.

A detailed list of the current rates payable is set out in tabular form:

Age	Up to 3 Miles		3-5 Miles		5-7 Miles		7-10 Miles		Over 10 Miles	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
	€	€	€	€	€	€	€	€	€	€
up to 4 years	83.53	81.57	87.76	85.83	94.01	92.11	100.19	98.30	107.85	105.94
5-15	50.12	50.64	51.87	52.39	54.45	55.03	56.95	57.49	60.09	60.58
16-44	62.89	100.38	65.17	102.65	68.54	106.00	71.84	108.76	75.89	113.38
45-64	121.74	133.38	127.20	138.85	135.26	146.89	143.20	154.87	153.09	164.70
65-69	128.04	142.39	143.22	157.59	165.77	180.12	187.89	202.26	215.42	229.81
70 and over	139.59	154.38	155.22	170.06	178.52	193.33	201.37	216.20	229.79	244.64

A capitation rate of €640 per annum is paid to GPs for the provision of service under the GMS contract for each person who qualifies for a medical card for the first time on the basis of being aged 70 years and over in the community. In respect of medical card holders, aged 70 years and over, who are resident in a private nursing home (approved by the HSE) for any continuous period of five weeks, the GP is paid a capitation rate of €927 per annum per card holder.

The other information sought by the Deputy is not provided by the Health Service Executive to my Department as a matter of routine. Accordingly, my Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Nursing Homes Repayment Scheme.

278. **Deputy Jimmy Deenihan** asked the Minister for Health and Children when a person (details supplied) in County Kerry will receive payment from the nursing payment fund in respect of his or her late spouse; and if she will make a statement on the matter. [32082/08]

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.

279. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support the case of a person (details supplied) in Dublin 9. [32086/08]

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.

Mental Health Services.

280. **Deputy Dan Neville** asked the Minister for Health and Children her views on the submission on the statutory registration of counsellors and psychotherapists in Ireland completed by Psychological Therapies Forum. [32100/08]

341. **Deputy Dan Neville** asked the Minister for Health and Children the position regarding the setting up of the Health and Social Care Professions Council and of registration boards for certain designated health and social care professions; and the designated professions under section 4 of the Health and Social Care Professional Act 2005 for which established boards have been set up in view of the fact that this Act was signed into law on 30 November 2005. [32689/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 280 and 341 together.

As the Deputy may be aware, the Health and Social Care Professionals Act was passed by the Oireachtas in 2005. This Act provides for the establishment of a system of statutory registration for 12 health and social care professionals as follows:

- Clinical Biochemists;
- Dieticians;
- Medical Scientists;
- Occupational Therapists;
- Orthoptists;
- Physiotherapists;
- Podiatrists;
- Psychologists;
- Radiographers;
- Social Care Workers;
- Social Workers, and;
- Speech and Language Therapists.

The system of statutory registration will apply to the twelve professions regardless of whether they work in the public or private sector or are self-employed and is the first time that fitness to practice procedures will be put in place for these professionals on a statutory basis. The structure of the system of statutory registration will comprise a registration board for each of the professions to be registered, a Health and Social Care Professionals Council with overall responsibility for the regulatory system and a committee structure to deal with disciplinary matters.

The first step in the implementation of the system was the establishment of the Health and Social Care Professionals Council, which was launched in March last year. The Council has now recruited a Chief Executive Officer in May of this year and is currently putting in place a

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suitable organisational structure. The Council must establish a registration board for each of the twelve professions currently covered by the Act and will examine which professions, of the designated twelve, are most suitable for early registration. The Council has yet to advise the Department of the initial two professions selected for registration but it is hoped that the first two registration boards will be established by Spring 2009.

While the proposed system of statutory registration applies, in the first instance to twelve health and social care professions, the legislation provides for the inclusion of, on the basis of specific criteria, additional health and social care professions in the regulatory system over time, as appropriate. The Health and Social Care Professionals Council's priority is to put in place the regulatory structures for the 12 designated professions. Within this context, I welcome the recent submission by the Psychological Therapies Forum as a useful aid to assist in future discussions and decision-making regarding the inclusion of further health and social care professions, as appropriate, within Statutory Registration.

Proposed Legislation.

281. **Deputy Michael Creed** asked the Minister for Health and Children her proposals to legislate for the use of nanotechnology in the food and feed industries; the regulations which exist governing this technology; the proposals at EU level to address this matter; and if she will make a statement on the matter. [32122/08]

Minister of State at the Department of Health and Children (Deputy Mary Wallace): Nanotechnology is a new and rapidly developing area of science which involves using minuscule (nano) particles (particles which are 1,000 times smaller than the diameter of a fine human hair), to develop new products or new variations of existing products with novel characteristics and functionalities. In September 2008, the Food Safety Authority of Ireland published a report from its Scientific Committee entitled "The Relevance for Food Safety of Applications of Nanotechnology in the Food and Feed Industries". This report provides an in-depth background on nanotechnology and its many current and potential applications along with associated benefits and possible risks.

The technology is expected to provide significant benefit to industry and consumers alike but because there are still some information gaps a certain amount of caution is prudent at this time, particularly in its application to food and feed production. The FSAI report concludes with a set of recommendations that include a call for the development of harmonised EU regulatory controls and for foods containing man-made nano particles to be labelled so that consumers are informed. There are currently fewer than 70 patented nanotechnological products in Ireland and most of these relate to packaging of food, rather than food or feed.

The FSAI considers existing EU legislation to be sufficiently wide-ranging to govern the use of nanotechnology in food production with Regulation EC No. 178/2002 requiring that food placed on the market be safe. The novel food Regulation, EC No. 258/97 controls food ingredients that have been produced by a new production process, including nanotechnology, and this legislation is currently being revised with nanotechnology among other new technologies in mind. Similarly, for food additives and food contact materials, current legislation is seen to be able to cope with the advent of nanotechnological applications. At EU and National level, the European Food Safety Authority and the Food Safety Authority of Ireland will maintain a watching brief on developments in the science and application of the technology as well as regulatory progress at EU and international level.

Health Services.

282. **Deputy Jack Wall** asked the Minister for Health and Children the number of day care facilities within the Kildare area of the Health Service Executive; her plans to increase the number; if the request of an association (details supplied) to increase social inclusion has been taken into account when determining the needs of new centres; and if she will make a statement on the matter. [32190/08]

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 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.

283. **Deputy Jack Wall** asked the Minister for Health and Children if she has received an application for the provision of a help line for carers; the result of such an application; if she has plans to provide such a help line; and if she will make a statement on the matter. [32191/08]

Minister of State at the Department of Health and Children (Deputy Máire Hocht): No application relating to such a proposal has been received in my Department. Issues relating to Carers are primarily the responsibility of the Department of Social and Family Affairs, including the commitments in the national partnership agreement “Towards 2016” and in the Programme for Government to develop various initiatives under a National Carers Strategy.

Vaccination Programme.

284. **Deputy Jack Wall** asked the Minister for Health and Children her views on the application by an association (details supplied) for free flu injections for carers in receipt of a carer’s allowance payment by the Department of Social and Family Affairs; and if she will make a statement on the matter. [32192/08]

Minister for Health and Children (Deputy Mary Harney): The National Immunisation Advisory Committee guidelines recommend flu vaccination for various categories of persons. Vaccination is recommended for among others “those likely to transmit influenza to a person at high risk for influenza complications (including household contacts and out-of-home care givers).” I am advised by the Health Service Executive that this includes carers. There is no charge for either the vaccine or the administration of the vaccine for those for whom vaccination is recommended who have a medical card or GP visit card. Where the patient does not have a medical card or GP visit card, there is no charge for the actual vaccine as the vaccine is supplied free of charge to GPs by the HSE. The fee for administering the vaccine is a matter between the GP and the patient.

Nursing Homes Repayment Scheme.

285. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the progress that has taken place since 20 April 2008 in the case of a person (details supplied) in County Kildare; when it is expected that this payment will be made; and if she will make a statement on the matter. [32206/08]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive has responsibility for administering the Repayment Scheme and the information sought by the Deputy relates to matters within the area of responsibility of the Executive. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued to the Deputy.

Health Service Reform.

286. **Deputy Jan O’Sullivan** asked the Minister for Health and Children if the Teamwork report on the reorganisation of health services in the mid-west has been brought to the board of the Health Service Executive; when it will be published; and if she will make a statement on the matter. [32225/08]

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. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the specific information sought forwarded directly to the Deputy.

Question No. 287 answered with Question No. 183.

EU Directives.

288. **Deputy Jan O’Sullivan** asked the Minister for Health and Children the progress on Ireland’s request for derogations for particular supplements under the EU Food Supplements Directive 2002/46/EC; the derogations sought; if she is satisfied that they address the concerns expressed by consumers here; and if she will make a statement on the matter. [32227/08]

Minister of State at the Department of Health and Children (Deputy Mary Wallace): Derogations sought under EU Directive 2002/46/EC relate to food ingredients rather than particular food supplements. Twenty-one food business operators applied to the Food Safety Authority of Ireland for derogations related to more than two hundred different ingredients. Only vitamins and minerals listed in the Directive may be used in the manufacture of food supplements. However, a derogation from the legislation is allowed for products already on the market, permitting the use of vitamins and minerals not listed up to 31 December 2009. These derogations relate to commercial considerations rather than consumer concerns.

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. 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.

Medical Aids and Appliances.

289. **Deputy Jan O'Sullivan** asked the Minister for Health and Children if there is a national policy not to take back and re-use aids and appliances such as crutches and wheelchairs, even if they are unused or in perfect condition; the reason such a money-saving practice was discontinued; and if she will make a statement on the matter. [32228/08]

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.

290. **Deputy Jan O'Sullivan** asked the Minister for Health and Children when she will introduce a national diabetic retinopathy programme as recommended by the expert advisory group on diabetes; and if she will make a statement on the matter. [32229/08]

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.

291. **Deputy Jan O'Sullivan** asked the Minister for Health and Children her views on the use of optometrists as well as ophthalmologists for routine eye examinations of children in order to reduce the waiting times for this service; and if she will make a statement on the matter. [32230/08]

292. **Deputy Jan O'Sullivan** asked the Minister for Health and Children the number of community ophthalmologists in the country; the waiting times for this service in each of the Health Service Executive regions; and if she will make a statement on the matter. [32231/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 291 and 292 together.

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 these matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

293. **Deputy Jan O'Sullivan** asked the Minister for Health and Children when funding for

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development services for young people who are leaving schools for children with disabilities will be provided as allocated for 2008; if those centres that have received primary notification will be assured that the funding to pay staff will follow; if she will give an assurance that funding will be put in place for the students who will be leaving school in 2009; and if she will make a statement on the matter. [32232/08]

Minister of State at the Department of Health and Children (Deputy John Moloney): The Deputy’s question in relation to funding for 2008 and funding to pay staff 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. It is not appropriate for me or my Department to comment on the resources that will be allocated in 2009, prior to the announcement of the Budget 2009 package.

Vaccination Programme.

294. **Deputy David Stanton** asked the Minister for Health and Children, further to Parliamentary Question No. 250 of 1 July 2008, the number of children on the waiting list for the BCG vaccine in the Health Service Executive south, in particular in Cork; and if she will make a statement on the matter. [32239/08]

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.

295. **Deputy David Stanton** asked the Minister for Health and Children if the neo-natal BCG service to newborn babies in Cork University Maternity Hospital has commenced; if not, when it is due to commence; if additional clinics to provide the vaccine are in operation; the locations and opening hours of same; and if she will make a statement on the matter. [32240/08]

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.

Departmental Reports.

296. **Deputy James Reilly** asked the Minister for Health and Children when the report on the issue of the removal of the wrong kidney from a patient in Crumlin children’s hospital will be completed and published; and if she will make a statement on the matter. [32338/08]

Minister for Health and Children (Deputy Mary Harney): I very much regret that this unfortunate incident occurred. The priority for the hospital has been to ensure that all necessary medical care for the child has been provided and that the family has also received full support.

My Department is advised by the Health Service Executive that an internal review was conducted by the hospital following the incident. This was followed by an independent external

review which was carried out by a team of experts from Great Ormond Street Children's Hospital, London. The external review has now been finalised and is due to be presented to the Board of Our Lady's Children's Hospital, Crumlin. A copy of the report will be forwarded to the HSE. The HSE advises that the family has been kept informed by the hospital authorities of the progress made in relation to both reviews. The issue of publication will need to be considered by the hospital taking account of the wishes of the family.

Health Services.

297. **Deputy James Reilly** asked the Minister for Health and Children if she will confirm that the waiting time for chromosome analysis is nine months whereas a number of years ago it was three months; her plans to address and reduce the waiting time for such tests; and if she will make a statement on the matter. [32339/08]

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.

298. **Deputy James Reilly** asked the Minister for Health and Children the waiting lists at Crumlin children's hospital for genetic services; the reason there has been no public outpatient clinics for genetics by one of the senior consultants there since June 2008; if she will confirm that the secretarial assistance required is in place in order to ensure resumption of the service; the reason secretarial support was withdrawn for such a period of time leading to a consultant being paid €185,000 per annum and being unable to run an outpatient clinic for nearly four months; and if she will make a statement on the matter. [32340/08]

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.

Tobacco-Related Diseases.

299. **Deputy James Reilly** asked the Minister for Health and Children the funding allocated directly to her Department from the Revenue Commissioners by way of appropriation-in-aid as a result of the increase in tobacco taxation in budget 2000 to fund the national cardiovascular strategy in tabular format, on an annual basis, from 2000; the way those funds were allocated annually; and if she will make a statement on the matter. [32341/08]

Minister for Health and Children (Deputy Mary Harney): Between 2000 and 2005, under section 3 of the Appropriation Act 1999, €167.5m was provided to my Department from moneys collected by the Revenue Commissioners in respect of certain excise duties on tobacco products. From 2005 onwards the funding was provided to the Health Service Executive. Fund-

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ing from Appropriations In Aid is not specifically ringfenced or allocated to any particular service but contributes to the overall provision of services. The Deputy will be aware that since the launch of the Cardiovascular Strategy in 2000, additional dedicated funding of €60m has been provided as follows:

Year	Funding
	€m
2000	15
2001	19
2002	11
2003	9
2004	3
2005	3

In addition, significant baseline funding across a range of sectors including primary and community care, community drug schemes, acute services and rehabilitation was in place prior to the launch of the Cardiovascular Strategy. There has been significant increase in these costs in the intervening period in line with wider trends in each of these sectors.

Hospital Services.

300. **Deputy Dinny McGinley** asked the Minister for Health and Children if there are plans to withdraw colposcopy services from Letterkenny General Hospital; and if she will make a statement on the matter. [32342/08]

304. **Deputy Jan O'Sullivan** asked the Minister for Health and Children if it is planned to remove colposcopy services from Letterkenny General Hospital; if her attention has been drawn to the concern that this is causing in County Donegal in view of the distances people will have to travel if the service is removed; and if she will make a statement on the matter. [32369/08]

320. **Deputy Brendan Kenneally** asked the Minister for Health and Children her views on the withdrawal of a service (details supplied) and the implications for public patients in a public hospital compared to those for the private patients in the public hospital; and if she will make a statement on the matter. [32554/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 300, 304 and 320 together.

The National Cancer Screening Service (NCSS) is responsible for the implementation of CervicalCheck, the National Cervical Screening Programme. Colposcopy services are an integral part of a population based screening programme. Of the expected 300,000 women to be screened annually, approximately 2-5% will require access to colposcopy services. Women that have precancerous cell changes detected by their smear test are referred for colposcopy. The NCSS is making a significant investment in colposcopy services to enhance the service delivered to women and ensure timely access to a quality assured, standardised colposcopy service for those women that require further investigation.

The NCSS has identified eleven colposcopy services to initially support CervicalCheck. This does not necessarily preclude the inclusion of other colposcopy clinics in the future. The colposcopy service at Letterkenny General has not been identified for initial referrals of women.

However, in the interim the service will continue to provide colposcopy services to women already attending or awaiting colposcopy. Key to quality colposcopy service provision is to ensure that as part of the Programme women can access colposcopy services within international best practice timeframes, adherence to quality assured clinical practice and the achievement of best clinical outcomes for women. The feasibility and provision of additional colposcopy services to women in the North West is also being examined. The NCSS is working with Letterkenny General Hospital and the question of Letterkenny's future participation in the screening programme's colposcopy service will be considered in this context.

Child Care Services.

301. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the number of public and private places that have been created to date in relation to the national development plan's social inclusion priority for the creation of an additional 50,000 child care places by 2010, of which approximately 22,000 will be in the private sector and 28,000 in the community and voluntary sector. [32350/08]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The NCIP has a funding allocation of €575 million and aims to create an additional 50,000 new child care places. It is expected that approximately 22,000 of these places will be in the private sector and 28,000 in the community/not for profit sector. NCIP grant approvals to end of August 2008 are expected to lead to over 13,400 places in community-based/not for profit facilities and a further 16,300 places in private facilities.

302. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if he has received a capital grant application from a creche (details supplied) in County Monaghan; if so, her views on this application; when she expects to make a decision on the application; and if she will make a statement on the matter. [32351/08]

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 child care services. I understand that the service in question has applied for €977,822 in capital funding through its local County Childcare Committee. This application has been assessed by Pobal, which is engaged to administer grants under the NCIP. Following Pobal's assessment of the application it was forwarded to the Childcare Directorate of my Office for final appraisal. The service will be notified of the decision in due course.

303. **Deputy Paul Kehoe** asked the Minister for Health and Children the grant assistance available for individuals seeking to provide montessori places or other preschool initiatives for children with special needs; and if she will make a statement on the matter. [32365/08]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As the Deputy will be aware Childcare developments are currently funded under the National Childcare Investment Programme 2006-2010. This Government is committed to enhancing access to pre-school services for children with special needs. Under the Equal Status Acts 2000 to 2004, service providers must make reasonable accommodation for a person with a disability — this provision applies to the accommodation of children with special needs by child care providers. Furthermore, the 'Diversity and Equality Guidelines for Childcare Providers' published by the Office of the Minister for Children in December 2006 underpins the Government's commitment to integration and equality for all. However, I regret that there is no specific

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provision under the National Childcare Investment Programme 2006-2010 to provide additional supports for children with disabilities.

Under the Multi-Annual Investment Programme 2006-2009 for the Disability Strategy, the Government provided the Health Service Executive with funding to implement Part 2 of the Disability Act 2005, which came into effect on June 1st 2007 for the under 5's. The management and delivery of health and personal social services are the responsibility of the Health Service Executive under the Health Act 2004.

Question No. 304 answered with Question No. 300.

Questions Nos. 305 and 306 answered with Question No. 150.

Health Services.

307. **Deputy Jack Wall** asked the Minister for Health and Children the position of a funding application (details supplied); when a final decision will be made in relation to this matter; and if she will make a statement on the matter. [32390/08]

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.

Data Protection.

308. **Deputy Ruairí Quinn** asked the Minister for Health and Children the policies in place to secure portable electronic data devices in her Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in her Department; the date by which she expects a satisfactory security policy on portable electronic data devices to have been implemented; and if she will make a statement on the matter. [32407/08]

Minister for Health and Children (Deputy Mary Harney): My Department has developed a range of security policies and staff advisories in relation to the security of electronic information and in particular personal or sensitive data. Where appropriate these policies are on the Department's intranet. Encryption of existing laptops is nearing completion and all new laptops will be encrypted as a matter of course. The Department has also begun the implementation of USB security management software to ensure data are encrypted on USB and other portable devices. It will take several months to roll out this facility to all users. 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.

309. **Deputy Ruairí Quinn** asked the Minister for Health and Children the number of Department owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from her Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if she will make a statement on the matter. [32422/08]

Minister for Health and Children (Deputy Mary Harney): To date in 2008 there has been one item of ICT equipment reported lost, missing or stolen. This relates to a Blackberry which

was stolen from a member of staff. It has not been recovered. I understand the device was password protected and that no sensitive or private data were compromised with the loss of this equipment.

Hospital Services.

310. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a surgical appointment will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [32428/08]

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.

Cancer Screening Programme.

311. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [32442/08]

Minister for Health and Children (Deputy Mary Harney): I understand the Deputy is referring to cancer services nationally and the Human Papilloma Virus (HPV) vaccine. In September 2007, the Government endorsed the establishment by the Health Service Executive (HSE) of a National Cancer Control Programme to manage, organise and deliver cancer services. The implementation of the Programme involves significant realignment of services to move from the present fragmented system of care to one which is consistent with international best practice in cancer control. Significant progress has been made to date including the appointment of an interim Director to lead and manage the Programme. A national network, comprising of eight designated cancer centres has been decided and work is currently progressing on the transfer of symptomatic breast disease services from regional hospitals to the designated centres.

In relation to the HPV vaccine, I have considered all the relevant advice available to me in relation to the potential public health benefits of HPV vaccination in the prevention of cervical cancer and the wider policy implications for its possible introduction into the National Immunisation Programme. I accept the consensus view of the relevant expert bodies that the introduction of a universal high uptake vaccination programme in young girls, in conjunction with population based cervical screening, could significantly reduce overall cervical cancer rates.

I have asked the HSE to begin planning for the introduction of a vaccination programme for 12 year old girls to commence in September 2009, subject to cost and the level of uptake required for effectiveness being achievable. Accordingly, I have asked the HSE to examine and ascertain the likely uptake rates for such a programme, the cost of purchasing the vaccine based on the best competitive arrangements available in the market and the most efficient method of “roll-out” of the programme. In light of the current budgetary situation the introduction of a “catch up” programme for 13-15 year olds is not envisaged.

Hospital Staff.

312. **Deputy James Reilly** asked the Minister for Health and Children her views and that of the Health Service Executive on the employment of nursing staff from non-EU countries; if

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employing nursing staff from outside the EU is still current practice; if so, the rationale for that practice; and if she will make a statement on the matter. [32444/08]

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.

Departmental Properties.

313. **Deputy Tom Hayes** asked the Minister for Health and Children if the Health Service Executive has approved land for sale in respect of a site of a school (details supplied) in County Tipperary; if so, when the next step in the process will take place for the HSE to get this land transferred and ready for sale; and if she will make a statement on the matter. [32446/08]

Minister for Health and Children (Deputy Mary Harney): Responsibility for the management and delivery of health and personal social services including estate management 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. 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 Service Publications.

314. **Deputy Olwyn Enright** asked the Minister for Health and Children the cost in 2007 and to date in 2008 of producing and distributing the Health Service Executive publication Health Matters; the persons to whom it is distributed ; and if she will make a statement on the matter. [32447/08]

Minister for Health and Children (Deputy Mary Harney): The publication in question is produced by the Health Service Executive. Accordingly, my Department has requested the HSE to reply directly to the Deputy with the information requested.

Departmental Properties.

315. **Deputy Terence Flanagan** asked the Minister for Health and Children the position regarding a vacant site in the ownership of the Health Service Executive; and if she will make a statement on the matter. [32464/08]

Minister for Health and Children (Deputy Mary Harney): Responsibility for the management and delivery of health and personal social services including estate management 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. 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.

316. **Deputy Tom Hayes** asked the Minister for Health and Children when the national screening programme for cystic fibrosis, scheduled to be introduced in 2008, will be implemented; the training that has been completed for staff to do this screening test; the budget set aside for same; and if she will make a statement on the matter. [32487/08]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive National Service Plan for 2008 includes provision for the implementation of a plan for screening newborns for cystic fibrosis and commencement of screening by the end of 2008. My Department has requested the Parliamentary Affairs Division of the Executive to respond more fully to the Deputy on the matter.

General Medical Services Scheme.

317. **Deputy Lucinda Creighton** asked the Minister for Health and Children the measures being taken to ensure that patients, until recently on the GMS panel of a doctor (details supplied), from the Ringsend and Irishtown, Dublin 4 area can receive treatment within a reasonable distance of their community; and if she will make a statement on the matter. [32506/08]

318. **Deputy Lucinda Creighton** asked the Minister for Health and Children if she will ensure a person (details supplied) in Dublin 4 is put on the list of a general practitioner within a reasonable distance of their home, following the decision of the doctor on whose list they were to no longer make their surgery available to their patients on their GMS panel; and if she will make a statement on the matter. [32507/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 317 and 318 together.

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 arrangements to ensure appropriate service delivery for General Medical Services (GMS) Scheme (medical card and GP visit card) patients. My Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to address these matters and to have a reply issued directly to the Deputy.

Ambulance Service.

319. **Deputy Michael McGrath** asked the Minister for Health and Children if her attention has been drawn to the proposal to establish a helicopter emergency medical service, air ambulance for Munster; and her views on requesting the Health Service Executive to provide the necessary supports to enable the project to become a reality. [32508/08]

Minister for Health and Children (Deputy Mary Harney): I am aware of the proposal by a private consortium to establish an air ambulance service initially in the Munster area. However it is a matter for the Health Service Executive to consider the proposal in the context of its responsibility for the provision of public ambulance services. I understand that the group which has put forward the proposal is in communication with the HSE in the matter.

Question No. 320 answered with Question No. 300.

Mental Health Services.

321. **Deputy Dan Neville** asked the Minister for Health and Children if she will honour a commitment made to the Union of Students in Ireland to support by way of funding of €8,500 its Please Talk Campaign, on raising awareness regarding depression and the need to seek help if a person contracts the condition, which it proposes to introduce throughout third level colleges. [32566/08]

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.

Services for People with Disabilities.

322. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of children identified with Downs syndrome in each of the past five years; the way the figures here compare per 100,000 of the population with other countries within the EU and the US; and if she will make a statement on the matter. [32570/08]

323. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of children diagnosed with autism in each of the past ten years; the way these figures compare per 100,000 population with other jurisdictions throughout Europe and the US; the full extent of research undertaken or proposed in this area; and if she will make a statement on the matter. [32571/08]

Minister of State at the Department of Health and Children (Deputy John Moloney): I propose to take Questions Nos. 322 and 323 together.

The Department of Health and Children does not collect information on children identified with Downs Syndrome or Autism on a national or international basis. Information pertaining to diagnosis is specifically excluded from the National Intellectual Disability Database as the database is not designed as a medical epidemiological tool. Accordingly the database does not record the incidence of Autism, Downs Syndrome or any other disability. With regard to the remaining matters raised by the Deputy, these 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 matters investigated and to have a reply issued directly to the Deputy.

Hospital Services.

324. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the action being taken to prevent misdiagnosis at all hospitals here; and if she will make a statement on the matter. [32572/08]

Minister for Health and Children (Deputy Mary Harney): I presume the Deputy is referring to the recent incidents of delayed diagnosis in patients with cancer. Unfortunately, even with the best multidisciplinary team involved in the diagnosis of cancer, expert international evi-

dence notes that there may be a failure or delay in diagnosing cancer in up to one per cent of cases. However, by concentrating expertise in the eight designated cancer centres and by having triple assessment, the Director of the Health Service Executive (HSE) National Cancer Control Programme is confident that the chances of misdiagnosis will be minimised.

Last year, I approved National Quality Assurance Standards for Symptomatic Breast Disease Services under the Health Act 2007. The implementation of the Standards is an essential element of the quality agenda set out in the National Cancer Control Strategy. The aim of the standards is to ensure that women who develop breast cancer have an equal opportunity to be managed in a centre which is capable of delivering the best possible outcome. The standards require significant reorganisation of breast cancer services to ensure that each centre providing breast cancer care: manages a minimum number of 150 new cases per year; allows for a minimum number of new cases to be managed by a specialist breast surgeon of 50 per year (and a maximum of 150 per year); ensures that such care is provided by a team made up of a surgeon, a radiologist and a pathologist; and has a minimum of two consultants in each of these specialties.

Arising from the designation of eight cancer centres nationally and in order to comply with the Standards, the HSE has directed a number of hospitals to cease breast cancer services. In June last year thirty three hospitals were providing symptomatic breast services. By the end of this year this will have reduced to ten.

Health Services.

325. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of persons employed in 1991 in the delivery of the entire spectrum of health services to the entire population; the number of persons, patients and clients who sought and received services or treatment in 1991; and if she will make a statement on the matter. [32573/08]

326. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of staff employed, directly or indirectly, in the delivery of health services in both the public and private sectors; the number of persons, patients and clients who sought or received service in each of the past five years to date in 2008; and if she will make a statement on the matter. [32574/08]

335. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of nurses, doctors and consultants employed in the delivery of health services; the way this compares with 1992; and if she will make a statement on the matter. [32583/08]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 325, 326 and 335 together.

The main source of employment data in the health services is the Health Service Executive's Health Service Personnel Census which is derived from payroll history in each agency. The census collects data on actual staffing level for each staff grade in each health agency at a given point in time. Up to and including 2002 the census was conducted annually. Since 2003, the census has been carried out quarterly at the end of March, June, September and December each year. The census provides data on the number of people employed in the public health service only; this includes the HSE, voluntary hospitals, voluntary disability and other PCCC voluntary agencies. It does not include data on some agencies which are grant-aided by the HSE, specialist agencies under the aegis of the Department of Health and Children or those

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employed in the private sector. In this regard, the data in relation to the public health service for 1991, and the years 2004 to 2008 are set out in the following tables:

Number (WTE excld. career break) of people employed in the public health service in 1991

	Number
Medical/Dental	4,099.81
Nursing	25,118.41
Health & Social Care Professionals	4,299.20
Management/Admin.	6,800.30
General Support Staff	18,297.71
Other Patient & Client Care	
Total	58,615.43

Source: Health Service Personnel Census.

Note 1: excludes Home Help.

Note 2: Management/Admin. includes staff who are of direct service to the public and include Consultant's Secretaries, Out-Patient Departmental Personnel, Medical Records Personnel, Telephonists and other staff who are engaged in front-line duties together with staff in the following categories Payroll, Human Resource Management (including training), Service Managers, IT Staff, General Management Support and Legislative and Information requirements

Number (WTE excld. career break) of people employed in the public health service between 2004 and 2008

	Dec 2004	Dec 2005	Dec 2006	Dec 2007	Jun 2008
Medical/Dental	7,013	7,266	7,712	8,005	8,009
Nursing	34,313	35,248	36,737	39,006	37,783
Health & Social Care Professionals	12,830	13,952	14,913	15,705	15,726
Management/Admin.	16,157	16,699	17,262	18,043	17,944
General Support Staff	13,771	13,227	12,910	12,900	12,884
Other Patient & Client Care	14,640	15,586	16,739	17,846	18,169
Total	98,723	101,978	106,273	111,505	110,515

Source: Health Service Personnel Census.

Note 1: excludes Home Help.

Note 2: Management/Admin. includes staff who are of direct service to the public and include Consultant's Secretaries, Out-Patient Departmental Personnel, Medical Records Personnel, Telephonists and other staff who are engaged in front-line duties together with staff in the following categories Payroll, Human Resource Management (including training), Service Managers, IT Staff, General Management Support and Legislative and Information requirements.

Note 3: The methodology under which employment figures are compiled changed during the course of 2007 with the addition of personnel not previously included in subsumed agencies such as the Health Service Executive-EA (HSEA), the Primary Care Reimbursement Service (GMSPB), Health Boards Executive (HeBe) and the Office for Health Management (now part of the HR function) together with many other posts in projects or post previously excluded such as HRBS/PPARS and Value-for-Money posts (all of which are largely in the Management/Administrative stream) together with the inclusion of student nurses and chaplains. This change was undertaken to represent health service employment on a like-for-like basis with employment ceilings and to more accurately represent a reconfigured health service's employment information. As a result of this change year-on-year figures are not comparable.

Note 4: Caution should be exercised in making grade category comparisons due to changes in category composition over time.

Note 5: Student nurses are included in the 2007 and 2008 employment ceilings on the basis of 3.5 students equating to 1 wholetime equivalent (WTE). The employment levels adjusted for student nurses on the above basis are 110,664 WTE (Dec 07) and 110,386 WTE (June 08).

The numbers of nurses, non-consultant hospital doctors and consultants employed in the public health service in 1992 and 2008 are as follows:

Numbers (WTE excld. career break) of nurses, non-consultant hospital doctors and consultants employed in the public health service in 1992 and 2008

	Dec 1992	June 2008
Number of nurses	25,771	37,783
Number of NCHDs	2,341	4,859
Number of consultants	1,109	2,228

Source: Health Service Personnel Census.

I wish to advise that the outstanding information will be forwarded to the Deputy as soon as it is available.

327. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if all health centres here have been adequately upgraded in line with demographic requirements and best practice standards; and if she will make a statement on the matter. [32575/08]

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 upgrading of health centres. 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.

328. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of children whose orthodontic treatment has been completed in each of the past five years to date in 2008; the number awaiting treatment; the number receiving treatment; and if she will make a statement on the matter. [32576/08]

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. 329 to 331, inclusive, answered with Question No. 147.

Health Service Staff.

332. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of nursing staff permanently employed throughout the health services; the number of agency staff included; and if she will make a statement on the matter. [32580/08]

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.

333. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of persons in receipt of home help; the number who received such help in 2006; the extent to which the number of hours per patient has increased or decreased in the meantime; and if she will make a statement on the matter. [32581/08]

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.

Accident and Emergency Services.

334. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of accident and emergency beds available throughout the health service; the number available in 1990; and if she will make a statement on the matter. [32582/08]

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.

Question No. 335 answered with Question No. 325.

Hospitals Building Programme.

336. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when it is expected that the final phase of the Naas hospital development plan will be completed; and if she will make a statement on the matter. [32584/08]

Minister for Health and Children (Deputy Mary Harney): Responsibility for the management and delivery of health and personal social services including estate management 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. 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.

Hospital Services.

337. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the extent to which all theatres in Naas General Hospital, Naas, County Kildare are fully commissioned for procedures; the number of such procedures in each of the theatres in the past 12 months; and if she will make a statement on the matter. [32585/08]

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.

338. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the number of surgical, medical or other beds available, public and private, throughout the entire hospital system; the number available in 1990; and if she will make a statement on the matter. [32586/08]

Minister for Health and Children (Deputy Mary Harney): The complement of acute hospital beds, inpatient and day beds reported for 1990 was 12,152 (11,868 inpatient and 284 day beds) {Source: Health Statistics Report 1990, Department of Health}. A medical/surgical and public/private breakdown is not available for that year. My Department has requested the Health Service Executive to provide the information requested by the Deputy on the breakdown of acute hospital bed numbers for the latest year available. When the necessary information is compiled I will arrange to have it forwarded to the Deputy.

Question No. 339 answered with Question No. 159.

Nursing Homes Repayment Scheme.

340. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the extent of the refunds paid to date under the nursing home refund proposal; when the entire liability will be met; the full extent of this liability at present; the cost of the administration to date; and if she will make a statement on the matter. [32588/08]

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 to date over 38,900 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. To date 17,684 claimants have received an offer of repayment and the value of these offers is €330m. 12,756 claimants have received payment to date under the Scheme and the value of these payments is €260m. It is anticipated that the remaining offers will be processed by end November 2008.

However it should be noted that the repayments offered in November cannot be paid until the statutory 28 period has elapsed and a completed Acceptance Form has been returned to the Scheme Administrator. In addition, the claimants who receive offers in November must be given the opportunity if they so wish, to appeal the scheme administrator's decision. Taking account of overheads the total estimated spend on the scheme will be in the region of €390m. The HSE has advised that the total cost of administering the Scheme to date is €19.5m which includes payments made to the Scheme Administrator, HSE administrative costs, Appeals Office costs, legal fees and probate costs.

Question No. 341 answered with Question No. 280.

Health Services.

342. **Deputy Róisín Shortall** asked the Minister for Health and Children the reason top-up grants, previously available to some applicants who qualified for local authority home improvement grants, are no longer being granted; and if she will make a statement on the matter. [32690/08]

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.

Decentralisation Programme.

343. **Deputy Joan Burton** asked the Minister for Health and Children the number of civil servants and other public servants in her Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if she will make a statement on the matter. [33060/08]

Minister for Health and Children (Deputy Mary Harney): As the Deputy will be aware my Department is not one of the Departments scheduled for decentralisation under the Government's Decentralisation Programme. By the end of December 2006, twenty-eight civil servants transferred to decentralising Departments from my Department. Further details in respect of the transfer of these officers are available from the decentralising Departments.

Public Transport.

344. **Deputy Enda Kenny** asked the Minister for Transport the measures he is taking to ensure an adequate bus service in a locality (details supplied) in County Dublin; and if he will make a statement on the matter. [32934/08]

360. **Deputy Terence Flanagan** asked the Minister for Transport if he will respond to a query (details supplied); and if he will make a statement on the matter. [32471/08]

Minister for Transport (Deputy Noel Dempsey): I propose to take Questions Nos. 344 and 360 together.

The Road Transport Act 1932, provides the statutory basis for regulating the provision of public bus services by private bus operators. In accordance with the legislation, private bus operators apply to my Department for licences to operate scheduled bus passenger services within the State. Dublin Bus is not subject to licensing in accordance with the 1932 Act. However, the initiation or alteration of a bus service by the Company is subject to compliance with the necessary regulatory requirement of giving advance notice to my Department and to compliance with the provisions of Section 25 of the Transport Act 1958 concerning competition with licensed private operators. It is open to any private operator or Dublin Bus to submit proposals to my Department seeking authorisation to operate bus passenger services.

With regard to services in Lucan, Dublin Bus made an application on 27th June 2008 seeking authorisation to provide additional services on the 25X and 25A routes serving Lucan. Dublin Bus was advised by my Department on the 18th July, 2008, that it could proceed with the proposal. My Department has no outstanding proposals for additional services on the routes in question.

Marine Safety.

345. **Deputy Brendan Howlin** asked the Minister for Transport if he has commissioned a report or review in relation to an emergency towing vessel; his views regarding the acquisition of an emergency towing vessel; and if he will make a statement on the matter. [31917/08]

Minister of State at the Department of Transport (Deputy Noel Ahern): Consultants have been engaged to carry out a study including the potential acquisition of an Emergency Towing Vessel (ETV). The study is underway and the Minister for Transport expects to review the overall position by early 2009.

Departmental Staff.

346. **Deputy Joan Burton** asked the Minister for Transport the bonuses awarded by his Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if he will make a statement on the matter. [32007/08]

Minister for Transport (Deputy Noel Dempsey): The scheme for performance-related awards in the Civil Service applies to Deputy and Assistant Secretaries and equivalent grades. Details of awards to individual officers under the performance-related scheme are not disclosed on the basis that they are confidential to the officer concerned. However I can say that during 2006, awards totalling €46,800 (averaging €11,700) were made to 4 officers in my Department in respect of 2005; in 2007, awards totalling €64,000 (averaging €12,800) were made to 5 officers in my Department in respect of 2006 and in 2008, awards totalling €63,500 (averaging €12,700) were made to 5 officers in my Department in respect of 2007.

Details of the operation of the scheme, the numbers covered by the scheme and the total amounts paid in Departments, are available in the annual reports of the Committee for Performance Awards which can be accessed on the website of the Department of Finance www.finance.gov.ie.

Decentralisation Programme.

347. **Deputy Joan Burton** asked the Minister for Transport if he will list in regard to his Department and State agencies or bodies operating under the aegis of his Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if he will make a statement on the matter. [32022/08]

Minister for Transport (Deputy Noel Dempsey): The following table shows the original proposal announced in December 2003 regarding decentralisation for this Department:

Organisation	Location	No. of Posts
Road Haulage Division (Department of Transport)	Loughrea	40
National Safety Council	Loughrea	10
National Roads Authority	Ballinasloe	90
Irish Aviation Authority	Shannon	100
Railway Safety Commission	Ballinasloe	20
Bus Eireann	Mitchelstown	200

The functions of the National Safety Council were transferred to the Road Safety Authority on 1st September, 2006. Some ten posts from the Department's Road Haulage function and 40 Road Safety Authority Posts were decentralised to Loughrea and the move was completed in July 2007. Some nine of these 50 posts were filled by CAF applicants from Dublin with the

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remainder filled by CAF applicants from other locations. Decentralisation of an additional 62 Road Safety Authority posts (which were not part of the original Government decision) to Ballina was also achieved.

A minimum of 37 posts are required to decentralise to Drogheda. These were not part of the decentralisation decision announced in December 2003. Consideration was given to moving the full complement of maritime safety staff to Drogheda. However, a review was undertaken by my Department in the context of the Efficiency Review and the conclusion was that a combination of accident investigation functions and other safety-related areas to bring the numbers up to the total requirement of 37 posts might more usefully transfer to Drogheda for greater operation efficiencies and value for money. To-date no staff have decentralised to Drogheda and there is currently no target date for completion of this move.

At its meeting on 27 May the Government agreed to my proposals to relocate the Railway Safety Commission to Drogheda instead of Ballinasloe. The shortfall in numbers for Ballinasloe will be met by the National Roads Authority whose overall numbers have increased by 22 since decentralisation was announced. To-date no staff have decentralised to Ballinasloe from the NRA and there is currently no target date for completion of this move. The Irish Aviation Authority (IAA) has recruited 36 staff for Shannon and are now located there. There is currently no target date for the completion of the move. The 200 Bus Eireann posts to decentralise to Mitchelstown are now placed on the CIE Group. To-date no staff have decentralised to Mitchelstown from the CIE Group and there is currently no target date for completion of this move.

Compulsory Purchase Orders.

348. **Deputy Leo Varadkar** asked the Minister for Transport the State sponsored bodies, quangos and other agencies within the remit of his Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if he will make a statement on the matter. [32037/08]

Minister for Transport (Deputy Noel Dempsey): The following table lists the agencies operating under the aegis of my Department, which have powers to undertake compulsory purchase orders. The initiation of compulsory purchase orders by the various agencies is a day-to-day matter for the companies concerned and I have no function in relation to this matter.

Agencies with CPO powers

Dublin Airport Authority
 Irish Aviation Authority
 Córas Iompair Éireann
 Railway Procurement Agency
 National Roads Authority
 Port of Cork Company
 Dun Laoghaire Harbour Company
 Port of Waterford Company
 Dundalk Port Company
 Shannon/Foynes Port Company
 Galway Harbour Company
 Drogheda Port Company
 Dublin Port Company

Agencies with CPO powers

New Ross Port Company
Wicklow Port Company
Arklow Harbour Commissioners
Baltimore Harbour Commissioners
Bantry Bay Harbour Commissioners
Kinsale Harbour Commissioners
Kilrush Harbour Commissioners
Tralee and Fenit Pier and Harbour Commissioners
River Moy (Ballina) Harbour Commissioners
Westport Port and Harbour Commissioners
Wexford Harbour Commissioners
Youghal Harbour Authority

Road Network.

349. **Deputy Olivia Mitchell** asked the Minister for Transport if the final accounts for the Dublin Port tunnel have been settled; the full costs from planning to completion of the project; and if he will make a statement on the matter. [32074/08]

Minister for Transport (Deputy Noel Dempsey): As Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme element of Transport 21. The implementation of individual national road projects, including the Dublin Port Tunnel, is a matter for the National Roads Authority (NRA) under the Roads Act 1993 in conjunction with the local authorities concerned. In particular, the allocation of funding in relation to the construction or maintenance of national roads is a matter for the NRA under Section 19 of the Act. The construction of the Dublin Port Tunnel project was procured by Dublin City Council and funded through the NRA. I understand from the NRA that the estimated final outturn cost of the Tunnel remains at €751 million.

350. **Deputy Olivia Mitchell** asked the Minister for Transport the annual income of the Dublin Port tunnel; and if he will make a statement on the matter. [32075/08]

Minister for Transport (Deputy Noel Dempsey): As Minister for Transport I am responsible for policy and funding matters relating to the national road element of Transport 21. However, the detailed planning, design and implementation of all aspects of individual road improvement schemes including the Dublin Port Tunnel and the financial aspects of its operation are, under Section 17 of the Roads Act 1993 (as amended) a matter for the National Roads Authority (NRA) and the relevant local authorities concerned- in this case Dublin City Council.

351. **Deputy Olivia Mitchell** asked the Minister for Transport the number of vehicles using the Dublin Port tunnel in each year since it opened; and if he will make a statement on the matter. [32076/08]

Minister for Transport (Deputy Noel Dempsey): As Minister for Transport I have responsibility for overall policy and funding in relation to the national roads programme element of Transport 21. As the Deputy is aware, the implementation of individual national road projects is a matter for the National Roads Authority (NRA) under the Roads Act 1993 in conjunction with the local authorities concerned. In addition, I should point out that traffic management in

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general is a matter for the appropriate local authority. In the case of the Dublin Port Tunnel, that authority is Dublin City Council.

352. **Deputy Olivia Mitchell** asked the Minister for Transport the annual running costs of the Dublin Port tunnel in each year since it opened; and if he will make a statement on the matter. [32077/08]

Minister for Transport (Deputy Noel Dempsey): As Minister for Transport I am responsible for policy and funding matters relating to the national road element of Transport 21. However, the detailed planning, design and implementation of all aspects of individual road improvement schemes including the Dublin Port Tunnel and the financial aspects of its operation are, under Section 17 of the Roads Act 1993 (as amended) a matter for the National Roads Authority (NRA) and the relevant local authorities concerned- in this case Dublin City Council.

Public Transport.

353. **Deputy Olivia Mitchell** asked the Minister for Transport the amount of the subsidy to Dublin Bus per passenger trip for each of the past ten years; and if he will make a statement on the matter. [32078/08]

354. **Deputy Olivia Mitchell** asked the Minister for Transport the amount of the subsidy to DART per passenger trip for each of the past ten years; and if he will make a statement on the matter. [32079/08]

355. **Deputy Olivia Mitchell** asked the Minister for Transport the number of passenger carryings by Dublin Bus for each of the past ten years; and if he will make a statement on the matter. [32080/08]

Minister for Transport (Deputy Noel Dempsey): I propose to take Questions Nos. 353 to 355, inclusive, together.

The information sought by the Deputy is set out in the table.

The allocation of the Irish Rail subvention across Suburban, DART, other commuter and InterCity services is a matter for the company.

Year	Bus Atha Cliath		Subsidy per passenger	Iarnród Éireann		
	Subvention	Pax Nos.		Subvention	Pax Nos.	Subsidy per passenger
	(€m.)		€	(€m.)		€
1997	8,888	137.1m	0.064	117,451	29.40m	3.99
1998	11,294	137.5m	0.082	117,457	32.15m	3.65
1999	16,816	139.0m	0.12	119,292	32.77m	3.64
2000	41,189	134.2m	0.31	133,236	31.72m	4.20
2001	52,377	142.9m	0.37	146,020	34.21m	4.27
2002	56,063	146.6m	0.38	155,483	35.4m	4.39
2003	53,867	149.8m	0.36	168,257	35.56m	4.73
2004	61,810	149.8m	0.41	171,421	34.55m	4.96
2005	64,900	145.7m	0.44	179,991	37.65m	4.78
2006	69,845	146.3m	0.48	188,716	43.40m	4.35
2007	80,078	147.0m	0.54	189,910	45.50m	4.17

Rural Transport Services.

356. **Deputy Jack Wall** asked the Minister for Transport the number under the rural transport initiative of types of fare waiver that are available; and if he will make a statement on the matter. [32196/08]

Minister for Transport (Deputy Noel Dempsey): The Free Travel Scheme of the Department of Social and Family Affairs applies to services operated under the mainstreamed Rural Transport Programme. This is the only formal fare waiver type scheme in operation under the Programme.

Data Protection.

357. **Deputy Ruairí Quinn** asked the Minister for Transport the policies in place to secure portable electronic data devices in his Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in his Department; the date by which he expects a satisfactory security policy on portable electronic data devices to have been implemented; and if he will make a statement on the matter. [32411/08]

Minister for Transport (Deputy Noel Dempsey): I am informed by my Department's IT security team that we have a suite of security policies which include the security of portable electronic data devices. The appropriate elements of these policies are published internally for Departmental personnel use and they are not openly available to the public. Since October 2007, all data replicated from my Department's network to laptops is automatically encrypted. A system of whole disk encryption is not deemed necessary at this juncture. Data security measures are regularly reviewed in my Department in the light of changing circumstances. A review is currently underway and its findings are expected to be implemented by early 2009. This review will include, but not be limited to, the security policy for portable electronic data devices.

358. **Deputy Ruairí Quinn** asked the Minister for Transport the number of Department owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from his Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if he will make a statement on the matter. [32426/08]

Minister for Transport (Deputy Noel Dempsey): There have been eight instances of laptop computers, data storage devices and memory sticks that have been reported lost, missing or stolen from my Department to date in 2008. These instances included five laptops and three Blackberries. Of these, four laptops and one Blackberry were subsequently recovered. I have been assured by my officials that each incident has been investigated and that there is no evidence that any private or sensitive data was compromised as a result of these incidents.

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. 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.

School Transport.

359. **Deputy Terence Flanagan** asked the Minister for Transport his views regarding a request by a local authority (details supplied) in County Dublin for funding in respect of a pilot school transport service; and if he will make a statement on the matter. [32470/08]

Minister for Transport (Deputy Noel Dempsey): Officials from my Department, the Department of Education and Science and South Dublin County Council met on June 18 to discuss the possibility of progressing the Council's proposal. It was agreed that further work by the Council in the interests of broadening the scope of the proposal to include travel options other than motorised forms (for example, cycling and safe walking routes to school) would be welcome. I am informed that the Council will revert to my Department in due course. Any submission will have to be considered in the context of the current difficult financial position

Question No. 360 answered with Question No. 344.

Marine Accidents.

361. **Deputy Brendan Kenneally** asked the Minister for Transport the position regarding a report being undertaken in relation to a boat (details supplied) which sank earlier in 2008; when this report will be made available to the families; and if he will make a statement on the matter. [32556/08]

Minister of State at the Department of Transport (Deputy Noel Ahern): The Marine Casualty Investigation Board (MCIB) is currently investigating the circumstances that led to the sinking of the Strath Marie. The role of the MCIB, which is an independent body, is to investigate casualties such as this and to publish their findings. The MCIB will investigate all relevant matters pertaining to the sinking of the vessel. You will appreciate that it would be inappropriate for me to comment on any aspect of this case while it is still under investigation.

Decentralisation Programme.

362. **Deputy Joan Burton** asked the Minister for Transport the number of civil servants and other public servants in his Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if he will make a statement on the matter. [33066/08]

Minister for Transport (Deputy Noel Dempsey): No civil or other public servants decentralised from my Department up to 31 December 2006.

Immigration Procedures.

363. **Deputy Michael D. Higgins** asked the Minister for Justice, Equality and Law Reform if following the detention of a person (details supplied) at Cloverhill Prison overnight and being strip searched in front of prison officials although the person's paperwork was entirely in order and the person was merely seeking to travel to Limerick to visit relations, he has apologised to the person in question as well as to the Nigerian Ambassador who has voiced his concerns at the degrading way in which this person was treated upon arrival on Irish soil. [31885/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I would like to refer the Deputy to my answer to Parliamentary Question No. 179, which he put down for answer last Thursday, 25 September. In that reply I explained in detail that it is important to

have regard to the legal provisions that govern entry to the State of foreign nationals. In essence, those provisions provide that every person landing in the State, including the holder of a visa, is obliged, pursuant to the provisions of the Immigration Act 2004, to furnish to an immigration officer such information in such manner as an immigration officer may reasonably require for the purposes of the performance of his or her functions. It is also important to emphasise that a visa is merely a permission to present at the frontiers of the State, but it does not guarantee entry to the State. The State's position in this regard was in fact confirmed by the High Court as recently as 23 May 2008 (Emmanuel Omatayo James & Others -V- Minister for Justice, Equality and Law Reform).

Section 4 of the Immigration Act 2004, sets out the provisions whereby an immigration officer may give a non-national permission to land in the State. This section of the Act also sets out fourteen different circumstances in which an immigration officer, may, on behalf of the Minister, refuse to give a person a permission to land in the State, any one of which may give rise to a permission to land being refused. In performing his or her functions an immigration officer is obliged to have regard to all the circumstances of the non-national concerned. As I previously informed the House, I am satisfied that the Garda National Immigration Bureau dealt with the case of the person who is the subject of this Parliamentary Question in accordance with these provisions. I also wish to repeat that in the particular case concerned a significant factor in the immigration officer's decision was that when the applicant was being questioned he claimed he was visiting a named person he identified first as his brother and then as a cousin — when, in fact, they are not related. This fact was established when telephone contact was made with the named person.

Airports by their very nature are extremely busy locations with understandable demands to have passengers processed as quickly as possible. In such circumstances there is a particular pressure on immigration officials to ensure that the safety of the State and integrity of the immigration process is not compromised in any way. I have already informed the Deputy that some weeks before this particular incident arose there was a case at Dublin Airport in which a person purporting to be a cleric, was refused leave to land and subsequently admitted that he was not in fact a priest. Immigration officials have tough decisions to make on a daily basis to protect the State not only from illegal migrants, but terrorists and others who might have ulterior motives.

As regards the committal of the person concerned to Cloverhill Prison on 9 September, I think it is important for the avoidance of any doubt in the matter, that I set out again how he was dealt with while in the custody of the Prison authorities. I am informed that the individual was processed through Reception in line with standard practice and that when he was being searched by prison officers he would not have been in the line of sight of anyone else. Furthermore, he was also treated as all other committals in accordance with Irish Prison Rules. Such searching is entirely appropriate and necessary to ensure the security and safety of the prison and the health and safety of the individual concerned. In line with Standard Operational Procedures, the individual was seen on Landing D1 on the morning of 10 September as a new committal. I previously informed the House that the prison records indicate that the Rules and Regulations were explained to him and a phone card application was issued. No complaints were recorded. The person concerned also received two visitors while in Cloverhill Prison and was discharged to the custody of the Garda National Immigration Bureau on the evening of 10 September 2008.

I have no doubt but that the individual was very distressed by these unfortunate events. However, I want to emphasise that insofar as the Immigration and Prison authorities are con-

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cerned, I am satisfied that all the necessary legal and administrative procedures were fully complied with and that there was no question of any lack of courtesy or respect to the individual at any time.

Departmental Bodies.

364. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the number of equality and human rights organisations which are funded or part-funded by the Government; the funding paid by the State to these organisations; the organisations which the Government proposes to amalgamate or dispense with; the estimated savings to the Exchequer; and if he will make a statement on the matter. [32480/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I would refer the Deputy to my reply of 24 September 2008 to Parliamentary Question No. 768. The provision in the 2008 Estimates for the Equality Authority amounted to €5.9 million and, in respect of the Irish Human Rights Commission, the amount was €2 million.

Integration Strategy.

365. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the steps which he has taken in response to the European Parliament resolution of 31 January 2008 (details supplied); and if he will make a statement on the matter. [31935/08]

Minister of State at the Department of Justice, Equality and Law Reform (Deputy Conor Lenihan): The Resolution in question is directed towards the European Institutions and those Member States which have significant populations of Roma people. This would not be the case with Ireland. My general approach to integration is as set out in my statement on integration strategy and diversity management, Migration Nation, which published on 1 May last.

Road Traffic Offences.

366. **Deputy Thomas P. Broughan** asked the Minister for Justice, Equality and Law Reform the number of incidents of drug driving detected each year from 2002 to 2008; the number of convictions attained for each of these years from detected incidents; and if he will make a statement on the matter. [31967/08]

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.

Departmental Staff.

367. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform the bonuses awarded by his Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if he will make a statement on the matter. [32004/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I assume that the Deputy's Question relates to performance-related awards. There are two types of performance-

related schemes applicable to civil servants in Government Departments. Details of individual awards made under these schemes are not disclosed on the basis that they are confidential to the officials concerned. Senior civil servants at Assistant Secretary, Deputy Secretary and equivalent grades are covered by a high level scheme of performance-related awards. The operation of this scheme is overseen by a Committee for Performance Awards which is chaired by the Department of Finance.

The funding for awards is based on 10% of the payroll for the posts covered by the scheme. Within this overall limit, payments of up to 20% can be made to individuals. Details of the procedures of the scheme and further relevant information are outlined in annual reports of the Performance Awards Committee which are available on the website *www.finance.gov.ie*. The average award made under this scheme to Department staff for each of the years 2005, 2006 and 2007 was €10,490, €13,440, and €13,890 respectively. The performance-related awards scheme also applies to CEOs of agencies and Heads of Offices under the aegis of the Department of Justice, Equality and Law Reform. It also covers Assistant Commissioners and Deputy Commissioners in An Garda Síochána.

There is a separate scheme in place for grades below the level of Assistant Secretary. The total amount available for awards under this scheme cannot exceed 0.2% of the Department's payroll from sanctioned subheads. The total amount of awards allocated under this scheme in each of the years 2005, 2006 and 2007 was €110,320, €138,500 and €145,500 respectively. The maximum award made under the scheme in the years in question was €3,000, with a total of 25 awards over this period in the range €1,000 to €3,000. These cash awards, and those made under the high level performance-related awards scheme, are made through the payroll and are subject to appropriate tax and PRSI deductions. The Department also makes modest, non-cash awards in recognition of group/team performance. Typically, these awards amount to no more than €50 per head.

Decentralisation Programme.

368. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform if he will list in regard to his Department and State agencies or bodies operating under the aegis of his Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if he will make a statement on the matter. [32019/08]

403. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform the number of civil servants and other public servants in his Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if he will make a statement on the matter. [33062/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 368 and 403 together.

As the Deputy will be aware, my Department's decentralisation programme involves the relocation of over nine hundred posts from twelve agencies to seven provincial locations. I am pleased to report that significant progress has been made in the delivery of this programme. Five hundred and fifty decentralised posts have been filled, representing almost sixty percent

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of the total numbers and my Department has established a presence in all of the seven locations. The details requested by the Deputy in respect of the programme are set out in the attached table:

Office	Location	Target Date	Nos. Moved	Dublin Staff	Prov Staff
Data Protection Comm.	Portarlinton	Complete	23	20	3
Equality Tribunal	Portarlinton	2010	8	8	0
Garda Central Vetting Office	Thurles	2010	66	9	57
Fixed Charged Processing Office	Thurles	2010	67	10	57
Irish Naturalisation & Immigration Service	Tipperary	2010	60	9	51
Private Security Authority	Tipperary	Complete	41	12	29
Irish Prison Service	Longford	Complete	122	105	17
Property Registration Authority	Roscommon	2009	83	31	52
National Property Services Regulatory Authority	Navan	Complete	9	9	0
Garda Civilian Human Resources	Navan	Complete	38	30	8
Probation & Welfare Service	Navan	Complete	15	15	0
Coroners Service	Navan	Complete	3	3	0
Equality Authority	Roscrea	2010	15	7	8
Garda Siochana Ombudsman Commission	Roscrea	2010	0	0	0
Total			550	268	282

Compulsory Purchase Orders.

369. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform the State sponsored bodies, quangos and other agencies within the remit of his Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if he will make a statement on the matter. [32034/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I wish to inform the Deputy that none of the organisations referred to in his Question have the power to issue compulsory purchase orders.

Liquor Licensing Laws.

370. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support a matter (details supplied). [32047/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The position is that the Government Alcohol Advisory Group recommended in its Report that off-sales of alcohol be permitted only between 10.30 a.m. and 10.00 p.m. Section 4 of the Intoxicating Liquor Act 2008 gives effect to this recommendation by providing that it is unlawful for a licensee to sell any intoxicating liquor for consumption off the premises outside this period (12.30 p.m. and 10.00 p.m. on Sundays and St. Patrick's Day). This provision, which is widely supported, entered into force on 30 July 2008. I do not intend to bring forward any proposal to amend it.

Prisoner Releases.

371. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform the general policy of day release for prisoners attending FÁS training courses and working in community employment schemes; the number of prisoners attending these courses and schemes

each year from 2000 to date in 2008; the security provided in order to release these prisoners; the associated cost of providing this security; if prisoners are paid to attend these courses and schemes; if so, the amount of same; if prisoners are training and working alongside non-criminals; the statistical analysis or research his Department engages in to assess the effectiveness of prisoners attending these courses and schemes; if these prisoners enter the work force upon release from prison; and if he will make a statement on the matter. [32058/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Prisoners are not currently being released on day release to attend FÁS training courses, although I understand that such arrangements were in place some years ago. Statistics on the numbers of day release prisoners who participated in FÁS programmes and schemes in the past are not readily available as it would require the examination of each sentenced prisoner's file for the period covered by the Deputy's question. A very limited number of prisoners do attend employment and training programmes on a day release basis run by community and voluntary agencies such as PACE. There are no security costs arising in relation to these releases and the application of any scheme arrangements to the participating prisoners is a matter for the agencies concerned.

Discussions are currently taking place between FÁS, the Probation Service, the Irish Prison Service and the Linkage Programme with a view to agreeing referral protocols for both community based offenders and for those in custody. Only those prisoners who are assessed as being ready for employment if they successfully complete the FÁS training course will be considered for any such day release arrangements.

International research has shown that employment on release can significantly reduce the risk of re-offending. The Irish Prison Service places a strong emphasis on the provision of vocational training to prisoners to enable them to acquire the skills, competencies and accredited qualifications necessary to secure employment on release. The participation of appropriately selected prisoners on day release on FÁS employment service programmes will help support their successful re-entry into the community by providing further vocational and personal development interventions in a community setting.

Visa Applications.

372. **Deputy Michael McGrath** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for subsidiary protection and an application for a temporary visa to return home by a person (details supplied) in County Cork. [32059/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned applied for Asylum on 2 August 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 6 February 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 why she should be allowed to remain temporarily in the State. Representations have been submitted on behalf of the person concerned.

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 all representations submitted on her behalf for permission to remain temporarily in the State. On 28 August 2006, a Deportation Order was signed in respect of the person concerned. This Order was formally served by registered letter dated 9 March 2007. This communication also advised the person concerned of the coming into force of the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518

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of 2006) on 10 October 2006 and as the Deportation Order relating to the person concerned had not been served on the date the new Regulations took effect, the person concerned was notified of her entitlement to submit, if she so wished, an application for Subsidiary Protection in the State in accordance with the provisions of the new Regulations.

An application for Subsidiary Protection in the State was submitted on behalf of the person concerned 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. The Deputy might wish to note that while the Deportation Order referred to remains in force, this will not be effected pending the determination of the application for Subsidiary Protection.

In relation to the visa issue, the Deputy might wish to note the person concerned has, through her lodgement of an asylum application and appeal and more recently her application for Subsidiary Protection in this State, led the statutory independent refugee status determination bodies and my Department to believe that her position in her country of origin was intolerable and, as such, she has claimed that it is not safe for her to return there. Such a position would be entirely incompatible with the thrust of the Deputy's enquiry regarding a possible return home to her country of origin by the person concerned. Additionally, my Department would have no desire to prevent the person concerned from returning to her country of origin, however, as a person who is the subject of a valid Deportation Order, the person concerned would be precluded from obtaining a re-entry visa to facilitate her return to this State in the event that she decided to leave this State.

Juvenile Offenders.

373. **Deputy Michael McGrath** asked the Minister for Justice, Equality and Law Reform his views on approving an application in respect of a town (details supplied) in County Cork under the Garda youth diversion programme. [32072/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Garda Youth Diversion Projects are funded by my Department through the Irish Youth Justice Service. These projects are community-based, multi-agency crime prevention initiatives which seek to divert young people from becoming involved (or further involved) in anti-social and/or criminal behaviour by providing suitable activities to facilitate personal development, and promote civic responsibility and improve long-term employability prospects. By doing so, the projects also contribute to improving the quality of life within communities and enhancing Garda/community relations.

The Garda Commissioner brings forward proposals to me for the establishment of new Garda Youth Diversion Projects in locations selected on the basis of a variety of factors, including an increase in the level of juvenile crime in the area and the number of young people referred locally to the Juvenile Diversion Programme. There are currently 10 Projects operating in Co. Cork, the most recent of these was established in Togher in September of last year. In total, funding in excess of €970,000 has been allocated to projects operating in Co. Cork for 2008 to cover operating costs. I can confirm that an application to establish a Garda Youth Diversion Project in Carrigaline, Co. Cork has been received by the Garda Commissioner. This application is currently being assessed by An Garda Síochána and a decision will be made before year-end in the light of available resources.

Citizenship Applications.

374. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform the

position regarding an application for naturalisation in respect of a person (details supplied) in Dublin 11. [32084/08]

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 25 November 2004. Officials in that Section inform me that a letter requesting further documentation has been sent to the applicant on 8 July 2008. To date, no reply has been received. A reminder issued to the applicant’s legal representative on 29 September, 2008. Further processing of the application will commence once the documentation requested has been received.

Garda Stations.

375. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the number of garda stations that have been closed in Counties Cork, Kerry, Clare, Galway, Roscommon, Sligo, Mayo, Leitrim and Donegal in the past six years. [32095/08]

376. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the towns which have garda stations operating on a part-time basis only in Counties Cork, Kerry, Clare, Galway, Roscommon, Sligo, Mayo, Leitrim and Donegal. [32096/08]

377. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the towns which have gardaí operating alone in garda stations in Counties Cork, Kerry, Clare, Galway, Roscommon, Sligo, Mayo, Leitrim and Donegal. [32097/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 375 to 377, inclusive, together.

I am informed by the Garda authorities that no Garda Stations have been closed in the counties of Cork, Kerry, Clare, Galway, Roscommon, Sligo, Mayo, Leitrim and Donegal in the past six years. There is a proposal to merge the Garda Stations of Mallow Road and Watercourse Road in the Cork City Division included in the Annual Policing Plan for 2008. I am further informed by the Garda authorities that as of 31 August 2008, the latest date for which figures are readily available, the personnel strength and the opening hours of each Garda Station in the Divisions referred to by the Deputy are contained in the following table.

District: Anglesea Street	Strength	Monday-Friday	Saturday	Sunday
Anglesea Street	248	24 hours		
Barrack Street	25	9am – 1pm, 2pm – 6pm, 7pm – 10pm	9am – 1pm, 2pm – 6pm, 7pm – 10pm	10am – 1pm, 3pm – 6pm
Bridewell	21			
Blackrock	33	9am – 1pm, 2pm – 6pm, 7pm – 10pm	9am – 1pm, 2pm – 6pm, 7pm – 10pm	10am – 1pm, 3pm – 6pm

District: Gurrabraher	Strength	Monday-Friday	Saturday	Sunday
Gurrabraher	52	24 hours		
Blarney	15	10am – 1pm, 2pm – 6pm, 7pm – 10pm	10am – 1pm, 2pm – 6pm, 7pm – 10pm	10am – 1pm, 2pm – 6pm
Ballincollig	21	9am – 1pm, 2pm – 6pm, 7pm – 8pm	10am – 1pm, 2pm – 6pm	10am – 1pm, 2pm – 6pm
Rathduff	2	9am – 1pm	9am – 12md or 6pm – 9pm	9am – 12md or 6pm – 9pm

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District: Mayfield	Strength	Monday-Friday	Saturday	Sunday
Mayfield	48	24 hours		
Mallow Road	3	Members attached to Mayfield District deal with issues pertaining to Mallow Road		
Watercourse Road	57	9am – 6pm, 7pm – 10pm	9am – 6pm, 7pm – 10pm	10am – 2pm, 7pm – 10pm

District: Togher	Strength	Monday-Friday	Saturday	Sunday
Togher	55	24 hours		
Douglas	25	10am – 6pm or 7pm – 10pm	10am – 6pm or 7pm – 10pm	10am – 2pm
Bishopstown	25	9am – 1pm or 2pm – 8pm	9am – 1pm or 2pm – 8pm	10am – 1pm
Carrigaline	21	10am – 6pm	10am – 6pm	11am – 2pm
Passage West	4	10am – 1pm	10am – 1pm	10am – 1pm
Crosshaven	3	10am – 1pm	10am – 1pm	10am – 1pm

Cork North District: Fermoy	Strength	Monday-Friday	Saturday	Sunday
Fermoy	64	24 hours		
Mitchelstown	20	10am – 6pm	10am – 6pm	2pm – 5pm
Ballynoe	1	10am – 12 noon or 7pm to 8 pm according to how member is working		
Kilworth	1	10am – 12 noon or 7pm to 8 pm according to how member is working		
Kildorrery	1	10am – 12 noon or 7pm to 8 pm according to how member is working		
Castletownroche	2	10am – 12 noon or 7pm to 8 pm according to how members are working		
Rathcormack	1	10am – 12 noon or 7pm to 8 pm according to how members are working		
Ballyduff	2	10 am – 12 noon or 7 pm to 8 pm according to how member is working		

District: Cobh	Strength	Monday-Friday	Saturday	Sunday
Cobh	38	24 hours		
Carrig na Bhfear	2	8.30pm – 9.30pm	8.30pm – 9.30pm	8.30pm – 9.30pm
Carrigwohill	3	10am – 12 noon	10am 12 noon	10am – 12 noon
Glanmire	18	9am – 1pm 2pm – 6pm	9am – 1pm, 2pm – 6pm	12md — 1pm
Watergrasshill	1	4pm – 5.00pm	4pm – 5 pm	10am – 11pm
Glenville	1	Members attached to Cobh deal with issues pertaining to Glenville Station		

District: Middleton	Strength	Monday-Friday	Saturday	Sunday
Middleton	50	24 hours		
Ardmore	1	7.30pm – 9.30pm	7.30pm – 9.30pm	12md — 1pm
Youghal	22	8am – 10pm	8am – 10pm	8am – 10pm
Cloyne	1	7 pm – 9 pm	7 pm – 9 pm	12md — 1pm
Whitegate	1	4 pm – 6 pm	4 pm – 6 pm	12md — 1pm
Killeagh	2	4 pm – 6pm	4pm – 6pm	12md — 1pm
Ballycotton	1	11.am – 1pm	11 am – 1 pm	12md — 1pm

District: Mallow	Strength	Monday-Friday	Saturday	Sunday
Mallow	46	24 hours		
Buttevant	2	6 pm – 7 pm	6 pm – 7 pm	12md — 1pm
Doneraile	1	7.30pm – 8.30pm	7.30pm – 8.30pm	10.30am – 11.30am
Milford	1	12 noon — 1pm, 7pm – 8pm or 8pm – 9pm according to how member is working		
Charleville	15	10am 1.15pm, 2 pm – 5pm	10am – 5pm	12md — 1pm
Glantane	1	12 noon — 1pm, 7pm – 8pm or 8pm – 9pm according to how member is working		
Liscarroll	1	11 am – 12 noon or 7pm to 8pm according to how member is working		

Cork West District: Bandon	Strength	Monday-Friday	Saturday	Sunday
Bandon	84	24 hours		
Ballineen	1	10am – 1pm	10am – 1pm	10am – 1pm
Ballinhassig	2	10am – 1pm	10am – 1pm	10am – 1pm
Ballinspittle	0	10am – 1pm	10am – 1pm	10am – 1pm
Ballyfeard	1	10am – 1pm	10am – 1pm	10am – 1pm
Innishannon	1	10am – 1pm	10am – 1pm	10am – 1pm
Kilbrittan	1	10am – 1pm	10am – 1pm	10am – 1pm
Kinsale	15	10am – 6pm	10am – 6pm	10am – 6pm
Timoleague	1	10am – 1pm	10am – 1pm	10am – 1pm

District: Bantry	Strength	Monday-Friday	Saturday	Sunday
Bantry	35	24 hours		
Adrigole	1	10am – 1pm	10am – 1pm	10am – 1pm
Ballydehob	1	10am – 1pm	10am – 1pm	10am – 1pm
Castletownbere	4	10am – 2pm	10am – 2pm	10am – 2pm
Drimoleague	1	10am – 2pm	10am – 2pm	10am – 2pm
Durrus	1	10am – 2pm	10am – 2pm	10am – 2pm
Glengarrif	1	10am – 2pm	10am – 2pm	10am – 2pm
Goleen	1	10am – 2pm	10am – 2pm	10am – 2pm
Kealkil	1	10am – 1pm	10am – 1pm	10am – 1pm
Schull	2	10am – 1pm	10am – 1pm	10am – 1pm

District: Clonakilty	Strength	Monday-Friday	Saturday	Sunday
Clonakilty	29	24 hours		
Ballygurteen	0	Members attached to Baltimore deal with issues pertaining to Ballygurteen		
Baltimore	1	10am – 1pm	10am – 1pm	Closed
Castletownsend	1	10am – 1pm	10am – 1pm	Closed
Drinagh	0	10am – 1pm	10am – 1pm	Closed
Dunmanway	9	10am – 1pm	10am – 1pm	10am – 1pm
Roscarbery	2	10am – 1pm	10am – 1pm	Closed
Skibbereen	10	10am – 1pm	10am – 1pm	Closed

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District: Kanturk	Strength	Monday-Friday	Saturday	Sunday
Kanturk	31	24 hours		
Ballydesmond	0	6.30pm – 8.30pm	6.30 – 8.30pm	Closed
Boherbue	1	2.30pm – 4.30pm	2.30pm – 4.30pm	Closed
Knocknagree	1	3pm – 5pm	3pm – 5pm	Closed
Meelin	1	6.30pm – 8.30pm	6.30pm – 8.30pm	Closed
Millstreet	9	10am – 1pm	10am – 1pm	10am – 1pm
Newmarket	4	10.30am – 12.30pm	10.30am – 12.30pm	Closed
Rathmore	1	2.30pm – 4.30pm	2.30pm – 4.30pm	Closed

District: Macroom	Strength	Monday-Friday	Saturday	Sunday
Macroom	38	24 hours		
Ballingeary	1	10am – 1pm	10am – 1pm	Closed
Ballyvourney	2	10am – 1pm	10am – 1pm	Closed
Coachford	2	10am – 1pm	10am – 1pm	Closed
Crookstown	6	10am – 1pm	10am – 1pm	Closed
Inchigeela	1	10am – 1pm	10am – 1pm	Closed
Stuake	1	10am – 1pm	10am – 1pm	Closed
Tarelton	1	10am – 1pm	10am – 1pm	Closed

Kerry District: Tralee	Strength	Monday-Friday	Saturday	Sunday
Tralee	111	24 hours		
Ardfert	3	4pm – 5pm	4pm – 5pm	Closed
Fenit	1	11am – 12md	11am – 12md	Closed
Abbeydorney	1	3pm – 4pm	3pm – 4pm	Closed
Dingle	9	10am – 6pm	10am – 6pm	12md – 1pm
Clochan	1	4pm – 5pm	4pm – 5pm	Closed
Castlegregory	2	2.30 – 3.30pm	2.30 – 3.30pm	Closed
Annascaul	1	10.30am – 11.30am	10.30am – 11.30am	Closed
Ballyferriter	1	4.30pm – 5.30pm	4.30pm – 5.30pm	Closed
Camp	1	12md – 1pm	12md – 1pm	Closed

District: Caherciveen	Strength	Monday-Friday	Saturday	Sunday
Caherciveen	23	24 hours		
Ballinskelligs	1	10am – 12md	10am – 12md	Closed
Valentia Island	1	10am – 12md	Closed	Closed
Glenbeigh	2	10am – 12md	Closed	Closed
Portmagee	1	10am – 12md	Closed	Closed
Killorglin	13	9am – 5pm	9am – 5pm	9am – 5pm
Waterville	2	9am – 1pm	9am – 1pm	Closed
Sneem	2	10am – 12md	10am – 12md	Closed
Castlemaine	1	10am – 12md	10am – 12md	Closed

District: Killarney	Strength	Monday-Friday	Saturday	Sunday
Killarney	65	24 hours		
Kilgarvan	1	10am – 1pm	Closed	Closed
Kenmare	9	9am – 5pm	9am – 5pm	12md – 2pm
Castleisland	13	11am – 3pm 8pm – 9.30pm	11am – 3pm 8pm – 9.30pm	11am – 3pm 8pm – 9.30pm
Farranfore	2	10am – 1pm	Closed	Closed
Barraduff	1	10am – 1pm	10am – 1pm	Closed
Beaufort	1	10am – 1pm	10am – 1pm	10am – 1pm
Lauragh	1	10am – 1pm	10am – 1pm	12md – 2pm

District: Listowel	Strength	Monday-Friday	Saturday	Sunday
Listowel	42	24 Hours		
Ballyheigue	2	10am – 1pm	10am – 1pm	12md – 2pm
Ballylongford	1	10am – 1pm	10am – 1pm	Closed
Ballybunion	9	9.30am – 5.30pm	9.30am – 5.30pm	12md – 2pm
Ballyduff	1	10am – 1pm	10am – 1pm	12md – 2pm
Brosna	1	10am – 1pm	10am – 1pm	12md – 2pm
Knocknagoshall	1	10am – 1pm	10am – 1pm	12md – 2pm
Lixnaw	1	10am – 1pm	10am – 1pm	12md – 2pm
Moyvane	2	10am – 1pm	10am – 1pm	12md – 2pm
Tarbert	2	10am – 1pm	10am – 1pm	12md – 2pm

Clare District: Ennis	Strength	Monday-Friday	Saturday	Sunday
Ennis	123	24 Hours		
Crusheen	1	10am – 1pm	10am – 1pm	12md – 2pm
Lissycasey	1	10am – 1pm	10am – 1pm	12pm – 2pm
Newmarket On Fergus	4	10am – 1pm, 2pm – 6pm	10am – 1pm, 6pm – 9pm	10am – 1pm, 6pm – 9pm
Quin	1	10am – 1pm	10am – 1pm	12pm – 2pm
Shannon	67			
Sixmilebridge	3	10am – 1pm, 2pm – 6pm	10am – 1pm, 6pm – 9pm	10am – 1pm, 6pm – 9pm

Garda Strength.

378. **Deputy John Deasy** asked the Minister for Justice, Equality and Law Reform the number of gardaí per 1000 of population in Cork, Dublin, Limerick, Galway and Waterford for the years 2006 and 2007. [32104/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I have requested the detailed information from the Garda Commissioner and I will contact the Deputy when it is to hand.

Crime Prevention.

379. **Deputy Michael Creed** asked the Minister for Justice, Equality and Law Reform the reason he proposes to discontinue funding the community alert programme and particularly the consequences of same for the national strategy for community alert for the period 2007 to

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2011 which was launched in October 2007; and if he will make a statement on the matter. [32123/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regard the work of Community Alert as important. In recent years, my Department has provided funding to Muintir na Tíre for the Community Alert Programme of €150,000 in 2004, €120,000 in 2005, €175,000 in 2006 and €200,000 in 2007. The funding covered costs associated with running the Programme, including salaries, travel and subsistence, staff training and administration. Funding was also provided by the Health Service Executive.

In 2008, Community Alert has received from my Department funding of €100,000 to date and has recently requested further funding. My Department has requested information on its current financial position and details of projected expenditure and funding requested for the remainder of the year. On receipt of this information, my Department will consider what assistance it might be in a position to make available to Community Alert in the context of any resources available.

Road Traffic Offences.

380. **Deputy Fergus O'Dowd** asked the Minister for Justice, Equality and Law Reform if a refund will be granted to a person (details supplied) in Dublin 9; and if he will make a statement on the matter. [32126/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that a fixed charge notice was issued to the person concerned on the 10 October, 2006 and a payment was subsequently made. This notice has since been invalidated by the Garda Fixed Charge Processing Office, and a refund will issue to the person concerned shortly.

Residency Permits.

381. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected status of a person (details supplied) in County Meath; and if he will make a statement on the matter. [32207/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I have been informed by the Immigration Division of my Department that no application for residency or permission to remain in the State has been received from the person referred to by the Deputy. The Immigration Division of my Department has written to the person concerned asking for her future intentions in the State.

382. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status and re-issue of green card in the case of a person (details supplied) in County Offaly; and if he will make a statement on the matter. [32208/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I refer the Deputy to Parliamentary Question No. 828 of Tuesday, 17 June 2008 and the written Reply to that Question. The person concerned applied for asylum on 8 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 29 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 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 relation to the possible re-issue of a Green Card to the person concerned, the Deputy might wish to note that, according to my Department's records, the person concerned has never had legal residency in the State and, as such, he is not a person to whom a Green Card would ever have been issued.

383. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to the residency application in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [32209/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I have informed by the Immigration Division of my Department that they have recently been in contact with the person referred to by the Deputy in relation to their residency application.

384. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to the 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. [32210/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned entered the State in May of 2005 on a Visa issued to enable him to join his father who had already been granted permission to remain in the State on the basis of his parentage of an Irish born child. Permission to remain in the State with stamp 4 status was subsequently granted to the person concerned by the Garda National Immigration Bureau for a period of two years, renewed for a further twelve month period expiring on 21 September, 2008. The person concerned was informed by the GNIB that in order to be granted any further renewal of his permission to remain, he must apply to my Department.

The records of my Department indicate that a renewal application has not been received. The person concerned should apply in writing to the IBC Unit, INIS, PO Box 10003, Dublin 2. An application in this regard will be considered by the relevant officials when received and the person concerned will be contacted directly and notified of any decisions made.

385. **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 Dublin 24; and if he will make a statement on the matter. [32211/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I wish to inform the Deputy that the person in question was granted permission to remain in the State in 2001, on the basis of his being the parent of an Irish citizen child. The person concerned currently has permission to remain in the State, under Stamp 4 conditions, until 22 September, 2010.

386. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to residency status and update of stamp four in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [32213/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am pleased to inform the Deputy that the permission of the person in question to remain in the State under the revised arrangements for non-EEA parents of children born in Ireland prior to 1st January,

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2005, known as the IBC/05 Scheme, has been renewed until 19th December, 2010. I have arranged for officials within my Department to re-issue the letter informing the person concerned of this decision.

Visa Applications.

387. **Deputy Tony Gregory** asked the Minister for Justice, Equality and Law Reform when a decision will be made on the visa application of a person (details supplied); and if he accepts responsibility for the loss of a passport sent to his Department by registered post on 19 March 2008 by the person's legal representative. [32242/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person referred to made an application for residence in the State on the basis of his marriage to an Irish national. The application is currently under consideration and the Naturalisation and Immigration Service of my Department will contact the person in question shortly. My Department has accepted responsibility for the loss of the passport in question which was sent by registered post on 19 March 2008. Correspondence has issued to the person concerned on 25 September 2008 in this regard.

Garda Stations.

388. **Deputy Brendan Howlin** asked the Minister for Justice, Equality and Law Reform if he is satisfied with conditions for gardaí employed at Wexford Garda station; when the new Wexford Garda station will be available for occupation; and if he will make a statement on the matter. [32363/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The programme of replacement and refurbishment of Garda accommodation around the country is based on agreed priorities established by An Garda Síochána in consultation with the Garda representative associations. The programme is progressed by the Garda authorities working in close cooperation with the Office of Public Works, which has responsibility for the provision and maintenance of Garda accommodation.

I am informed by the Garda Authorities that a two acre site at Rocksborough Road, Wexford has been acquired for the new Garda Divisional Headquarters. Funding for capital works is a matter for the Office of Public Works and priorities, including Wexford, will be considered in the light of available resources and in the context of the Garda Accommodation Strategy which is currently being developed. I am also advised by the Garda authorities that, pending the development of a new Divisional Headquarters in Wexford, some remedial works have been completed on the existing station. Further remedial works are being planned including the provision of suitable additional temporary space at the existing station to improve the accommodation for members.

Data Protection.

389. **Deputy Ruairí Quinn** asked the Minister for Justice, Equality and Law Reform the policies in place to secure portable electronic data devices in his Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in his Department; the date by which he expects a satisfactory security policy on portable electronic data devices to have been implemented; and if he will make a statement on the matter. [32408/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): My Department has issued an Information and Communications Technology Acceptable Usage Policy to all staff of the Department and its associated agencies. The Policy has been placed on my Department's Intranet where it can be viewed by all staff. I can also inform the Deputy that all new laptops issued by my Department are encrypted and that all older laptops were recalled for encryption at the beginning of the summer.

Residency Permits.

390. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for leave to remain in the State in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [32429/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned applied for asylum on 16 May 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 31 May 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 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, before the file is passed to me for decision.

Registration of Title.

391. **Deputy Bernard Allen** asked the Minister for Justice, Equality and Law Reform the arrangements in place between the Land Registry and an Indian company in relation to the registration of deeds for the Munster area; the details of the arrangement that is in existence; and the way the arrangement is working. [32435/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I can inform the Deputy that the Property Registration Authority (PRA) does not have any arrangements in place for the registration of deeds for Munster (or any other area) with any third party. All deeds for registration in the Land Registry are processed by staff of the PRA. The Deputy may wish to note, however, that the PRA is currently engaged in a process of converting the Register into a fully electronic format, including the digitisation of maps and the capture of data concerning existing scanned records. As part of the PRA's Digital Mapping Project, the conversion of the Land Registry's paper maps into digital form is being undertaken through a contract with a company based in the United Kingdom. The digitisation element of the project is being carried out by a company located in India.

Under a separate contract, the latter company is also undertaking data capture involving the re-keying and conversion of information contained in existing scanned records into a new electronic format. A comprehensive Quality Assurance (QA) programme is carried out by PRA personnel and the work undertaken under both contracts is done to a very exacting standard. The Digital Mapping Project commenced in 2005 and is scheduled for completion in 2010, while the data capture exercise is scheduled for completion in 2009. Both contracts were awarded after extensive tendering exercises carried out under EU procurement rules and I understand that and both projects are proceeding very satisfactorily.

Drug Seizures.

392. **Deputy Terence Flanagan** asked the Minister for Justice, Equality and Law Reform if he will respond to a query (details supplied); and if he will make a statement on the matter. [32465/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am sure that the Deputy can fully appreciate that An Garda Síochána does not, as a matter of policy and on grounds of security, disclose information relating to the security arrangements which are in place at national installations. I can inform the Deputy however in relation to this matter that it is the Customs Service of the Office of the Revenue Commissioners which has primary responsibility for the prevention, detection, interception and seizure of controlled drugs at their point of importation. The service has particular responsibility for implementing import controls at points of entry to the State, specifically, at ports, airports (including licensed airfields) and on the land frontier.

An Garda Síochána continues to cooperate fully with the Customs Service in preventing drugs entering the State. Operations are conducted on an intelligence-led basis utilising the resources of national, local and specialised units where appropriate to ensure the most effective application of personnel and other resources. Inherent in the planning and execution of such operations is a risk assessment of vulnerable locations. I am further informed that An Garda Síochána has recently launched an ‘Air-watch’ initiative, in cooperation with the Customs Service, specifically targeting aerodromes and their environs. Garda management will continue to keep the situation under review in collaboration with the Customs Service to ensure that a robust and effective law enforcement response is put in place to counteract suspected illegal activities.

Liquor Licensing Laws.

393. **Deputy Terence Flanagan** asked the Minister for Justice, Equality and Law Reform his plans to introduce legislation to deal with loopholes in the liquor licensing laws which allow off-licences to continue to offer distance sales and home delivery services; and if he will make a statement on the matter. [32466/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): There is no such loophole. As the Government Alcohol Advisory Group pointed out in its Report, it is already an offence under Section 17(3) of the Intoxicating Liquor Act for a licensee, with intent to evade the conditions of the licence, to take intoxicating liquor from the premises to which the licence refers for the purpose of its being sold on the account or for the benefit or profit of the licence, or to permit any other person to do so.

Section 31 of the Intoxicating Liquor Act 1988 (as amended) provides for offences relating to the sale and delivery of alcohol products to persons under the age of 18 years. Under section 31(2) it is an offence for a license holder to sell or deliver, or permit any other person to sell, or deliver, intoxicating liquor for consumption by a person under the age of 18 years in any place except with the explicit consent of the persons’ parent or guardian in a private residence in which he or she is present either as of a right, or with permission. As an additional precaution, during the discussions leading up to the enactment of the Intoxicating Liquor Act 2008, earlier this year I undertook to examine the possible need for a provision to prohibit third parties for conveying intoxicating liquor for reward from licensed premises to customers. This matter is being examined in the context of the forthcoming Sale of Alcohol Bill.

Garda Deployment.

394. **Deputy Terence Flanagan** asked the Minister for Justice, Equality and Law Reform the number of community gardaí attached to two garda stations (details supplied) in County Dublin; and if he will make a statement on the matter. [32467/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The information requested by the Deputy is contained in Parliamentary Question 755 of 24 September 2008. The position remains unchanged.

Crime Prevention.

395. **Deputy Martin Ferris** asked the Minister for Justice, Equality and Law Reform his views on the broken windows theory of crime prevention; and if the Garda has given it consideration or planned to implement it on a trial basis. [32489/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): A basic point made by Wilson and Kelling in their 1982 article Broken Windows is that fixing problems when they are small is the most successful strategy. I believe that the Joint Policing Committees provided for in the Garda Síochána Act 2005 can make a significant contribution to addressing problems which communities face. The Committees provide a forum where An Garda Síochána and the local authority — the two organisations which make the most significant contribution to preventing and tackling crime in a specific area — can get together in a regular and structured way, with the participation of members of the Oireachtas and community and voluntary interests, to consult with each other, discuss and make recommendations on matters affecting the area.

On 24 September I launched, with my colleague the Minister for the Environment, Heritage and Local Government, the roll out of the Committees from the current pilot phase in 29 local authority areas to all 114 local authority areas. An Garda Síochána and the relevant local authorities will now commence establishing the Committees in accordance with new Guidelines. I strongly believe that the Committees meet an identified need and have great potential to ensure that policing is responsive to local needs.

I am informed that the work of an internal Garda working group established by the Commissioner to develop a model of community policing for both urban and rural community policing is well advanced. Engagement with the community is a key priority of An Garda Síochána, and community policing is constantly being reviewed and developed.

Garda Recruitment.

396. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform the upper age limit of a person applying to join An Garda Síochána; if this age limit applies to persons who have served in the Garda Reserve and the Defence Forces; if his attention has been drawn to the fact that other countries have much higher age limits; and if he will make a statement on the matter. [32500/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Garda Síochána (Admissions and Appointments)(Amendment) Regulations 2004 (S.I. No. 749 of 2004) set the maximum age for recruitment to An Garda Síochána for all applicants, irrespective of service elsewhere, at 35 years. This maximum age was recommended by the Garda Commissioner taking into account the training and operational requirements of the Force and all the relevant legislation. There are currently no proposals to increase the age limit.

Visa Applications.

397. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform the status of a visa application from a person (details supplied). [32501/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The visa application referred to by the Deputy was created on-line through the Department's Automated Visa Application Tracking System (AVATS) on 9 September 2008. Supporting documentation was submitted to the Visa Office, Beijing, on 16 September 2008 and the application is currently being considered by a Visa Officer. Where all the required documentation has been submitted I would expect a decision in the near future.

Mitigation Petitions.

398. **Deputy John Perry** asked the Minister for Justice, Equality and Law Reform if he will intercede and have the fine imposed on a person (details supplied) in County Sligo reduced to a lower level; and if he will make a statement on the matter. [32549/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): No petition or application to open a petition is currently on hand for consideration by me in respect of the person referred to by the Deputy. I have arranged to forward to the Deputy the appropriate application form which should be completed and returned to my office by the person concerned. I should, however, bring to the Deputy's attention the fact that the 1995 High Court Judgement on petitions stated that the power of clemency which I may exercise must be used sparingly and only in special and exceptional circumstances.

Residency Permits.

399. **Deputy Ruairí Quinn** asked the Minister for Justice, Equality and Law Reform the reason the fee payable to register with the Garda National Immigration Bureau was recently raised by 50%, from €100 to €150; the further reason there was no consultation with the relevant institutions concerned, particularly the Higher Education Authority and the Department of Education and Science; the proposed areas to be covered by the funds raised through this increase in fees; the specific border control reasons cited by his Department in defence of this price increase; the reason students need to provide original documents from banks indicating that they have €1,000 in their accounts and to provide details as to the way in which this figure was calculated; and if he will make a statement on the matter. [32557/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Section 19(1)(a) of the Immigration Act, 2004 provides that for the giving of a permission (to reside in the State) a fee is payable by a non-national of such amount as may be prescribed by the Minister for Justice, Equality and Law Reform with the consent of the Minister for Finance. The consent of the Minister for Finance to revise the registration fee from €100 to €150 was obtained.

The revised fee of €150 is effective in respect of all registrations applied for on or after 23 August 2008. The following classes of persons are not required to pay the fee: Convention Refugees; Persons who have been reunified with such refugees under section 18 of the Refugee Act 1996; Persons who are under 18 years of age at the time of registration; Spouses, widows and widowers of Irish citizens; Spouses and Dependants of EU nationals who receive a residence permit under EU Directive 38/04; Programme Refugees, as defined by section 24 of the Refugee Act 1996.

Non-EEA nationals who register with an immigration officer receive a secure residence document in the form of a certificate of registration (registration card). The provision of such

high quality secure documents is an expensive process. The costs involved include the actual cost of the card itself which includes several security features (including a biometric chip), administrative work by registration officers in the form of checking of documentation and capture of registration details and a state of the art computerised registration system operated by the Garda National Immigration Bureau. The practice internationally is to charge for the issuing of resident permits.

Since 19 August last, this registration system has been enhanced by the commencement of the roll out of a fingerprinting system for all persons who are required to obtain permission to reside in the State. Non-nationals who register from that date will have at least two fingerprints taken and these will be embedded in the biometric chip on the registration card. The costs of providing this system and the administrative costs associated with running it are substantial and this is reflected in the increased fee. An element is also included to reflect the change in inflation since the fee was introduced over 2 years ago.

Section 4(10) of the Immigration Act 2004 provides that an immigration officer, in performing his or her functions under the Act, shall have regard to all the circumstances of a non-national who is proposing to enter the State, including his or her income, earning capacity and other financial resources as well as the financial needs, obligations and responsibilities which he or she has or is likely to have into the foreseeable future. Other matters that an immigration officer will have regard to include the purpose and duration of the visit to the State and whether the non national has any family connections in the State. Insofar as students are concerned, an immigration officer will require details of the course to be attended and that any fees due have been paid. It also follows that a non-national who is arriving in the State to begin a course of study should have access to funding while he or she establishes himself or herself, by securing part time employment for instance. The figure of €1,000 mentioned by the Deputy is a guideline only in this regard. The actual financial situation of the non-national will be considered as part of the wider assessment process set out above.

Citizenship Applications.

400. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform when an examination for naturalisation will be completed in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [32589/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I can inform the Deputy that I will be making a decision on this application shortly.

Residency Permits.

401. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for leave to remain in the State in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [32590/08]

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 until 23 July 2011. This decision was conveyed in writing to the person concerned by letter dated 23 July 2008.

402. **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 Dublin 15; and if he will make a statement on the matter. [32593/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I have been informed by the Immigration Division of my Department that a decision was made in relation to the immigration status of the person referred to by the Deputy and she was informed of that decision in writing on the 24th September 2008.

Question No. 403 answered with Question no. 368.

Anti-Racism Measures.

404. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to complaints by Tourism Ireland that foreign tourists holding the appropriate entry permissions have faced racial harassment and discrimination from immigration staff at Dublin Airport; his views on these complaints; his plans to address the issue; and if he will make a statement on the matter. [31887/08]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I can confirm that Tourism Ireland has not made any complaints to my Department along the lines described by the Deputy. As regards immigration generally, every person landing in the State, including the holder of a visa, is obliged, pursuant to the provisions of section 11 (2) of the Immigration Act 2004, to furnish to an Immigration Officer such information in such manner as an Immigration Officer may reasonably require for the purposes of the performance of his or her functions. The fact that a visa is a permission to present at the frontiers of the State but does not guarantee entry to the State, was confirmed by the High Court as recently as 23 May 2008 (Emmanuel Omatayo James & Others -V- Minister for Justice, Equality and Law Reform).

Section 4 of the Immigration Act 2004, provides for an Immigration Officer to authorise a non-national to land in the State. Section 4(3) enumerates fourteen (14) circumstances in which an Immigration Officer, may, on behalf of the Minister, refuse to give a person a Permission to Land in the State. The circumstances, any one of which may give rise to a permission to land being refused, include, the fact that there is reason to believe that the non-national intends to enter the State for purposes other than those expressed by the non-national.

The above-mention High Court Judgement also decided that, as well as there being a requirement on the part of a visa holder to satisfy an Immigration Officer that he/she qualifies for admission to the State, the officer concerned must satisfy himself/herself that a person in possession of a visa in fact qualifies for admission to the State. In performing his or her functions under the Immigration Act 2004, an Immigration Officer is obliged, pursuant to the provisions of the Act, to have regard to all the circumstances of the non-national concerned known to the officer or represented to the officer by him or her. In the region of 3,000 persons are refused permission to enter the State at Dublin airport each year, representing 0.012% of the throughput of passengers using that airport (circa 25 million passengers per annum). Clearly, therefore, the vast majority of travellers provide the necessary information and documentation to Immigration Officers which allows for permission to enter the State to be granted.

Personnel engaged in immigration control duties are tasked with detecting illegal immigration, with a view to protecting the State from terrorism and other forms of criminality, while processing millions of passengers. Given the wide range of tactics being utilised by persons attempting to enter the State illegally, immigration officers are required to be vigilant and satisfied that the intentions of passengers are bona fide. Every possible effort is made to fulfil this task in a courteous and efficient manner that causes the least possible inconvenience to everybody concerned.

Emigrant Support Services.

405. **Deputy Michael Ring** asked the Minister for Foreign Affairs if he will ensure that the funding allocation for an organisation (details supplied) will be continued. [32564/08]

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.

Decentralisation Programme.

406. **Deputy Joan Burton** asked the Minister for Foreign Affairs the number, in relation to the decentralisation of Irish Aid, of officials from his Department who have relocated to Limerick; the number of experts, whether contract or permanent staff who have relocated to Limerick; the proportion of the total Irish Aid staff who have been relocated; the number and the proportion of pre-decentralisation Irish Aid staff who left his Department or Irish Aid as a result of the decentralisation; the number and the proportion of pre-decentralisation Irish Aid experts, whether contract or permanent staff, who left his Department or Irish Aid as a result of the decentralisation; and if he will make a statement on the matter. [31988/08]

408. **Deputy Joan Burton** asked the Minister for Foreign Affairs if he will list in regard to his Department and State agencies or bodies operating under the aegis of his Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if he will make a statement on the matter. [32017/08]

412. **Deputy Joan Burton** asked the Minister for Foreign Affairs the number of civil servants and other public servants in his Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if he will make a statement on the matter. [33059/08]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): I propose to take Questions Nos. 406, 408 and 412 together.

[Deputy Peter Power.]

Under the Government's decentralisation programme announced in 2003, 125 posts attached to the Development Cooperation Division of the Department of Foreign Affairs would decentralise to Limerick. The Division is the Headquarters of Irish Aid. Following sanction of an additional 20 posts by the Department of Finance in 2005, the total number of posts attached to Irish Aid Headquarters increased to 145. Of these, 138 are transferring to Limerick. There are currently 80 officials based in interim office premises in Limerick. I expect that the decentralisation of Irish Aid will be completed by November 2008.

Of the 108 staff assigned to Irish Aid at the time decentralisation was announced, 14%, or 15 officials, were transferred to other areas of the Department or to other Departments as a direct result of decentralisation. It is in the nature of the work of the Department that staff transfer between Divisions at HQ, and indeed to Embassies abroad, on a regular basis. This routine rotation accounts for the balance of the staff transfers from Irish Aid. While a small number of specialist or technical staff have left Irish Aid in recent years, none of these was a direct result of decentralisation. The detailed information requested by the Deputy is conveyed in tabular format below:

Decentralisation of Irish Aid to Limerick as at end September 2008

	Number
Number of staff already transferred to Irish Aid Limerick	80
As a proportion of 138 posts to transfer	58%
As a proportion of 145 posts at Irish Aid Headquarters	55%
Number of staff transferred to Irish Aid Limerick by December 2006	0
Number of specialist and technical staff transferred to Irish Aid Limerick	11
Number of staff relocated from Dublin	58
As a proportion of total staff relocated	73%
Number of staff relocated from other locations	17
As a proportion of total staff relocated	21%
Number of staff recruited directly for Limerick	56%
As a proportion of total staff relocated	6%

Departmental Staff.

407. **Deputy Joan Burton** asked the Minister for Foreign Affairs the bonuses awarded by his Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if he will make a statement on the matter. [32002/08]

Minister for Foreign Affairs (Deputy Micheál Martin): The Department of Foreign Affairs implements the following schemes involving awards to staff: the Scheme of Performance Related Pay Awards (for officers at the level of Deputy Secretary and Assistant Secretary) and the Exceptional Performance Awards Scheme. The Scheme of Performance Related Pay Awards in the Civil Service applies to Deputy and Assistant Secretaries and equivalent grades. It does not apply to Secretaries General. During 2005, awards totalling €520,000 were made to 45 participating out of a total of 49 eligible officers at Deputy Secretary and Assistant Secretary levels in respect of their performance in 2004. The average amount paid was therefore €11,556.

During 2006, awards totalling €532,000 were made to 46 participating out of a total of 51 eligible officers at Deputy Secretary and Assistant Secretary levels in respect of their performance in 2005. The average amount paid was therefore €11,565.

During 2007, awards totalling €609,000 were made to 45 participating out of a total of 49 eligible officers at Deputy Secretary and Assistant Secretary level in respect of their performance in 2006. The average amount paid was therefore €13,533. These payments were subject to tax and PRSI. The awards were made by the Committee for Performance Awards, chaired by the Secretary General for Public Service Management and Development in the Department of Finance, following recommendations by the Secretary General of the Department of Foreign Affairs.

Details of the operation of the Performance Related Pay Awards scheme are available in the reports of the Committee for Performance Awards for the years concerned, and can be accessed on the website of the Department of Finance at the following links:

- <http://www.finance.irlgov.ie/documents/publications/other/commforperfawardannrep.pdf>; <http://www.finance.gov.ie/documents/civilservice/civilservice/CPA2005.pdf>; and
- <http://www.finance.gov.ie/documents/publications/reports/CPArep2006.pdf>

Under the Department of Foreign Affairs' Administrative Budget Agreement with the Department of Finance, a fund amounting to 0.2% of the Department's salaries budget is available each year to the Secretary General in respect of ex-gratia payments or other awards to individual staff members or groups of staff, by way of recognition of exceptional performance of duty. In 2005, €103,650 was spent under this scheme, with awards going to 239 officers out of a total of 1286. The average award was €434.

In 2006, €120,150 was spent under this scheme, with awards going to 228 officers out of a total of 1370. The average award was €527. In 2007, €88,500 was spent, with awards going to 225 officers out of a total of 1450. The average award was €393. This scheme is administered by a sub-group of the Department's Partnership Committee, which assesses nominations for merit awards and makes recommendations to the Secretary General of the Department. The objective of the scheme is to reward cases of genuinely exceptional performance by officers in grades up to and including Counsellor/Principal Officer level.

In June 2006, the Partnership Committee decided that officers in the Department with at least 25 years' service should receive an award in recognition of their service. This award comprises a gift of €250 along with a special commemorative coin. In 2006, a total of €18,559 was spent in providing such Long Service Awards to 67 officers; in 2007, a total of €75,275 was spent in providing Long Service Awards to 272 officers. Finally, in addition to the above, an award of €80,350 was made in 2005 to staff at the Passport Office in respect of their exceptional work on the implementation of the new Automated Passport System.

Question No. 408 answered with Question No. 406.

Compulsory Purchase Orders.

409. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs the State sponsored bodies, quangos and other agencies within the remit of his Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if he will make a statement on the matter. [32032/08]

Minister for Foreign Affairs (Deputy Micheál Martin): There are four bodies operating under the aegis of my Department, details of which are set out below. None of these bodies has the power to issue compulsory purchase orders.

The 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.

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.

Finally, 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.

Data Protection.

410. **Deputy Ruairí Quinn** asked the Minister for Foreign Affairs the policies in place to secure portable electronic data devices in his Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in his Department; the date by which he expects a satisfactory security policy on portable electronic data devices to have been implemented; and if he will make a statement on the matter. [32406/08]

Minister for Foreign Affairs (Deputy Micheál Martin): My Department's policy is that all portable electronic data devices are encrypted. The policy is an operational one, overseen and implemented by the Department's ICT Unit at point of issue of such devices. Full hard disk encryption has been implemented on all laptops issued by my Department in the past three years.

411. **Deputy Ruairí Quinn** asked the Minister for Foreign Affairs the number of Department owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from his Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if he will make a statement on the matter. [32421/08]

Minister for Foreign Affairs (Deputy Micheál Martin): In the period in question two Department owned laptops have been stolen and one Department issued USB memory stick was lost. None of these items has been recovered to date. These devices did not contain any sensitive data and both laptops were encrypted.

Question No. 412 answered with Question No. 406.

Anti-Racism Measures.

413. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to complaints by Tourism Ireland that foreign tourists holding the

appropriate entry permissions have faced racial harassment and discrimination from immigration staff at Dublin Airport; his views on these complaints; if he has raised this matter with the Department of Justice, Equality and Law Reform; and if he will make a statement on the matter. [31886/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): As the Deputy will be aware, immigration policy is primarily a matter for my colleague the Minister for Justice, Equality and Law Reform and its implementation is a matter for the relevant authorities, including the Garda National Immigration Bureau and the Irish Naturalisation and Immigration Service. Tourism Ireland has made my Department aware of some incidents where visitors encountered difficulties entering Ireland. The main thrust of Tourism Ireland's communications was to put forward some ideas for discussion in respect of the implementation of immigration policy as it impacts on the promotion of inbound tourism.

My Department in turn has engaged with the Department of Justice, Equality and Law Reform in relation to these issues. While any such difficulties and misunderstandings are regrettable, it must be recognised that the number of such incidents has not been significant when seen in the light of over 8 million overseas visitors coming to Ireland in 2007. This performance clearly demonstrates that the vast majority of visitors experience few difficulties entering Ireland. Furthermore, the valuable and largely unrecognised work done by the Gardai in assisting visitors to Ireland from all countries should also be acknowledged.

Sports Capital Programme.

414. **Deputy Michael Ring** asked the Minister for Arts, Sport and Tourism the funding allocated on a county basis under the sports capital programme in 2008 and in each of the past five years. [31947/08]

415. **Deputy Michael Ring** asked the Minister for Arts, Sport and Tourism the percentage of the funding allocated under the sports capital programme which was drawn down by the applicants in each of the past five years with details on a county basis; and the amounts of money not drawn down which had been allocated. [31948/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): I propose to take Questions Nos. 414 and 415

Under the sports capital programme, which is administered by my Department, funding is allocated to sporting and community organisations at local, regional and national level throughout the country. The information in relation to the amount of funding allocated to each county since 2003 is set out in the table:

County	2003	2004	2005	2006	2007	2008
	€	€	€	€	€	€
Carlow	440,000	632,000	446,000	777,500	763,750	366,500
Cavan	580,000	1,075,000	785,000	1,315,000	1,628,500	576,000
Clare	1,125,000	1,727,000	1,356,000	1,940,000	2,160,000	1,562,000
Cork	5,545,400	6,524,000	8,374,000	9,719,500	9,972,300	4,485,000
Donegal	1,177,500	1,802,000	1,572,000	2,977,500	3,216,100	1,926,000
Dublin	14,605,500	14,691,000	15,897,652	23,699,037	19,500,750	13,840,865
Galway	2,558,000	3,435,014	6,260,000	4,108,500	4,470,000	1,722,500
Kerry	3,748,000	4,476,000	3,603,000	4,087,500	3,541,400	1,223,000
Kildare	3,166,000	3,357,000	1,750,000	1,821,500	1,948,500	1,336,500

[Deputy Martin Cullen.]

County	2003	2004	2005	2006	2007	2008
	€	€	€	€	€	€
Kilkenny	942,500	850,000	1,384,000	1,891,000	2,185,500	780,000
Laois	450,000	786,000	771,000	1,283,000	1,561,200	799,000
Leitrim	454,800	479,000	660,000	953,000	691,000	260,000
Limerick	2,485,500	1,925,000	3,392,000	5,429,000	6,501,000	4,683,000
Longford	576,000	745,000	703,000	726,000	1,061,000	397,000
Louth	1,342,100	1,644,000	1,377,000	2,844,000	2,043,500	1,433,000
Mayo	1,574,600	1,594,000	1,422,000	2,390,000	2,525,500	1,380,500
Meath	2,560,000	2,260,000	1,576,000	2,670,000	2,218,500	1,938,000
Monaghan	485,000	996,000	944,000	2,544,500	1,010,500	933,635
Offaly	1,004,000	1,157,000	1,260,000	2,954,000	2,048,000	1,265,000
Roscommon	777,600	1,027,000	880,000	1,148,000	1,395,000	409,000
Sligo	963,000	1,453,000	2,020,000	1,306,000	1,479,000	555,000
Tipperary	1,657,000	2,398,000	2,177,000	3,631,000	4,119,000	3,281,000
Waterford	2,210,000	2,080,000	1,925,000	1,787,000	2,830,500	1,544,000
Westmeath	707,000	1,083,000	1,905,000	1,447,000	1,894,000	1,317,000
Wexford	1,221,000	1,887,000	2,267,000	2,412,500	2,607,500	1,133,500
Wicklow	1,003,000	1,700,000	1,527,000	2,323,960	1,628,000	1,103,000
Total	53,358,500	61,783,014	66,233,652	88,185,997	85,000,000	50,250,000

Information in relation to allocations made each year but not yet drawn down is not kept on a county basis and the compilation of this information would involve a disproportionate amount of time and work. However, information is kept on the basis of outstanding allocations for each round of the sports capital programme. The amount of outstanding commitments from each of the past five rounds of the programme is contained in the table:

Sports Capital Programme (subhead C1) — Total Commitments by Year of Allocation

Year	Outstanding	Allocation	Paid/Settled	% not drawn down	% drawn down
	€	€	€	%	%
2008	47,390,000	50,250,000	2,860,000	94.31	5.69
2007	59,349,235	85,000,000	25,650,765	69.82	30.18
2006	35,114,892	91,835,997	56,721,105	38.24	61.76
2005	16,114,984	66,233,652	50,118,668	24.33	75.67
2004	12,630,149	101,783,014	89,152,865	12.41	87.59
2003	5,505,429	53,358,500	47,853,071	10.32	89.68

Arts Funding.

416. **Deputy Finian McGrath** asked the Minister for Arts, Sport and Tourism if he will support a matter (details supplied). [31956/08]

424. **Deputy Róisín Shortall** asked the Minister for Arts, Sport and Tourism his views on increasing the funding to the Arts Council in advance of budget 2009; and his further views on the fact that Ireland ranks in the bottom third of all EU countries in terms of support for the arts per head of population and that funding levels fall far short of the €100 million identified by the council, and accepted by Government, as necessary to respond to demand from this sector. [32354/08]

425. **Deputy Jack Wall** asked the Minister for Arts, Sport and Tourism his views on correspondence from a person (details supplied) in County Kildare; his plans to deal with the concerns raised; and if he will make a statement on the matter. [32387/08]

426. **Deputy Jack Wall** asked the Minister for Arts, Sport and Tourism his views on correspondence from a person (details supplied) in County Kildare; the action proposed or planned on the matter; and if he will make a statement on the matter. [32388/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): I propose to take Questions Nos. 416 and 424 to 426, inclusive, together.

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. 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 approximately €220m in 2008.

As Minister for Arts 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.

Departmental Staff.

417. **Deputy Joan Burton** asked the Minister for Arts, Sport and Tourism the bonuses awarded by his Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if he will make a statement on the matter. [31994/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): The scheme of performance-related awards in the civil service applies to Deputy and Assistant Secretaries and equivalent grades. On the basis that the awards are confidential to the officer concerned details of individual awards are not disclosed nor is the total amount awarded under the scheme made known in respect of Departments where there are less than 5 officers covered by the scheme which would allow them to be identified, which is the case in my Department. Details of the operation of the scheme are available in the report of the Committee for Performance Awards which can be accessed on the website of the Department of Finance at:

www.finance.gov.ie/documents/publications/reports/CPArep2006.pdf

Decentralisation Programme.

418. **Deputy Joan Burton** asked the Minister for Arts, Sport and Tourism if he will list in regard to his Department and State agencies or bodies operating under the aegis of his Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if he will make a statement on the matter. [32009/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): The Department of Arts, Sport and Tourism is being decentralised to Killarney, Co. Kerry, under the Government's Decentralisation Programme, which was announced in the 2004 Budget. It was also announced that three State Agencies under the aegis of the Department were also to be decentralised — The Irish Sports Council to Killarney, the Arts Council to Kilkenny and Fáilte Ireland to Mallow, County Cork.

The Department, which has a staff of 130 excluding the National Archives, was designated an “early mover” by the Decentralisation Implementation Group (DIG). To date, 76 staff have relocated to temporary accommodation in Fossa, Killarney, 34 of which were previously located in Dublin with the remainder joining the Department from provincial locations. The objective is to complete the decentralisation process of the Department by early 2009 by which time it will be operating from the new purpose built offices in Killarney.

As the State Agencies under the aegis of the Department namely Fáilte Ireland, the Irish Sports Council, and the Arts Council have not been given early mover status by the DIG, no timeframe was given for their decentralisation. Therefore no transfers have taken place to date. However, these Agencies do have decentralisation implementation plans in place that are kept under review. The Office of Public Works (OPW) is currently assessing a number of options regarding suitable locations and properties for these Agencies and in that context accommodation in Mallow for an advance group has been identified for Fáilte Ireland.

In relation to the decentralisation of the State Agencies proceeding, 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 Ministers, Ministers of State and officials while in Dublin on business. I expect that the Minister for Finance will present these reports to Government shortly.

Compulsory Purchase Orders.

419. **Deputy Leo Varadkar** asked the Minister for Arts, Sport and Tourism the State sponsored bodies, quangos and other agencies within the remit of his Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if he will make a statement on the matter. [32024/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): Of the agencies under the aegis of the Department, only Fáilte Ireland has the power to issue compulsory purchase orders, but it has not exercised this power in the period in question.

Sports Capital Programme.

420. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism if a sunset clause applies in respect of sports capital grants which have been awarded; the timeframe of such a clause; and if he will make a statement on the matter. [32081/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): Under the Guidelines, Terms and Conditions of the Sports Capital Programme, a “sunset clause” provision exists 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. In the context of the 2008 allocations under the Programme, it is the responsibility of the grantee to ensure that the project commences and that the Department is informed of the status of the project within nine months of the date of provisional grant allocation and that a substantial amount of work is completed by 31st December 2009. Those provisionally allocated grants under the 2008 programme were asked to achieve this by 31 December 2009. Failure to do so may result in the grant being withdrawn by the Department after that date.

Horse and Greyhound Racing.

421. **Deputy Mary Upton** asked the Minister for Arts, Sport and Tourism the status of the horse and greyhound fund; the amount of funding this received in 2008; if this funding was contributed by the central Exchequer; if a review of the horse and greyhound fund will be initiated; and if he will make a statement on the matter. [32127/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): 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. The amount allocated to the Fund in 2008 is €76.29 million, with the shortfall estimated at €39.85 million.

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. 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. 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 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).

Sports Capital Programme.

422. **Deputy Mary Upton** asked the Minister for Arts, Sport and Tourism his views on lower-

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ing the funding threshold required by CLÁR and RAPID areas to secure sports capital funding; and if he will make a statement on the matter. [32128/08]

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. For the 2008 Sports Capital Programme, in line with the commitment 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. Applicants from CLÁR areas have to show own funding of 20% of project costs. For all other areas the level of own funding required is 30%. These thresholds are in keeping with the Government commitment to prioritising the needs of disadvantaged areas.

Ministerial Staff.

423. **Deputy Mary Upton** asked the Minister for Arts, Sport and Tourism the number of special advisers employed by himself and his Minister of State; the role of these special advisers; and if he will make a statement on the matter. [32352/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): I currently have one Special (Press) Adviser employed in the Department. The role of the Special Adviser is set out in Section 11 of the Public Service Management Act 1997. Minister of State Mr. Martin Mansergh T.D. does not have a Special Adviser at the Department of Arts, Sport and Tourism.

Questions Nos. 424 to 426, inclusive, answered with Question No. 416.

Data Protection.

427. **Deputy Ruairí Quinn** asked the Minister for Arts, Sport and Tourism the policies in place to secure portable electronic data devices in his Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in his Department; the date by which he expects a satisfactory security policy on portable electronic data devices to have been implemented; and if he will make a statement on the matter. [32398/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): This Department has been co-operating with the Working Group on the Protection of Personal Data, which is in the process of drafting guidelines on protecting the confidentiality of personal data and guidance on the development of a code of practice in this regard. It is intended that this documentation will form the basis for this Department's renewed policy on the protection of personal or confidential data, including the security of portable electronic data devices. The Department is currently in the process of rolling out full disk encryption on all its laptops and expects to complete this in the next four weeks. As a rule, personal data is not held on portable electronic devices by the Department.

428. **Deputy Ruairí Quinn** asked the Minister for Arts, Sport and Tourism the number of Department owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from his Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if he will make a statement on the matter. [32413/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): I would refer the Deputy to my reply to Parliamentary Question No. 1149 answered on Wednesday, 24th September 2008.

Sports Capital Programme.

429. **Deputy Paul Kehoe** asked the Minister for Arts, Sport and Tourism the reason a group (details supplied) in County Wexford was not awarded a grant under the sports capital programme for 2008; and if he will make a statement on the matter. [32451/08]

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 evidence of own funding and the evidence of title provided at the time of application was not sufficient.

Swimming Pool Projects.

430. **Deputy Terence Flanagan** asked the Minister for Arts, Sport and Tourism his plans to reopen the local authority swimming pool fund; and if he will make a statement on the matter. [32458/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): The current round of the Programme, has made noteworthy progress 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. Given the current budgetary constraints, it is not intended to launch a new round of the Programme at this time. The priority now is to work with the Local Authorities in completing and bringing into use the remaining 21 pools in the programme.

431. **Deputy Paul Connaughton** asked the Minister for Arts, Sport and Tourism the reason a proposal to build a community based swimming pool at Loughrea, County Galway has not progressed; if the funding of €1.7 million which was allocated by his Department is available for the project; the other matters obstructing the commencement of this project; and if he will make a statement on the matter. [32485/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): My Department has been in discussions now for a number of years with Galway County Council regarding the grant aiding of a swimming pool in Loughrea. The current position is that Galway County Council is proposing that it would supply a site to a local hotel developer who would construct the pool and in return would make the pool available to the public in Loughrea for an agreed number of hours per week and at entrance prices comparable to other public pools in Galway. As part of this plan the Council have applied to my Department for a grant of €1.7m from the swimming pool programme towards the construction of the pool.

In this regard a meeting recently took place between representatives of my Department, Galway County Council, the Chief State Solicitor's Office and the Office of the Attorney General to discuss some legal aspects of the grant. The current position is that we are awaiting a legal opinion on a number of issues and cannot proceed until we get this opinion.

Decentralisation Programme.

432. **Deputy Joan Burton** asked the Minister for Arts, Sport and Tourism the number of civil servants and other public servants in his Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if he will make a statement on the matter. [33051/08]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): 45 staff were decentralised to the Department's temporary accommodation in Fossa, Killarney by December 2006. Of that figure 20 staff were previously located in Dublin. Currently there are 76 staff members at the Department offices in Killarney.

Departmental Staff.

433. **Deputy Joan Burton** asked the Minister for Community, Rural and Gaeltacht Affairs the bonuses awarded by his Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if he will make a statement on the matter. [31996/08]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): I assume that the Deputy is referring to the scheme of performance-related awards for posts at the level of Deputy Secretary and Assistant Secretary. Under this scheme, operated by the Department of Finance, the Central Committee for Performance Awards considers recommendations made by Secretaries General. The table sets out the payments made to relevant staff in my Department under this scheme for the years in question.

Year	Number of recipients	Total	Percentage within grade
2005	2	€22,700 (in respect of 2004)	100%
2006	3	€35,200 (in respect of 2005)	100%
2007	3	€38,400 (in respect of 2006)	100%

Decentralisation Programme.

434. **Deputy Joan Burton** asked the Minister for Community, Rural and Gaeltacht Affairs if he will list in regard to his Department and State agencies or bodies operating under the aegis of his Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if he will make a statement on the matter. [32011/08]

439. **Deputy Joan Burton** asked the Minister for Community, Rural and Gaeltacht Affairs the number of civil servants and other public servants in his Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if he will make a statement on the matter. [33053/08]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): I propose to take Questions Nos. 434 and 439 together.

The budget announcement in December 2003 stated that my Department would relocate 140 posts to Knock Airport and 10 to Na Forbacha. It also stipulated that ADM Ltd (now Pobal)

would relocate 40 posts to Clifden and that 30 Foras na Gaeilge posts would transfer to Gaoth Dobhair. Planning permission was later refused for a proposed headquarters site at Knock Airport and Charlestown, Co Mayo, was subsequently chosen by Government as the location for my Department's new headquarters. To progress the decentralisation process, it was decided to relocate some divisions of my Department to an interim location in Tubbercurry, Co Sligo. Considerable progress has been made to date in fulfilling my Department's commitments under the Decentralisation Programme, as set out below in the format requested by the Deputy.

Knock Airport/Charlestown/Tubbercurry

100 of the 140 staff that will decentralise to Charlestown, Co Mayo, have now relocated to an interim location in Tubbercurry, Co Sligo. The Office of Public Works has been engaged in the meantime in the process of selecting and purchasing an appropriate site at Charlestown.

Tubbercurry/Charlestown	
Number relocated to Tubbercurry to date	100
Number and % relocated from Dublin	51 (51%)
Number and % relocated from outside Dublin	49 (49%)
Number relocated to Tubbercurry by end-2006	70
Number relocated from Dublin by end-2006	39
Target date for completion (i.e. to Charlestown)	End-2010

Na Forbacha

My Department's commitment under the Decentralisation Programme in relation to Na Forbacha has been met in full.

Na Forbacha	
Number relocated to Na Forbacha to date	10
Number and % relocated from Dublin	5 (50%)
Number and % relocated from outside Dublin	5 (50%)
Number relocated to Na Forbacha by end-2006	8
Number relocated from Dublin by end-2006	4
Target date for completion	Completed by end-2007

Clifden

To date 25 Pobal staff are in place in Clifden. Relocation of further staff is dependent on provision of further accommodation, which is being addressed by OPW at present.

Clifden	
Number relocated to Clifden to date	25
Number and % relocated from Dublin	1 (4%)
Number and % relocated from outside Dublin	24 (96%)
Number relocated to Clifden by end-2006	23
Number relocated from Dublin by end-2006	1
Target date for completion	Dependent on accommodation

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Gaoth Dobhair

The relocation of Foras na Gaeilge posts is being pursued in a North/South framework.

Compulsory Purchase Orders.

435. **Deputy Leo Varadkar** asked the Minister for Community, Rural and Gaeltacht Affairs the State sponsored bodies, quangos and other agencies within the remit of his Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if he will make a statement on the matter. [32026/08]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): I am informed that Waterways Ireland is the only body/agency under the remit of my Department with the power to issue Compulsory Purchase Orders. The number, purpose and outcome of each CPO issued is as outlined in the table below:

CPOs Issued by Waterways Ireland

No of CPOs				Purpose	Outcome
2005	2006	2007	2008 to date		
6		9	8	Lands acquired at Ballymahon, Co. Longford to facilitate the construction of a new bridge on the royal canal.	Lands Acquired. North/South Ministerial Council approval granted 5th August 2005.
				Lands acquired along the Royal Canal Mosstown, Kenagh, Co. Longford — to facilitate an existing low-level road bridge with a raised bridge to accommodate the passage of boating traffic at Mosstown.	Lands Acquired. North/South Ministerial Council approval granted 17th October 2007.
				Lands acquired at Lyneen, Killashee, Co. Longford — to allow for the replacement of an existing low-level road bridge with a fixed road bridge to accommodate the passage of boating traffic at Lyneen Bridge.	Lands Acquired. North/South Ministerial Council approval granted 4th July 2008.

Water and Sewerage Schemes.

436. **Deputy Willie Penrose** asked the Minister for Community, Rural and Gaeltacht Affairs the reason top up funding for group water schemes and sewerage schemes under the CLÁR water sewerage measures has been suspended, despite the fact that same is significant in the context of CLÁR areas in view of their definition of low population basis, and whereby there is an effort made to ensure that people have an opportunity to live therein and that provision of group water schemes and sewerage schemes are necessary in this context; when funding will be restored under the CLÁR system; and if he will make a statement on the matter. [32136/08]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): As the deputy is aware one of the more successful aspects of the CLÁR programme has been the level of funding provided to the various Water and Sewerage measures over the years. Funding approved under those measures has risen from approximately €2.4m in 2002 to more than

€10m to date in 2008. In total almost €39m has been approved to date for water and sewerage schemes since the programme was launched in 2001.

I am constantly reviewing the resources allocated to and the impact of the various individual schemes under the CLÁR programme. In relation to the water and sewerage schemes I intend to announce re-focused measures in the near future which will focus on group water scheme top ups and the provision of sewerage schemes in small villages. The purpose of this approach is to ensure quality water systems to areas of the country lacking these at present and to ensure the growth of small towns and villages by providing sewerage schemes where there are none at present.

Data Protection.

437. **Deputy Ruairí Quinn** asked the Minister for Community, Rural and Gaeltacht Affairs the policies in place to secure portable electronic data devices in his Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in his Department; the date by which he expects a satisfactory security policy on portable electronic data devices to have been implemented; and if he will make a statement on the matter. [32400/08]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): My Department does not have a published policy regarding the security of portable electronic devices. The issue of the security of these devices is under review. To date no security breaches in relation to any Departmental equipment has been reported. Laptop computers are not encrypted at present but it is expected that encryption will be in place by the end of 2008, in addition to the existing security measures already in place.

438. **Deputy Ruairí Quinn** asked the Minister for Community, Rural and Gaeltacht Affairs the number of Department owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from his Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if he will make a statement on the matter. [32415/08]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): I am informed that no such devices were reported lost, missing or stolen to date in 2008.

Question No. 439 answered with Question No. 434.

Social Welfare Benefits.

440. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs if she will ensure that a payment of some kind is awarded to a person (details supplied) in Dublin 11; and the reason the person was advised to apply for supplementary welfare allowance and was not advised to apply for disability benefit. [31894/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The person concerned applied for illness benefit which is a payment for insured people who cannot work due to illness. To qualify for this benefit a person must satisfy the PRSI contribution conditions governing the scheme and be under age 66. The person concerned has 15 PRSI contributions recorded between 2005 and 2007. And, this does not satisfy the conditions for this benefit. If he has paid more PRSI contributions than are recorded, he should forward documentary evidence to the Department e.g. forms P60, P45 or stamped employer statement. Or in the absence of such documentary evidence, he should forward a signed letter stating the number of additional PRSI

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contributions he has paid. The matter will be further investigated by the Department and his entitlement to illness benefit will be reviewed in the light of any new evidence received.

The person concerned was advised to apply for and is currently in receipt of a basic SWA payment while his claim for other entitlements is pending. The community welfare officer has advised that the payment of SWA was temporarily suspended pending the provision of essential information which was required to process the claim. The CWO has further advised that the person concerned should contact him if he wishes to discuss his entitlement to SWA or other matters relevant to his claim.

Disability allowance is a weekly payment for people with a specified disability who are aged 16 or over and under age 66. This disability must be expected to last for at least one year and the allowance is subject to both medical suitability and a means test. A Disability allowance application form has been provided to the person concerned. This form should be completed and returned to the Department in order that he can be assessed for this payment.

Social Insurance.

441. **Deputy Joan Burton** asked the Minister for Social and Family Affairs the forecast receipts from PRSI contributions for 2008; the actual figures on a comparative basis for each year since 2002; and if she will make a statement on the matter. [31976/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Pay related social insurance (PRSI) receipts from both employers and employees form the main part of the income of the Social Insurance Fund (SIF). The fund provides insured contributors with both long-term pension benefits and short-term benefits such as jobseeker and illness payments. The receipts forecast from PRSI for 2008 is €8,249 million. The receipts from PRSI for each year from 2002 are set out in the table. The figures for 2007 are provisional.

Year	Receipts
	€m
2002	4,747
2003	5,048
2004	5,615
2005	6,110
2006	6,921
2007	7,722

The SIF was established by the Social Welfare Act 1952 (as amended). Under section 9 of the Social Welfare Consolidation Act 2005, a subvention is made from the Exchequer to the extent that receipts combined with any accumulated surplus are less than the payments that arise in a given year.

Social Welfare Code.

442. **Deputy Finian McGrath** asked the Minister for Social and Family Affairs if she will support a matter (details supplied). [32046/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): I understand that the Deputy is referring to the capital assessment arrangements for Disability Allowance. For the purposes of Disability Allowance, capital is assessed as follows:

Amount of Capital	Weekly Means Assessed
Up to €50,000	Nil
€50,000 – €60,000	€1 per each €1,000
€60,000 – €70,000	€2 per each €1,000
Over €70,000	€4 per each €1,000

This means that a single person, without other means, can have capital of up to €53,000 and still qualify for the full rate of Disability Allowance. Disability Allowance at a reduced rate is payable up to €111,000.

In Budget 2007, the capital disregard for Disability Allowance purposes was increased by €30,000, from €20,000 to €50,000. The purpose of this measure was to enable people with disabilities to hold this amount of capital with out affecting their payment. It was also designed to go some way towards addressing the issue of financial provision for vulnerable people, particularly by parents, by way of bequest. Any further changes to the capital assessment arrangements for Disability Allowance would have to be considered in a Budgetary context.

443. **Deputy Jack Wall** asked the Minister for Social and Family Affairs her plans to remove the means test for carers; and if she will make a statement on the matter. [32187/08]

Minister for Social and Family Affairs (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. Carer's allowance, in line with other social assistance schemes, is means tested. This ensures scarce resources are directed at those in greatest need. The primary objective of the carer's allowance is to provide income support to low income carers. The carer's allowance means test is one of the more flexible tests in terms of the assessment of household incomes. It has been significantly eased over the years, most notably with regard to spouses' earnings.

Increases to the carer's allowance income disregard provided for in Budget 2008 mean that, since April, a single person can have an income of €332.50 per week and a couple can have an income of up to €665 per week and still qualify for the maximum rate of carer's allowance. The previous levels were €320 and €640 per week respectively. This ensures that a couple can have an income in the region of €37,200 per year and still qualify for the maximum rate of carer's allowance as well as the associated free travel, household benefits package and the respite care grant. This increase surpasses the "Towards 2016" commitment to ensuring that those on average earnings can qualify for carer's allowance.

Budget 2007 provided for new arrangements whereby people can receive a maximum payment equivalent to a half rate carers allowance while receiving another social welfare payment, other than jobseeker's benefit or allowance. To date over 13,000 carers have benefited from these arrangements. In June 2006 the number of hours for which a person can engage in employment, self-employment, education or training and still be considered to be providing full time care for the purposes of carer's allowance, carer's benefit and the respite care grant was increased from 10 to 15 hours per week.

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

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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.

444. **Deputy Frank Feighan** asked the Minister for Social and Family Affairs the plans she has put in place to alleviate distress for self-employed people many of whom find themselves out of work and without the back up of the social welfare system. [31903/08]

459. **Deputy John Deasy** asked the Minister for Social and Family Affairs if she will change the conditions of qualification for the invalidity pension whereby a person who qualifies medically and with the correct PRSI contributions but who, on becoming self employed, is not allowed to sign for credits if they become too ill to work and therefore if self employment is their last place of work they will not be allowed to qualify for the invalidity pension even though they meet all the other qualifying criteria; the steps she will take to rectify this situation; and if she will make a statement on the matter. [32129/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): I propose to take Questions Nos. 444 and 459 together.

Workers are insured under the Social Welfare Acts as either employed or self-employed contributors. All workers, both employed and self-employed, are obliged to pay PRSI contributions as a percentage of their personal reckonable income. The range of benefits and pensions to which different groups of workers may establish entitlement reflects the rate of contribution payable by them. Self-employed people aged between 16 and 66 years are liable for PRSI at the Class S rate of 3% and are consequently eligible for a narrower range of benefits than general employees who, together with their employers, pay a total social insurance contribution of 14.05%, excluding levies, under the full-rate PRSI Class A. These contributions provide entitlement to a range of contingency-based payments under various social insurance schemes.

PRSI Class S contributors are entitled to the following payments:

- the Widow's or Widower's (Contributory) Pension;
- the Guardian's Payment (Contributory);
- the State Pension (Contributory);
- Maternity Benefit;
- Adoptive Benefit; and
- the Bereavement Grant.

Self-employed workers are not insured against short-term benefits such as illness and job-seeker's payments — these are only available to persons covered by PRSI Classes A, E, H and P. This reflects the need for coverage for various contingencies, the rate of contributions that self-employed persons pay, the practicalities of administering and controlling access to short-term payments, and the annualised system of contributions that these people enjoy. A system of separate arrangements for employed and self-employed workers within a social insurance context is common in other European social protection systems.

There are no immediate plans to extend cover for short-term benefits to this group of insured workers. Any such measure would have significant financial implications and would have to be considered within a budgetary context. Consideration would also have to be given to an appro-

appropriate increase in the rate of the PRSI Class S contribution. Class S contributors who do not qualify for an insurance-based benefit may establish entitlement to assistance-based payments by satisfying certain conditions — including a means test.

Social Welfare Benefits.

445. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved the fuel allowance and the living alone allowance. [31921/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The person concerned has made an application for payment of living alone allowance and fuel allowance. To qualify for living alone allowance a person must be living alone, satisfy age criteria and be in receipt of certain social welfare payments from the Department of Social and Family Affairs, of which Disability allowance is one such payment. The person concerned applied for Disability Allowance on 11 December 2007. She satisfies the means criteria for award of disability allowance; however she was examined by a Medical Assessor from the Department who deemed that she was not medically suitable for Disability Allowance. She was advised of this decision and of her right of appeal to the independent Social Welfare Appeals Office, on 22 July 2008.

As the person concerned is not in receipt of a social welfare payment from the Department of Social and Family Affairs she is not entitled to payment of living alone allowance. To qualify for payment of fuel allowance a person must satisfy a number of conditions:

- be in receipt of a qualifying payment;
- live alone or live only with certain persons; and
- he or she or other members of their household must be unable to provide for their heating needs from their own resources.

People who reside in Ireland and who are in receipt of a pension or benefit or equivalent payment from a country covered by EU Regulations, or with which Ireland has a bilateral social security agreement, may qualify for payment of fuel allowance. As the person concerned has a Belgian social security pension, and satisfies the other relevant conditions, she has been awarded fuel allowance. The Department will notify her directly of this decision.

Social Welfare Code.

446. **Deputy Ciarán Cuffe** asked the Minister for Social and Family Affairs her plans, in view of the Government commitment to encouraging people to up-skill their educational qualifications and the assumption that this will lead to an increase in demand for teachers at third level, to reinstate the back to education scheme for masters degree students that was terminated on 1 January 2003; and if she will make a statement on the matter. [31933/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The back to education allowance is a second chance education opportunities scheme designed to encourage and facilitate people on certain social welfare payments to improve their skills and qualifications, thereby enhancing their prospects of returning to the work force. The objective of the scheme is to assist people at risk of becoming dependent on the social welfare system on a long term basis. The focus of the scheme is on providing assistance to the highest possible number of those in greatest need in terms of meeting the requirements of the modern labour market.

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It is recognised that primary degree qualifications impact positively on the employment prospects of those who hold such credentials. Possession of a Master's degree is not regarded as a prerequisite to re-entering the workforce and at present there are no plans to extend the scheme to cover courses leading to a Master's degree. I will continue to monitor the scheme but I believe that its current scope is sufficiently wide to meet its objectives and ensure that limited resources are targeted at those who are most in need.

447. **Deputy Michael Ring** asked the Minister for Social and Family Affairs if holders of the free travel pass can avail of the pass for train specials, that is trains specifically laid on for the day of the all-Ireland and so on, with Iarnród Éireann; if she will provide a complete breakdown of the travel facilities available for free travel pass holders and the restrictions on the pass; and if she will make a statement on the matter. [31949/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The free travel scheme permits eligible customers and their spouses/partners to travel for free on most CIE public transport services and the public transport services offered by some ninety private operators in various parts of the country. Free travel is also available on cross border journeys between the Republic of Ireland and Northern Ireland. In addition, customers aged 66 years and over can avail of free travel within Northern Ireland. There are currently some 600,000 customers availing of the free travel scheme at an annual cost of €66 million. There are no travel restrictions on scheduled services operated by companies participating in the scheme.

The following services are not, however, covered by the free travel scheme:

- Services not listed in the official CIE rail and bus timetables;
- Special bus/rail services;
- Tours and organised group journeys;
- Dublin Bus Nitelink services;
- Dublin Bus special airport services.

Departmental Staff.

448. **Deputy Joan Burton** asked the Minister for Social and Family Affairs the bonuses awarded by her Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if she will make a statement on the matter. [32005/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Civil service posts at the levels of Assistant Secretary and Deputy Secretary are covered by a scheme of performance related awards. Recommendations in relation to awards are made by the Secretary General of each department and the operation of the scheme is overseen by the Committee for Performance Awards. The funding for awards is based on 10% of the payroll for the posts covered by the scheme. Within this overall limit, payments of up to 20% can be made to individuals. 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). The Committee does not identify the amount paid to individuals as this is regarded as personal information.

In addition, there is a scheme for Recognition of Exceptional Performance by Staff which operates across the Civil Service. This scheme has been in operation since 1996 and allows Secretaries-General to make awards for sustained exceptional performance to staff. Awards may be made in respect of performance above the level which would reasonably be expected in the normal course from the grade of staff involved. All staff in the Department, irrespective of grade, can nominate another staff member or a team for an award, at any time during the year. Total expenditure on the Scheme may not exceed 0.2% of payroll. Details of the awards made under this scheme, which in my Department is called the Fiuntas scheme, are shown in the following tabular statement.

Details of awards made to staff under the Fiuntas scheme for 2005-2007

Year	No. of Awards	No. of Recipients	Proportion of Staff*	Average NetAward**
			%	€
2005	138	908	19	231
2006	126	923	19	306
2007	119	749	16	259

* based on number of staff at 31 December each year.

** any tax and PRSI payable on an award is paid by the Department.

Decentralisation Programme.

449. **Deputy Joan Burton** asked the Minister for Social and Family Affairs if she will list in regard to her Department and State agencies or bodies operating under the aegis of her Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if she will make a statement on the matter. [32020/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Under the Government's current decentralisation programme for the civil and public service, some 1,200 posts comprising the Department's headquarter sections and the Social Welfare Appeals Office are relocating to 6 locations — Sligo, Carrick-on-Shannon, Donegal Town, Buncrana, Carrickmacross and Drogheda. In addition, the Combat Poverty Agency (CPA) and Citizens Information Board (CIB) are scheduled to relocate to Monaghan and Drogheda, respectively, under the programme.

To date, 211 posts have relocated from the Department's Dublin Offices to Carrick-on-Shannon and Sligo under the current programme as detailed in the table below. While no posts have relocated to the other locations, a number of employees have transferred in preparation for decentralisation. The details are also outlined in the table below. In addition, the Department has decentralised offices in Longford, Sligo, Letterkenny, Waterford, Dundalk and Roscommon and some 219 employees have transferred to these offices and other offices of the Department to fill vacancies created by the current decentralisation programme. Furthermore, a total of 257 employees of the Department have transferred to other Government Departments for the purposes of their decentralisation programmes.

The Office of Public Works (OPW) is charged with securing accommodation for this Department. That Office has advised that the building in Buncrana is under construction and the

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expected completion date of the project is late 2009. In addition, they have purchased sites in Drogheda to accommodate the Department's Headquarters Staff, the Social Welfare Appeals Office and the Citizens Information Board. 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. The following table outlines the other data requested:

Location	No. of posts announced to decentralise	No. transferred to new location	Dublin based employees transferred	Provincially based employees transferred	No. who have accepted offers
Buncrana	120	0			65
Carrickmacross	85	0			38
Carrick-on-Shannon	225	139	17	122	140
Donegal	230	0			52
Drogheda — HQ	215	0			154
Drogheda — ISD	225	0			34
Sligo	100	72	50	22	72

Location	No. of posts announced to decentralise	No. transferred to new location	No. who have relocation clauses in contracts
Drogheda — CIB	47	0	19
Monaghan — CPA	25	0	6

Compulsory Purchase Orders.

450. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the State-sponsored bodies, quangos and other agencies within the remit of her Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if she will make a statement on the matter. [32035/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): None of the agencies under the aegis of the Department have the power to issue compulsory purchase orders.

Social Welfare Benefits.

451. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the average processing time that it takes for a claim for jobseeker's allowance to be dealt with; and if she will make a statement on the matter. [32050/08]

452. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the average processing time that it takes for a claim for jobseeker's benefit to be dealt with; and if she will make a statement on the matter. [32051/08]

453. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the processing time that it takes for each individual social welfare office to deal with a claim for jobseeker's benefit; and if she will make a statement on the matter. [32052/08]

454. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the processing time that it takes for each individual social welfare office to deal with a claim for jobseeker’s allowance; and if she will make a statement on the matter. [32053/08]

455. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the numbers of individuals on a national, county and local social welfare office basis waiting for their application for jobseeker’s benefit to be processed; and if she will make a statement on the matter. [32054/08]

456. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the numbers of individuals on a national, county and local social welfare office basis waiting for their application for jobseeker’s allowance to be processed; and if she will make a statement on the matter. [32055/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): I propose to take Questions Nos. 451 to 456, inclusive, together.

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 jobseeker’s benefit claims and 5 weeks for jobseeker’s 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 assignment of 31 additional staff to local offices, extending the contracts of some temporary staff and additional resources for overtime.

Attached are the following tabular statements: Table 1 — Average processing times in weeks for jobseeker’s benefit and jobseeker’s allowance claims decided in August. Table 2 — The number of jobseeker’s benefit and jobseeker’s allowance claims awaiting a decision at w/e 20 September 2008. The tables list both Local Offices and Branch Offices. Branch Offices are operated under a contract for service and decisions on claims taken in Branch Offices are made in its departmental parent Local Office. Statistics in relation to processing times and claims awaiting decisions are not available on a county basis, as the catchment area of Local Offices and Branch Offices do not correspond exactly with county boundaries.

Table 1: Average Processing Times August 2008

Office	Parent Office	JA	JB
Achill	Drogheda	0.17	6
Apollo House		4	4
Ardee		6	3
Arklow		5	4
Athlone		6	2

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Office	Parent Office	JA	JB
Athy	Newbridge	7	4
Balbriggan	Coolock	5	2
Ballina		6	4
Ballinasloe	Athlone	5	2
Ballinrobe	Galway	6	3
Ballybofey	Donegal	3	1
Ballyconnell	Cavan	13	6
Ballyfermot		7	3
Ballymun		2	1
Ballyshannon	Donegal	2	1
Baltinglass	Newbridge	5	5
Bandon	Carraigaline	8	4
Bantry (BO)	Bantry CO	6	4
Belmullet		3	2
Birr	Athlone	5	3
Bishop Square		6	4
Blanchardstown		6	2
Boyle	Longford	8	5
Bray		5	3
Buncrana		5	3
Cahir	Clonmel	2	1
Cahirciveen		3	3
Carlow		7	2
Carraigaline		2	1
Carrickmacross	Dundalk	6	1
Carrick-on-Shannon		3	1
Carrick-on-Suir	Waterford	5	3
Cashel	Clonmel	2	2
Castlebar		2	2
Castleblaney	Dundalk	4	2
Castlepollard	Mullingar	7	4
Castlerea	Ballina	7	5
Cavan		9	5
Claremorris	Ballina	8	4
Clifden		2	1
Clonakilty	Carraigaline	12	3
Clondalkin		6	3
Clones	Dundalk	2	2
Clonmel		2	1
Cobh		2	1
Coolock		3	2
Cork		7	4
Dingle	Tralee	2	2
Donegal		6	1
Drogheda		7	2
Dun Laoghaire		6	3
Dundalk		4	2

Office	Parent Office	JA	JB
Dunfanaghy		2	1
Dungarvan	Waterford	5	3
Dungloe		2	2
Edenderry	Mullingar	10	3
Ennis		4	2
Enniscorthy	Wexford	5	2
Ennistymon	Ennis	4	4
Fermoy	Mallow	5	4
Finglas		4	2
Galway		11	6
Gorey	Wexford	7	3
Gort	Ennis	7	4
Kells	Navan	11	9
Kenmare		2	1
Kilbarrack		4	3
Kilkenny		3	2
Killarney		4	3
Killorglin	Tralee	4	3
Killybegs	Donegal	2	1
Kilmallock	Newcastle West	4	3
Kilrush	Ennis	2	2
Kinsale	Carraigaline	10	2
Letterkenny		5	4
Limerick		6	4
Listowel		5	3
Longford		5	4
Loughrea		7	3
Macroom	Mallow CO	5	6
Mallow	Mallow CO	5	5
Manorhamilton		1	1
Maynooth	Ballyfermot	7	4
Midleton	Carraigaline	8	4
Monaghan	Dundalk	3	2
Muine Bheag	Carlow	8	5
Mullingar		6	3
Navan		14	5
Navan Road		7	3
Nenagh	Thurles	2	2
New Ross	Wexford	5	2
Newbridge		5	4
Newcastle West		3	2
Newmarket	Listowel	6	5
Nth Cumberland St.		3	2
Nutgrove		2	1
Portarlington	Tullamore CO	10	2
Portlaoise	Kilkenny	8	3
Rathdowney	Kilkenny	7	3
Roscommon	Longford	7	3

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Office	Parent Office	JA	JB
Roscrea	Thurles	2	1
Skibbereen	Bantry CO	5	4
Sligo		3	1
Swinford	Ballina	6	4
Swords	Nth Cumberland St.	3	3
Tallaght		4	3
Thomas Street		4	3
Thomastown	Waterford	7	4
Thurles		2	1
Tipperary	Clonmel	2	2
Tralee		4	2
Trim	Navan	15	9
Tuam	Galway	7	4
Tubbercurry	Carrick-on-Shannon	4	1
Tulla	Ennis	2	2
Tullamore		9	2
Tullow	Carlow	7	4
Waterford		4	3
Westport		2	2
Wexford		6	3
Wicklow	Arklow	3	2
Youghal	Carraigaline	5	3

Table 2: Claims Awaiting Decision at w/e 20 September 2008

Office	Parent Office	JA	JB
Achill		6	0
Apollo House		231	270
Ardee	Drogheda	130	101
Arklow		164	165
Athlone		179	180
Athy	Newbridge	135	247
Balbriggan	Coolock	197	133
Ballina		193	119
Ballinasloe	Athlone	88	82
Ballinrobe	Galway	66	32
Ballybofey	Donegal	91	23
Ballyconnell	Cavan	102	68
Ballyfermot		165	71
Ballymun		57	36
Ballyshannon	Donegal	41	24
Baltinglass	Newbridge	70	52
Bandon	Carraigaline	131	82
Bantry (BO)	Bantry CO	45	46
Belmullet		22	17
Birr	Athlone	96	37

Office	Parent Office	JA	JB
Bishop Square		428	497
Blanchardstown		536	300
Boyle	Longford	65	53
Bray		217	338
Buncrana		245	111
Cahir	Clonmel	20	35
Cahirciveen		30	30
Carlow		212	105
Carraigaline		103	60
Carrickmacross	Dundalk	98	47
Carrick-on-Shannon		71	47
Carrick-on-Suir	Waterford	83	66
Cashel	Clonmel	19	32
Castlebar		82	56
Castleblaney	Dundalk	76	31
Castlepollard	Mullingar	76	39
Castlerea	Ballina	119	98
Cavan		429	266
Claremorris	Ballina	117	96
Clifden		29	6
Clonakilty	Carraigaline	84	47
Clondalkin		457	379
Clones	Dundalk	27	23
Clonmel		63	44
Cobh		21	21
Coolock		206	108
Cork		1,684	1,051
Dingle	Tralee	10	9
Donegal		20	28
Drogheda		703	278
Dun Laoghaire		430	317
Dundalk		295	184
Dunfanaghy		30	26
Dungarvan	Waterford	78	81
Dungloe		51	40
Edenderry	Mullingar	161	84
Ennis		173	150
Enniscorthy	Wexford	179	102
Ennistymon	Ennis	70	59
Fermoy	Mallow	87	114
Finglas		258	245
Galway		1,535	919
Gorey	Wexford	184	181
Gort	Ennis	61	59
Kells	Navan	217	171
Kenmare		9	20
Kilbarrack		142	192
Kilkenny		266	121

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Office	Parent Office	JA	JB
Killarney		73	111
Killorglin	Tralee	56	28
Killybegs	Donegal	19	11
Kilmallock	Newcastle West	80	87
Kilrush	Ennis	47	36
Kinsale	Carraigaline	67	30
Letterkenny		285	156
Limerick		912	668
Listowel		133	119
Longford		279	260
Loughrea		133	70
Macroom	Mallow CO	60	88
Mallow	Mallow CO	112	142
Manorhamilton		15	14
Maynooth	Ballyfermot	471	252
Midleton	Carraigaline	207	185
Monaghan	Dundalk	98	84
Muine Bheag	Carlow	107	98
Mullingar		236	166
Navan		472	526
Navan Road		378	188
Nenagh	Thurles	77	55
New Ross	Wexford	103	97
Newbridge		435	638
Newcastle West		64	54
Newmarket	Listowel	74	111
Nth Cumberland St.		278	251
Nutgrove		102	112
Portarlington	Tullamore CO	210	94
Portlaoise	Kilkenny	260	204
Rathdowney	Kilkenny	83	47
Roscommon	Longford	78	83
Roscrea	Thurles	34	22
Skibbereen	Bantry CO	67	37
Sligo		199	78
Swinford	Ballina	128	61
Swords	Nth Cumberland St.	114	155
Tallaght		386	324
Thomas Street		261	119
Thomastown	Waterford	87	66
Thurles		55	52
Tipperary	Clonmel	36	59
Tralee		155	207
Trim	Navan	282	361
Tuam	Galway	185	87
Tubbercurry	Carrick-on-Shannon	37	21
Tulla	Ennis	55	47

Office	Parent Office	JA	JB
Tullamore	Carlow	327	114
Tullow		109	92
Waterford		402	565
Westport		33	32
Wexford		243	175
Wicklow	Arklow	106	108
Youghal	Carraigaline	80	51
		22,166	17,060

457. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when the schedule of assets of a deceased person (details supplied) will be examined; and if the option of cancellation or suspension of the repayment of the overpayment will be considered taking account of the circumstances of this case. [32063/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The deceased person in this case was assessed with an overpayment of €9,855.56 in respect of the period 19/02/1999 to 24/10/2002 and had been repaying this amount by way of weekly deductions of €12.50 from his pension. At the date of death he had repaid €3,312.50 leaving an outstanding balance of €6,543.00

In circumstances where a person dies leaving an outstanding overpayment it is the Department's policy to seek recovery of the amount from the estate of the deceased. In order to determine if there are sufficient funds to discharge the debt, a copy of the schedule of assets of the estate is required by the Department. A copy of the schedule of assets was requested from the Solicitor for the estate on the 24th September 2008. On receipt of the schedule of assets the case will be reviewed and a decision made with regard to the monies due to the Department.

458. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Kildare has not received assistance from a community welfare officer; and if she will make a statement on the matter. [32098/08]

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. Eligible people would normally be in receipt of a social welfare or health service executive payment.

The Dublin/Mid-Leinster area of the Executive has advised that the person concerned applied to the local Community Welfare Office (CWO) for a number of ENPs on 22 September 2008. The CWO refused the ENP applications on the grounds that an exceptional need was not established. The person concerned may re-apply for an ENP if there are any changes in her circumstances.

Question No. 459 answered with Question No. 444.

Family Support Services.

460. **Deputy Jack Wall** asked the Minister for Social and Family Affairs her plans to provide a training plan or courses for family carers; and if she will make a statement on the matter. [32195/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Training for carers is an important issue both in terms of training to assist with the provision of care and training to assist carers to return to employment when their caring has ceased. This issue is being examined in the context of the development of the National Carers Strategy.

Social Welfare Benefits.

461. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if unemployment assistance, unemployment benefit or illness benefit is payable in the case of a person (details supplied) in Dublin 8; and if she will make a statement on the matter. [32201/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The person concerned does not satisfy the statutory qualifying contributions conditions for receipt of Illness Benefit or Jobseeker's Benefit. He made an application for Jobseeker's Allowance on 21st April 2008. His application was refused by a Deciding Officer on the grounds that he does not hold a valid work permit and therefore, is not available for full-time employment. I am advised by the Social Welfare Appeals Office that they received an appeal in respect of the Deciding Officer's decision on 15th September 2008 and 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.

462. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the extent to which it is expected to offer mortgage relief in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [32203/08]

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 Executive has advised that the person concerned has been awarded a mortgage interest supplement of €466.20 per month from 1 August 2008.

Social Welfare Appeals.

463. **Deputy David Stanton** asked the Minister for Social and Family Affairs in respect of the various schemes and payments in operation by her Department; the number of claims which were initially refused by a deciding officer which were then allowed by the social welfare appeals office on appeal in 2007 and to date in 2008; and if she will make a statement on the matter. [31630/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The Social Welfare Appeals Office operates independently of the Department in determining appeals on social welfare entitlements. Of the 13,845 appeals finalised by that Office in 2007, 6,531 (or 47.1%) had a favourable outcome. The corresponding statistics for 2008 to the end of August were 9,830 appeals finalised of which 4,695 (or 47.7%) had a favourable outcome.

Decisions on statutory social welfare schemes are made by statutorily appointed Deciding Officers. They determine entitlement to social insurance and social assistance payments and liability for Pay Related Social Insurance contributions in accordance with the Social Welfare Consolidation Act 2005 and regulations. The guidelines, procedures and practices under which such decisions are made are kept under review and changed where necessary. Customers whose claims are disallowed or who are disqualified from payment or awarded social welfare at a reduced rate are informed that if they have any new fact or evidence that has a bearing on their case, they should send it in the first instance to the Deciding Officer for re-examination and, if appropriate, for revision of the decision. They are informed that this right is in addition to their right of appeal to the SWAO. They can seek a Deciding Officer review before making an appeal or can do both concurrently. The right of appeal to the SWAO remains an option if the review by the Deciding Officer is not fruitful.

I welcome the continued commitment of the Social Welfare Appeals Office in providing an accessible and independent review mechanism for people who are dissatisfied with decisions made by the Department.

Data Protection.

464. **Deputy Ruairí Quinn** asked the Minister for Social and Family Affairs the policies in place to secure portable electronic data devices in her Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in her Department; the date by which she expects a satisfactory security policy on portable electronic data devices to have been implemented; and if she will make a statement on the matter. [32409/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The Department has a comprehensive written Portable Computing Device Security Policy, which is published on its in-house intranet site. Staff are advised, inter alia, that sensitive Department data should not be stored on portable computing devices or portable storage media. However, in the event that there is no alternative to local storage, all sensitive Department data stored on portable computing devices must be secured using one or more of the following as appropriate: Personal Firewalls; BIOS Passwords; Data/Application encryption using approved encryption techniques; Screen Locking; Screen Timeout.

Users are also instructed to protect Department-owned (or authorised) portable computing devices, removable storage components, and removable computer media from unauthorised access. Physical security measures should include the following: Portable computing devices, computer media, and removable components, such as disk drives and network cards, must be stored in a secure environment. Devices must not be left unattended without employing adequate safeguards such as cable locks, restricted access environments, or lockable cabinets.

When possible, portable computing devices, computer media, and removable components must remain under visual control while travelling. If visual control cannot be maintained, then necessary safeguards shall be employed to protect the physical device, computer media, and removable components. Safeguards shall be taken to avoid unauthorised viewing of sensitive or confidential data in public or common areas. Loss or theft of portable computing devices or storage media containing sensitive data must be reported via local management to the Head of Information Security.

The Department is currently engaged in a comprehensive review of the implementation of the policy across the organisation. All new laptops are issued with whole-disk encryption software. The Department is currently arranging a recall of its current stock of laptops to install

[Deputy Mary Hanafin.]

encryption software. The process is expected to be completed by the end of December 2008. The Department is also engaged in implementing a policy to restrict the use of USB memory devices.

465. **Deputy Ruairí Quinn** asked the Minister for Social and Family Affairs the number of Department owned computer desktops or laptops or other data devices, such as blackberrys and memory keys, reported lost, missing or stolen from her Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if she will make a statement on the matter. [32424/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The following data devices, owned by the Department, were reported stolen or lost to date in 2008 — Two Laptops — (1 house break-in, 1 office break-in); Two Desktops — Buncrana SWLO. None of these devices have been recovered. As all client data is held on central databases, no client data is held on the stolen computer desktops. 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.

466. **Deputy Michael Ring** asked the Minister for Social and Family Affairs the amount in the social insurance fund in each of the past ten years; the funding that has been taken out of the fund; the purpose for which it was taken out; and if she will make a statement on the matter. [32430/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The Social Insurance Fund derives its income mainly from pay-related social insurance contributions from employers, employees and self employed workers. It provides insured contributors with both long-term pension benefits and short-term benefits such as unemployment and disability payments. The fund comprises a current account which is managed and controlled by the Minister for Social and Family Affairs and an investment account which is managed and controlled by the Minister for Finance through the National Treasury Management Agency (NTMA). Funds which are surplus to day to day requirements are held in the investment account and receive a return on their investment. The following table outlines the Social Insurance Fund receipts, payments, annual surplus and accumulative surplus for each year since 1997. The figures for 2007 are provisional.

Year	Receipts	Payments	Annual Surplus	Accumulated Surplus
	€m	€m	€m	€m
1997	2,469	2,461	8	10
1998	2,717	2,648	69	79
1999	3,159	2,818	341	420
2000	3,726	3,291	435	855

Year	Receipts	Payments	Annual Surplus	Accumulated Surplus
	€m	€m	€m	€m
2001	4,307	3,676	631	1,486
2002	4,798	4,376	422	1,273
2003	5,089	4,833	256	1,529
2004	5,650	5,273	377	1,906
2005	6,159	5,665	494	2,400
2006	6,975	6,326	649	3,049
2007	7,834	7,251	583	3,632

The fund was established in 1953. From 1953 to 1996 there was a shortfall between the amount of income received into the fund and expenditure from it. This was made up by way of an Exchequer subvention in each year, as provided for under the Social Welfare Acts. From 1997 the fund has generated an annual surplus with an accumulated surplus being invested by the NTMA.

There were no draws on the fund in the period 1997 to 2007 for the purposes of meeting its liabilities. In 2002 a contribution of €635 million was made from the fund to the Exchequer. The contribution was made in view of the strong financial position of the fund and in recognition of the exchequer contributions to the fund over the earlier years.

Social Welfare Benefits.

467. **Deputy Seán Sherlock** asked the Minister for Social and Family Affairs the status of an application for the back to school allowance by a person (details supplied) in County Cork; and if she will make a statement on the matter. [32431/08]

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 (CWS) 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. The Southern area of the HSE has advised that an application for BSCFA has recently been received and a payment will issue shortly to the person concerned.

Data Protection.

468. **Deputy Terence Flanagan** asked the Minister for Social and Family Affairs her views on a query (details supplied); and if she will make a statement on the matter. [32468/08]

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. These files contained some 380,000 individual personal customer records.

On being notified of the contents of the laptop on 1 August, 2008, the Department moved swiftly to respond to the incident and has taken all reasonable steps to minimise the concerns of the customers whose records were on the laptop. The Department contacted the Gardaí, various other Government and payment institutions to inform them of the situation. From enquiries it was established that there is no indication of any systematic misuse of the information contained on the laptop in the seventeen months since the theft occurred.

[Deputy Mary Hanafin.]

On 11 August, 2008, I publicly expressed my concern that the theft of this information would cause anxiety to customers and announced that the Department would be writing to all those whose personal details were contained on the laptop. Advertisements were placed in national and regional newspapers to notify the public of the incident and outline the Department's response. The letters, as below, detailed the particular information contained on the laptop and provided advice and reassurance based on the information that had been lost. The letters did contain a statement of regret by the Department for any concerns which the incident may have caused and provided details of the dedicated freephone helpline that the Department had established to deal with customers enquiries, offer advice and allay concerns.

The Department worked closely with the Data Protection Commissioner in relation to its response to this incident. The Commissioner welcomed the manner in which the Department addressed the issue by writing to those directly affected and in establishing a dedicated helpdesk to provide further information and assistance as required. He stated publicly that he considered that this approach represented "best practice and a truly first rate response in the circumstances".

BIRD (post office & cheque)

Department of Social and Family Affairs

PO Box 12000

Dublin 1

www.welfare.ie

[name

Address

Address

Address

Address]

Dear

As you may be aware from recent reports, the Department of Social and Family Affairs has been informed by the Office of the Comptroller and Auditor General (C&AG) that one of its stolen laptop computers contained personal and payment information relating to social welfare customers.

We have been working with the Office of the C&AG to identify customers who may have been affected. The C&AG has told us that the following information about you was included on the laptop:

- name, address
- PPS number
- payment and other personal information including date of birth, and marital status.

A period of 16 months has passed since this event occurred. The Department has no evidence that customer information has been misused or compromised in anyway. It is unlikely that your information has therefore been misused.

If you have suspicions that there has been any misuse of your information, you should write to this Department at Freepost, PO Box 12000, Dublin 1 or by email at helpline@welfare.ie giving details of your concerns. If you wish to talk to an official of the Department about this matter you can contact us at Freephone: 1800 690 590 (9am to 6pm).

We are engaged in a continuous programme of improvement to ensure that best practices are adopted in safeguarding personal information entrusted to us. As part of this programme we have tightened procedures for the provision of information to other bodies.

The Department very much regrets any concerns which this incident may cause you but wants to assure you that we take any breach of security very seriously.

Yours sincerely,

[signature]

Niamh O'Donoghue

Director General.

BIRD (bank)

Department of Social and Family Affairs

PO Box 12000

Dublin 1

www.welfare.ie

[Name

Address

Address

Address

Address]

Dear

As you may be aware from recent reports, the Department of Social and Family Affairs has been informed by the Office of the Comptroller and Auditor General (C&AG) that one of its stolen laptop computers contained personal and payment information relating to social welfare customers.

We have been working with the Office of the C&AG to identify customers who may have been affected. The C&AG has told us that the following information about you was included on the laptop:

- name, address, PPS number bank account details
- payment and other personal information including date of birth, and marital status.

A period of 16 months has passed since this event occurred. The Department has no evidence that customer information has been misused or compromised in anyway. It is unlikely that your information has therefore been misused.

[Deputy Mary Hanafin.]

As your payment was being made into your bank account, we have notified your bank about the incident so that they can carry out appropriate checks. However, we would advise you to check your bank statements to assure yourself that there has been no unusual activity on your account, since the theft occurred in April 2007. If you have any concerns, please contact your bank.

If you have suspicions that there has been any misuse of your information, you should write to this Department at Freepost, PO Box 12000, Dublin 1 or by email at helpline@welfare.ie giving details of your concerns. If you wish to talk to an official of the Department about this matter you can contact us at Freephone: 1800 690 590 (9am to 6pm).

We are engaged in a continuous programme of improvement to ensure that best practices are adopted in safeguarding personal information entrusted to us. As part of this programme we have tightened procedures for the provision of information to other bodies.

The Department very much regrets any concerns which this incident may cause you but wants to assure you that we take any breach of security very seriously.

Yours sincerely,

[signature]

Niamh O'Donoghue

Director General.

Departmental Staff.

469. **Deputy Brendan Kenneally** asked the Minister for Social and Family Affairs if adequate staff, taking into account illness cover and maternity cover, are available to deal with new claims to her Department; her plans to review this sector; and if she will make a statement on the matter. [32555/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The Department's Management Services Unit has responsibility for carrying out staffing assessments for all the business areas in the Department including Local Offices. The Administrative Productivity Training (APT) method of work measurement is used to identify, measure and quantify workloads and determine staffing requirements for all clerical/administrative work.

Based on the measurement, a core figure of staffing for each business unit is established. As part of this measure, a set 14.3% absence reserve is added to the suggested staffing calculations. The absence reserve covers all normal levels of annual, sick and special leave. In addition, 50% of absences due to Maternity Leave are covered, generally by way of temporary recruitment. As a consequence of the increasing live register the staffing levels in local offices were reviewed earlier this year and an additional 31 posts were assigned to some 15 offices. The impact of increasing claim loads is kept under ongoing review.

Decentralisation Programme.

470. **Deputy Joan Burton** asked the Minister for Social and Family Affairs the number of civil servants and other public servants in her Department who had been decentralised from

Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if she will make a statement on the matter. [33063/08]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The Supplementary Welfare Allowance Section of the Department, comprising 15 posts relocated from Dublin to Sligo in July 2005, as part of the current programme of decentralisation. In addition, 3 posts from the Department's Staff Development Unit also relocated from Dublin to Sligo during 2006.

While no further posts had relocated by the original deadline of December 2006, a number of officers had transferred into the Department in preparation for the relocation of business units to both Sligo and Carrick-on-Shannon which took place during 2007. At the end of 2007, 111 posts had relocated from Dublin to Carrick-on-Shannon and a further 48 posts had relocated to Sligo, which brought the total number of new posts decentralised to Sligo under the current programme to 66 posts. In addition to the above, by the end of 2006, a total of 100 employees of the Department had transferred to other Government Departments for the purposes of their decentralisation programme.

Departmental Staff.

471. **Deputy Joan Burton** asked the Minister for Defence the bonuses awarded by his Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if he will make a statement on the matter. [31997/08]

Minister for Defence (Deputy Willie O'Dea): Civil Service posts at the levels of Assistant Secretary and Deputy Secretary are covered by a scheme of performance related awards. The operation of the scheme is overseen by the Committee for Performance Awards (CPA). Details of awards to individual officers under the performance related scheme are not disclosed on the basis that they are confidential to the officer concerned. However, I can say that during 2005, 2006 and 2007 awards totalling €21,200, €22,400 and €22,000 respectively were made to two officers in my Department. Details of the operation of the scheme are available in the Annual Report for 2006 of the Committee for Performance Awards which can be accessed on the website of the Department of Finance at the following link:

<http://www.finance.gov.ie/documents/publications/reports/CPArep2006.pdf>.

Performance Awards for other grades are made to individual staff members and to groups of staff by way of recognition for exceptional performance of duty. In assessing eligibility for awards, regard is given to the nature and quality of the activities involved and to the circumstances under which they were carried out. Attention is also paid to the grade level of the staff members concerned and to what would be regarded as high quality performance from staff in such grades.

In 2007 a total of €22,421 was awarded under the Scheme for the Recognition of Exceptional Performance, comprising 2 individual awards of €600 and €1,000 and 34 group awards ranging from €100 to €1,500. In 2007 there were 400 members of staff across all grades up to and including Principal Officer level who were eligible for consideration for an award under the above scheme.

In 2006 a total of €41,118 was awarded under the Scheme for Recognition of Exceptional Performance, comprising 35 individual awards ranging from €50 to €2,000, and 26 group awards ranging from €80 to €1,080. In 2006 there were 388 members of staff across all grades up to and including Principal Officer level who were eligible for consideration for an award under

[Deputy Willie O’Dea.]

the above scheme. In 2005 payments were made under the Scheme totalling €15,129. These consisted of 36 group awards ranging from €40 to €1,120.

Decentralisation Programme.

472. **Deputy Joan Burton** asked the Minister for Defence if he will list in regard to his Department and State agencies or bodies operating under the aegis of his Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if he will make a statement on the matter. [32012/08]

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 and for the decentralisation of the Defence Forces Headquarters (DFHQ) to the Curragh.

The number of posts to be relocated to Newbridge is approximately 200 civil servants and 43 military personnel. A further 410 military personnel will decentralise to the Curragh. While close to 90% of clerical/administrative staff are now in place in preparation for the move to Newbridge, no staff have moved to date as the building is under construction and is expected to be ready for occupation by December 2009. In relation to the decentralisation of DFHQ to the Curragh, a state owned site in the Curragh has been chosen for a new building. The time-scale for completion of the project will be determined by the outcome of the proposed tender competition which is being prepared by OPW and which is subject to approval of the necessary funding.

Compulsory Purchase Orders.

473. **Deputy Leo Varadkar** asked the Minister for Defence the State sponsored bodies, quangos and other agencies within the remit of his Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if he will make a statement on the matter. [32027/08]

Minister for Defence (Deputy Willie O’Dea): In response to the Deputy’s question I wish to state that none of the agencies within the remit of my Department have the power to issue compulsory purchase orders.

Departmental Properties.

474. **Deputy Ruairí Quinn** asked the Minister for Defence the reason he has chosen to issue notice to quit to tenants of his Department at the Defence Forces married quarters (details supplied) in Dublin 6; his views on whether 48 days notice for vacant possession, letter dated 11 September 2008 to families to vacate 30 October 2008, is breaking the law under the Residential Tenancies Act 2004 whereby a tenant is entitled to a minimum of four months notice; the location where he expects these tenants to live; his views on the proposed evictions; and if he will make a statement on the matter. [32065/08]

Minister for Defence (Deputy Willie O’Dea): Defence Forces Married Quarters are provided to serving members until their retirement or resignation. The Defence Forces Regulations state

that the Quarters must be vacated within 15 days of leaving the service. The current situation has arisen as a result of a failure to do so. The Defence Forces Married Quarters at Cathal Brugha consists of 3 and 4 bedroom married quarters. The letter to the occupiers on the 11 September 2008 issued as a first stage in commencing a process of dialogue. The occupiers were requested to make arrangements to vacate the premises and make alternative arrangements for their accommodation as soon as possible, but no later than the end of October 2008. It could be that the occupiers would qualify for local authority housing and to facilitate this, my Department enclosed application forms to be completed and returned to Dublin City Council.

On the 18th September a further letter issued to the occupiers inviting them to a meeting with the Department on the 23 September. At that meeting they were informed that the deadline was not set in stone and that, if at all possible, my Department would welcome the opportunity to work with them to achieve a solution favourable to all parties. It would appear now, that arising from that meeting, all occupiers wish to purchase the quarters. My officials undertook to review the possibility of selling to the occupiers and a further meeting has been scheduled for the end of October. It is hoped that substantial progress will have been made by that time to facilitate a solution that meets the needs of both the occupiers and the Defence Forces.

Data Protection.

475. **Deputy Ruairí Quinn** asked the Minister for Defence the policies in place to secure portable electronic data devices in his Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in his Department; the date by which he expects a satisfactory security policy on portable electronic data devices to have been implemented; and if he will make a statement on the matter. [32401/08]

Minister for Defence (Deputy Willie O’Dea): The use of all portable electronic devices in my Department is covered by a comprehensive written ICT security policy, which has been in force for some years and is supplemented by additional instructions from time to time to reflect changing requirements. The policy is published in booklet form, distributed to all staff, and is also accessible to all on the Department’s internal network. A system of full hard disk encryption is already in place on all newly issued laptops and is being rolled out to older models. I am satisfied that these measures provide robust means of protection for portable electronic devices.

476. **Deputy Ruairí Quinn** asked the Minister for Defence the number of Department owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from his Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if he will make a statement on the matter. [32416/08]

Minister for Defence (Deputy Willie O’Dea): In relation to my Department and the Defence Forces, no officially issued computer desktops, laptops or other data devices, such as blackberries and memory keys, have been reported lost, missing or stolen to date in 2008.

Decentralisation Programme.

477. **Deputy Joan Burton** asked the Minister for Defence the number of civil servants and other public servants in his Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if he will make a statement on the matter. [33054/08]

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 and for the decentralisation of the Defence Forces Headquarters (DFHQ) to the Curragh.

The number of posts to be relocated to Newbridge is approximately 200 civil servants and 43 military personnel. A further 410 military personnel will decentralise to the Curragh. While close to 90% of clerical/administrative staff are now in place in preparation for the move to Newbridge, no staff have moved to date as the building is under construction and is expected to be ready for occupation by December 2009. In relation to the decentralisation of DFHQ to the Curragh, a state owned site in the Curragh has been chosen for a new building. The time-scale for completion of the project will be determined by the outcome of the proposed tender competition which is being prepared by OPW and which is subject to approval of the necessary funding.

Departmental Advertising.

478. **Deputy Róisín Shortall** asked the Minister for the Environment, Heritage and Local Government the cost of the Change.ie advertising campaign in relation to the cost of broadcast advertising, billboard advertising and the total cost of consultancy fees and production costs incurred. [32137/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The overall cost of the communications and awareness campaign on climate change, the Change campaign, for its first two years will be approximately €12.5m (exclusive of VAT), which will be funded from the Environment Fund. The costs incurred to date (exclusive of VAT) on the consultancy fees for the campaign as a whole and on the advertising element are provided in the following table:

Description	Cost
	(€)
Consultancy Fees (Consortium) for all aspects of the campaign	1,639,770
Billboard Advertising (Outdoor and Transport Media)	378,155
Broadcast Advertising (TV and Radio Media)	1,015,919
Production Costs (TV, Radio, Outdoor)	925,217

Water and Sewerage Schemes.

479. **Deputy Michael Ring** asked the Minister for the Environment, Heritage and Local Government the position regarding to a water scheme (details supplied) in County Mayo; and when funding will be allocated for same. [31931/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Kilmaine and Shrulce Water Supply Scheme is being funded under my Department’s Water Services Investment Programme 2007-2009. My Department approved Mayo County Council’s proposals to serve these areas from the Tuam Regional Water Supply Scheme (Lough Corrib source) some time ago. I understand that the pipework to serve Shrulce is now in place and that Mayo County Council is arranging with Galway County Council for the provision of the water supply.

Election Management System.

480. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government when he will make the ministerial order to implement the changes recommended by the Dublin and cities electoral area boundary committee and the electoral area boundary committee; his views on a review of the proposed changes on the basis that communities will be split in two by the changes; and if he will make a statement on the matter. [31944/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): On 16 June 2008, I received the reports of the two independent Boundary Committees I established in January 2008 to review local electoral areas. When publishing the reports on 17 June 2008, I announced that I was accepting the recommendations contained in them. It is my view that to review or seek to amend the recommendation of the committees at this stage would undermine the independent and apolitical nature of the process. I will be making the necessary orders to give effect to the recommendations in the reports as soon as possible.

Departmental Staff.

481. **Deputy Joan Burton** asked the Minister for the Environment, Heritage and Local Government the bonuses awarded by his Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if he will make a statement on the matter. [32000/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Civil service posts at the levels of Assistant Secretary and Deputy Secretary are covered by a scheme of performance related awards. The operation of the scheme is overseen by the Committee for Performance Awards. Since 2002, the funding for awards is based on 10% of the payroll for the posts covered by the scheme. Within this overall limit, payments of up to 20% can be made to individuals. 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 for Performance Awards (available on the website www.finance.gov.ie). Details regarding the number of staff who received performance related awards and the total amount paid in the period 2005-2007 are set out in the following table:

Year	Number of staff who received performance related awards	Total Payment
		€
2005	9	105,000
2006	8	96,000
2007	7	101,800

Decentralisation Programme.

482. **Deputy Joan Burton** asked the Minister for the Environment, Heritage and Local Government if he will list in regard to his Department and State agencies or bodies operating under the aegis of his Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the

[Deputy Joan Burton.]

number of proposed projects that will not proceed; and if he will make a statement on the matter. [32015/08]

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 and a small co-ordination section 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 programme also provides for the relocation of the Local Government Computer Services Board (91 posts) and the National Building Agency (48 posts) to Drogheda and Wexford respectively.

A site has been acquired for my Department's Headquarter offices in Wexford which are under construction and expected to be completed by December 2008 and ready for occupation from end January 2009. My Department will then transfer 270 posts into these offices, commencing in Q1 2009. An advance office was established in Wexford on 25 June 2007 and is currently staffed by 44 people. Of these, one staff member transferred from an original location outside of Dublin and one staff member was recruited locally. The remainder of the staff transferred from an original Dublin based location.

A site has been acquired by OPW for my Department's offices in Waterford, and further information is awaited in regard to the acquisition of accommodation at the other locations identified above. The Government decided in July 2008 that further expenditure for the acquisition of accommodation for decentralisation would await detailed consideration of reports from the Decentralisation Implementation Group.

Compulsory Purchase Orders.

483. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government the State sponsored bodies, quangos and other agencies within the remit of his Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if he will make a statement on the matter. [32030/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Of the bodies under the aegis of my Department, local authorities and the Dublin Docklands Development Authority are empowered to acquire land compulsorily. I have no function in relation to the making or confirmation of compulsory purchase orders and my Department does not collect information regarding the exercise of such powers by relevant authorities.

Planning Issues.

484. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government the guidance, in view of the recent helicopter crash, his Department gives to local authorities with regard to granting permission for helipads in or near residential areas; if he is satisfied with the regulations and guidance; and if he will make a statement on the matter. [32049/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Regulation of the use of helicopters is a matter in the first instance for the Irish Aviation Authority. My Department has not issued guidance to planning authorities regarding the grant

of planning permission for helipads — this is a matter that would be dealt with under relevant planning legislation on a case specific basis, as with any other proposed development.

Waste Management.

485. **Deputy Martin Ferris** asked the Minister for the Environment, Heritage and Local Government if a local authority can place a condition on the waste permits it issues obliging private waste operators to provide a tag for bin service as one of two options it offers to their customers as part of the pay by use system in operation. [32069/08]

486. **Deputy Martin Ferris** asked the Minister for the Environment, Heritage and Local Government if there are legal reasons prohibiting a tag for bin requirement being placed on waste collection permits in the north-east region in view of the fact that the north east waste management plan states that a fixed annual fee is not deemed adequate as it does not provide sufficient incentive to minimise waste, and the tag for bin system is recognised as one of the options under the pay by use system as being a proven incentive to minimise waste and encourage recycling. [32070/08]

487. **Deputy Martin Ferris** asked the Minister for the Environment, Heritage and Local Government if he is satisfied that a local authority can, through the waste permit, allow a private waste collector scrap the proven and successful tag for bin service and replace it with a fixed annual fee which is not deemed adequate under a region's own waste management plan. [32071/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 485 to 487, inclusive, together.

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 the nominated local authorities to attach such conditions as they consider necessary to give effect to the objectives of the relevant regional waste management plan and to apply charges for household waste collection that respect the polluter pays principle, which informs policy in this regard in Ireland.

It is important that all reasonable steps are taken to encourage the sound environmental management of waste and in particular to encourage waste prevention, reuse, recycling and recovery. Any move by a waste collection service provider away from use based charging must be regarded as a retrograde step. Nominated authorities, as the bodies with statutory responsibility for the issuing or reviewing of waste collection permits, should apply all necessary conditions, as provided for in the 2007 Regulations, to provide for weight and/or volume based waste charges.

Private Rented Accommodation.

488. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government the average time it takes for a case to appear before the Private Tenancies Disputes Mediation Panel and before the adjudication panel from date of first contact; the average time it takes both panels to make a recommendation subsequent to the hearing; and if he will make a statement on the matter. [32087/08]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): My Department has no function in the operational matters of the Private Residential Tenancies Board (PRTB), which is an independent statutory body established under the terms of the Residential Tenancies Act 2004. The PRTB may be contacted at their offices at O'Connell Bridge House, Dublin 2 or by telephone or email. Contact details are available on the Board's website at *www.prtb.ie*.

Local Authority Funding.

489. **Deputy Michael Kennedy** asked the Minister for the Environment, Heritage and Local Government his views on amending the legislation in order that local authorities are permitted to collect a levy from advertising revenues derived from advertisements in bus shelters and other such public places; and if he will make a statement on the matter. [32133/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Local authorities levy rates on commercial properties, including advertising hoardings and bus shelters. It is also open to local authorities to enter into contractual arrangements with companies that are permitted by the local authority to advertise in public areas.

Planning Issues.

490. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government, further to Parliamentary Question No. 19 of 27 February 2008, the planning authorities which have complied with circular letter PD1/08; the planning authorities which have yet to comply with it; and if he will make a statement on the matter. [32140/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Circular Letter PD 1/08 required each planning authority by the end of June 2008 to develop or update, as appropriate, its policy on taking in charge residential developments, on the basis of a framework set out in the circular and wider housing and planning policy guidance. A new local government service indicator in relation to taking in charge has been introduced, which will provide benchmark data from 2009 onwards for monitoring the taking in charge process. The information to be reported annually will include: the number of estates that were taken in charge in the year in question; the total number of dwellings in these estates; and the number of estates in respect of which enforcement action was taken.

Social and Affordable Housing.

491. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the number of independent living units that have been funded by his Department through the local authorities housing allocation funding for each of the past five years; and if he will make a statement on the matter. [32186/08]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): 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*.

Motor Taxation.

492. **Deputy Seymour Crawford** asked the Minister for the Environment, Heritage and Local Government the way he can justify a situation where one person driving a 1.6 TDCI diesel

127mg/km has to pay €428 tax while their neighbour driving the exact same car only has to pay €150; his views on whether this is unfair and unjust; and if he will make a statement on the matter. [32216/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

New emissions based VRT and motor tax systems were introduced in 2008 in order to influence the future purchasing decisions of car buyers. It was made clear from the beginning of the public consultation process on the proposed changes, in December 2006, that the proposals would not be made retrospective to the existing car fleet.

The question of applying the new CO₂ based motor tax system to all cars was subject to further detailed debate on the Motor Vehicle (Duties and Licences) Act 2008. As was indicated in the debate, the rates under the CO₂ system were determined on a revenue neutral basis so as not to undermine the monies available to the Local Government Fund. In addition, it was pointed out that any retrospection would not be practicable, as the CO₂ data for the car fleet had not been authenticated for business purposes. The cost of any retrospection, were it possible, could be substantial, depending on how it applied, and could have direct implications for the revenue base of Local Government.

Water and Sewerage Schemes.

493. **Deputy Seymour Crawford** asked the Minister for the Environment, Heritage and Local Government the position regarding the Castleblayney sewerage scheme programme; if his attention has been drawn to the fact that there are ongoing problems with the present sewage collection system and that there is a need for an upgrade of both the sewerage plant and collection system; and if he will make a statement on the matter. [32218/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

The Castleblayney Sewerage Scheme, which is being advanced as a grouped project with Ballybay and Clones, is approved for funding under my Department's Water Services Investment Programme 2007-2009 at an overall estimated cost of €12m.

My Department is awaiting Preliminary Reports from Monaghan County Council for the three locations. I understand that the Council is preparing an Environmental Impact Statement in respect of the Castleblaney element of the project.

Voluntary Housing Sector.

494. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 547 of 4 March 2008, if the suggested pilot tenant purchase scheme for some new voluntary homes has been carried out; if a report has been prepared on the pilot scheme; and if it is intended to provide for tenant purchase of homes in the voluntary sector in the new Housing (Miscellaneous Provisions) Bill 2008. [32246/08]

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

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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.

Water Quality.

495. **Deputy Michael D. Higgins** asked the Minister for the Environment, Heritage and Local Government the action he proposes to take to address issues that have arisen regarding the safety of the water supply system in certain areas of Galway City; if it is planned that he, and senior officials from his Department, will meet officials on Galway City Council; the measures he has taken to address the lead contamination issues that have arisen in certain housing areas in Galway; if such an issue was examined in previous examinations of the water supply; and the steps he proposes to take. [32345/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply on 25 September 2008 when this matter was raised on the Adjournment.

Subsequently, I understand that the Health Services Executive has confirmed that tests carried out to date have established that none of the persons tested has shown any evidence of lead toxicity. I have strengthened the legislation and provided additional resources to the EPA to ensure that the Agency is effective in its supervision of local authorities in the management of their public water supplies. I also understand that senior officials of the Agency have visited Galway to review the City Council's remedial action plans. My Department is also maintaining ongoing contact with the Council in relation to the current situation. In addition, substantial funding is being provided towards Galway city's water conservation programme and it is open to the city council to prioritise any necessary pipe replacement works.

Register of Electors.

496. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government the reason it is not possible to view or purchase copies of the marked electoral register for referenda. [32346/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Referendum Act 1994 does not make provision for the inspection and making available of certain documentation, including the marked copy of the electoral register. Furthermore, the Minister for the Environment, Heritage and Local Government does not have any statutory function in relation to documentation arising from a referendum. Statutory responsibility in this matter lies with the referendum returning officer under the provisions of Part III of the Referendum Act 1994.

Election Management System.

497. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government when he will complete the consultation process in regard to election postering; when he expects to introduce new regulations; and if he will make a statement on the matter. [32347/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I announced a public consultation, inviting submissions from all persons and organisations, regarding the control of postering for elections and referenda on 23 July 2008. The closing date for receipt of comments, 15 September 2008, has now passed. Submissions are currently being

collated and analysed in my Department, to inform my development of proposals which I expect to bring to Government in the near future.

Proposed Legislation.

498. **Deputy Catherine Byrne** asked the Minister for the Environment, Heritage and Local Government when the Social Housing (Miscellaneous Provisions) Bill will be published; if it will provide for the tenant purchase of local authority flats and maisonettes; and if he will make a statement on the matter. [32348/08]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): The Housing (Miscellaneous Provisions) Bill 2008, which was presented to the Seanad on 23 July 2008, did not include provision for the tenant purchase of local authority apartments as it was not possible to resolve the complex issues involved in time for publication. Work is continuing to resolve the outstanding issues with a view to finalising proposals for a viable sales scheme in time for consideration during the passage of the Bill through the Oireachtas.

Housing Grants.

499. **Deputy Seymour Crawford** asked the Minister for the Environment, Heritage and Local Government if he will ensure that sufficient funds are made available towards the building of OPD's or houses for the disabled in order that both front and back doors are fitted sufficient in width to allow for wheelchair access and that clear access is available for wheelchairs inside the doorways; his views on whether it would be better value to ensure that this is carried out at the time of construction rather than having to provide independent grants to reconstruct such houses at a later date; and if he will make a statement on the matter. [32361/08]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): 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 and people with disabilities can be met through a wide range of available supports by this Department. These include local authority housing, voluntary and cooperative housing and the Housing Adaptation Grants for Older People and People with a Disability, introduced in November 2007, which provide targeted support to assist older people and disabled people in carrying out necessary repairs and improvements to their homes.

In dealing with the provision of housing to cater for a specific household need, the requirements are determined in consultation with the prospective tenant and their healthcare professionals, and incorporated into the design. Costs can vary significantly depending on the specific needs.

Below this level of need, the national Building Regulations, which are operative with effect from 1 June 1992, apply to all dwellings. Part M sets out the legal requirements for Access for People with Disabilities to buildings, including dwellings and was amended with effect from 1 January 2001 to require that all new dwellings must be visitable for people with disabilities, including those in wheelchairs. Compliance in this regard is achieved by making the entrance

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of a new dwelling accessible or, where this is not practicable, an alternative entrance should be rendered accessible.

Data Protection.

500. **Deputy Ruairí Quinn** asked the Minister for the Environment, Heritage and Local Government the policies in place to secure portable electronic data devices in his Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in his Department; the date by which he expects a satisfactory security policy on portable electronic data devices to have been implemented; and if he will make a statement on the matter. [32404/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): It is the Department's policy to ensure that all newly procured laptops have encryption software installed as standard. A rolling project to ensure that all existing stock is updated with the latest encryption technology is also underway.

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 equipment provided to them. Passwords must remain confidential and must not be relayed to any other person. This policy, which has been published, is available to all staff on the Department's internal Intranet site. The Department's Information and Communications Technology security procedures are kept under constant review.

501. **Deputy Ruairí Quinn** asked the Minister for the Environment, Heritage and Local Government the number of Department owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from his Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if he will make a statement on the matter. [32419/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): 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.

Development Levies.

502. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government if, with reference to the report by the Comptroller and Auditor General, he will provide a breakdown by each local authority of the funds collected by way of levies paid by developers which remain unspent; if he is satisfied that of the funds which were spent only approximately 15% was spent on community facilities; the measures he will put in place to address the information gap in regard to the amount of development contributions outstanding referred to in the report; and if he will make a statement on the matter. [32476/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Planning and Development Act 2000 introduced changes to the operation of the development contributions system, including the introduction of a statutory requirement that such contributions may now be levied only in accordance with a development contribution scheme drawn up by the planning authority and approved by the elected members following a public consultation process.

Section 48 of the Planning and Development Act, 2000 provides that planning authorities may levy development contributions in respect of public infrastructure and facilities provided by, or on behalf of, the local authority that benefit development in the area. The apportionment of the monies levied as between different classes of infrastructure is a matter for the planning authority. As Minister, my role is to provide the necessary statutory and policy framework within which individual development contribution schemes are adopted by each local authority. Policy guidance on the issue was provided to planning authorities in the form of circular letters from my Department in 2003 and 2007.

My Department is currently considering whether further guidance is required for planning authorities on the operation of the development contributions system. The need for any legislative changes will also be assessed as part of the preparation of a General Scheme for the Planning and Development (Amendment) Bill.

Details of individual development contribution schemes are available directly from each planning authority. Each planning authority is also required to include details of contributions received and contributions owing to it, together with information on how the contributions have been expended, in the statutory annual report of the authority. The most recent information available to the Department in relation to the amount of development contributions unspent by individual planning authorities is being compiled and will be forwarded to the Deputy as soon as possible.

Housing Grants.

503. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government if financial assistance towards radon proofing is available to owners of former local authority houses that were found to have been above the acceptable levels of radon gas; and if he will make a statement on the matter. [32483/08]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael P. Kitt): The Scheme of Housing Aid for Older People is available to assist older people, generally over 60 years, to have necessary repairs or improvements carried out to their homes. Where a suite of works is being grant aided under this scheme, local authorities may also, as part of the package of works, assist with the provision of radon remediation works, where applicable.

There is no other scheme of grant assistance that exclusively targets remediation works in private dwellings with radon levels that exceed the National Reference Level. The Government's approach, which is similar to that of the majority of EU member states, is instead to concentrate efforts on increasing public awareness of the risks posed by radon in the home.

The Government, largely through the Radiological Protection Institute of Ireland (RPII), has, for many years now, committed resources towards assessing the extent of the radon problem throughout the country. Between 1992 and 1999 the RPII carried out a comprehensive National Radon Survey (NRS) to measure radon concentrations in Irish homes. The principal objective was to identify the scale of the radon problem in Ireland and to identify areas at higher risk of radon contamination.

Householders, particularly those in known high radon areas, have been strongly encouraged to have their homes tested for radon and to undertake remediation works where necessary. Since the completion of the National Radon Survey the RPII has completed radon measurements in an additional 22,000 homes. This will continue to be the focus so as to enable and encourage householders to address monitoring and remedial requirements effectively and economically. Full details are on the RPII website.

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Since 1998 the Building Regulations require all new buildings, including new houses, to incorporate radon protection measures at the time of construction.

504. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government if an application has been made by Cork County Council for a remedial grant towards the cost of radon proofing homes that are found with above normal levels of radon gas; and if he will make a statement on the matter. [32484/08]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): Cork County Council has recently undertaken radon testing on local authority houses in the North Cork area and is considering the results of these tests. My Department has not received any application for funding to undertake radon proofing works on the Council's housing stock at this time.

Local Authority Funding.

505. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government if local authorities have recently been issued with a directive to withdraw funding which was allocated for significant projects and schemes at pre-contract level; if so, if the directive applies to allocations over the past number of years during which the funding was not drawn down as various schemes were incomplete; and if he will make a statement on the matter. [32495/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): No such general directive has been issued by my Department in respect of local authority capital projects funded by my Department.

My Department wrote to local authorities in July 2008 to set aside old loan approvals for capital works where no funding had been drawn down on foot of these approvals. Authorities who wished to renew such applications for borrowing sanction were requested to reapply to my Department specifying any new requirements.

Housing Aid for the Elderly.

506. **Deputy Ulick Burke** asked the Minister for the Environment, Heritage and Local Government the funding that will be made available to Galway County Council for the additional application works that were previously with the Health Service Executive west in relation to arrangements between local authorities and the HSE under the special housing aid for the elderly scheme; if he is satisfied with the situation whereby there are 387 outstanding applications since 2006 together with additional applications for 2007 and 2008; if his attention has been drawn to the impasse between both bodies in relation to the lack of available funds to deal with previous applications and new applications under this scheme; and if he will make a statement on the matter. [32503/08]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Máire Hackett): A combined allocation of €1,820,130 was made to Galway County Council earlier this year for the purposes of the Housing Adaptation Grant for People with a Disability, the Mobility Aids Grant Scheme and the Housing Aid for Older People Scheme, which amalgamates the provisions of the Essential Repairs Grant and the Special Housing Aid for the Elderly Scheme. Following a period of overlap with the new Housing Aid for Older People scheme, the Special Housing Aid for the Elderly Scheme was discontinued from 1 August 2008. Applications under the Special Housing Aid for the Elderly Scheme on hand at

that date will continue to be processed by the Health Service Executive. My Department has received a request from Galway County Council for additional funding under these schemes. The Council, with the particularly significant levels of demand experienced to date in 2008, was recently notified of an additional Exchequer allocation of €300,000 towards their operation this year.

Planning Issues.

507. **Deputy Brendan Kenneally** asked the Minister for the Environment, Heritage and Local Government his views on rural sustainability as presented in one-off housing developments; and if he will make a statement on the matter. [32552/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department's guidelines for Planning Authorities on Sustainable Rural Housing (2005) are designed to achieve a balance between a good planning framework for rural housing and the local housing needs of those who are part of, or have links to, local rural communities. The Guidelines elaborate on the physical development policies for rural areas as set out in the Government's National Spatial Strategy (2002) which, inter alia, promotes sustainable rural settlement as a key component of delivering more balanced regional development.

The guidelines set out how planning authorities should frame their development plan policies for the different types of rural areas which may exist within the development plan area, such as rural areas close to large towns and cities or those suffering from population decline. They also provide guidance to planning authorities on dealing with planning applications for rural housing including consideration of issues such as access to appropriate waste water treatment facilities, potential impacts of the development on groundwater, landscape, natural and cultural heritage and addressing road safety issues (e.g. frontage onto national roads). A copy of the guidelines are available on my Department's website, *www.environ.ie*.

Turbary Rights.

508. **Deputy Brendan Kenneally** asked the Minister for the Environment, Heritage and Local Government if domestic turf cutting on all blanket bogs will continue as has been promised and is the tradition in many parts of the country; and if he will make a statement on the matter. [32553/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): A small fraction of Ireland's peatlands are designated for conservation purposes. Ireland is obliged to protect these designated peatlands, whether they are blanket bogs or raised bogs. While all threats to the conservation status of designated blanket bogs must be kept under review, I envisage that domestic turf cutting, by turbary owners or those who have been exercising cutting rights, may continue on less sensitive parts of blanket bogs, subject to an end to cutting in certain sensitive areas, which will be identified on scientific grounds.

Decentralisation Programme.

509. **Deputy Joan Burton** asked the Minister for the Environment, Heritage and Local Government the number of civil servants and other public servants in his Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if he will make a statement on the matter. [33058/08]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Under the decentralisation programme, all Dublin based operations of my Department are

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being decentralised, with the exception of Met Éireann, ENFO and a small co-ordination section 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, as follows: Wexford, 270 posts; Waterford, 225 posts; New Ross, 125 posts; and Kilkenny, 62 posts. The programme also provides for the relocation of the Local Government Computer Services Board, 91 posts; and the National Building Agency, 48 posts; to Drogheda and Wexford respectively.

No civil or public servants from my Department, the Local Government Computer Services Board or the National Building Agency were decentralised by December 2006. However, my Department established an advance office in Wexford in June 2007 which is currently staffed by 44 people. The Department's headquarter offices in Wexford are under construction and expected to be completed by December 2008. My Department will then transfer 270 staff into these offices, commencing in the first quarter of 2009.

Departmental Staff.

510. **Deputy Joan Burton** asked the Minister for Communications, Energy and Natural Resources the bonuses awarded by his Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if he will make a statement on the matter. [31995/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Department of Communications, Energy and Natural Resources was established in June 2007. The scheme of performance related awards in the Civil Service applies to Deputy and Assistant Secretaries and equivalent grades. Awards totalling €41,100 were made to three officers in the Department in respect of 2007. Details of the scheme's operation are available in the report of the Committee for Performance Awards, which can be accessed at www.finance.gov.ie/documents/publications/reports/CPArep2006.pdf. My Department operates a merit award scheme for grades up to and including Assistant Principal Officer and equivalent grades. During 2007, awards totalling €27,017 were made to 226 officers out of a total eligible staff of 328 at the end of December 2008. The individual awards ranged from €30 to €895 in value.

Decentralisation Programme.

511. **Deputy Joan Burton** asked the Minister for Communications, Energy and Natural Resources if he will list in regard to his Department and State agencies or bodies operating under the aegis of his Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if he will make a statement on the matter. [32010/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): Properties are being sought in respect of my Department and its agencies as part of the overall decentralisation programme, to be funded from the Vote of the Office of Public Works. The decentralisation programme involves the relocation of my Department's headquarters to Cavan and the relocation of three bodies under its aegis. Sustainable Energy Ireland is being

decentralised to Dundalk, Ordnance Survey Ireland is being decentralised to Dungarvan and the Central Fisheries Board is being decentralised to Carrick-on-Shannon.

A permanent site has been acquired by the OPW for the Department's headquarters in Cavan. The Department is liaising with the OPW in relation to accommodation requirements there. The headquarters of the Department is scheduled to relocate in its entirety to Cavan under the programme. This will involve the relocation of approximately 300 Civil Service posts. The Decentralisation Implementation Group did not include the Department among the organisations approved for early mover status. The group set a target of the end of 2009 for the full decentralisation of the Department to Cavan. This date has since been extended to the end of 2010. Some 56 staff members from the Department have relocated to interim accommodation in Cavan. Six of them came from locations outside Dublin and the balance of 50 originated in Dublin. Discussions are ongoing with the OPW on procuring additional temporary accommodation.

Temporary accommodation has been acquired in Dundalk pending a permanent move for Sustainable Energy Ireland. The agency is liaising with the OPW on options for permanent accommodation. Two members of staff, both of whom originated in Dublin, are currently located in temporary accommodation in Dundalk. The OPW recently identified a possible permanent headquarters for the Central Fisheries Board in Carrick-on-Shannon. Matters on that front are being progressed with the board. In that regard, no firm timelines have as yet been established and no costs have been incurred. No staff have been relocated to Carrick-on-Shannon to date. Ordnance Survey Ireland is in discussions with the OPW in respect of permanent accommodation options in Dungarvan. It is carrying out a feasibility exercise in relation to a possible advance party.

Compulsory Purchase Orders.

512. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources the State sponsored bodies, quangos and other agencies within the remit of his Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if he will make a statement on the matter. [32025/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The bodies under the aegis of my Department with powers to issue compulsory purchase orders are listed in the following table. The use of these powers is a day-to-day operational matter for these bodies in which I have no function.

Body	Relevant CPO powers
An Post	Section 44 of the Postal and Telecommunications Services Act 1983 permits An Post to issue Compulsory Purchase Orders
Bord Gáis Éireann	Under Section 32 of the Gas Act 1976 (as amended), the Board may apply to the Commission for Energy Regulation (CER) for an Acquisition Order (CPO), to acquire compulsorily any land or right over land which is required by the Board to carry out its functions
Bord na Móna	Under section 29(1)(a) of the Turf Development Act 1946 Bord na Móna can for the purpose of exercising or performing any of its functions acquire any land either permanently or temporarily and either by agreement or compulsorily.
Commission for Energy Regulation	The Commission for Energy Regulation has CPO powers with respect to gas pipelines under the Gas Act 1976, as well as the authority to grant CPO rights to other companies with respect to electricity infrastructure under the Electricity Regulation Act 1999

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Body	Relevant CPO powers
EirGrid	Under the Infrastructure Agreement and acting as an agent of ESB, EirGrid can exercise all the powers vested in the ESB (under Section 45 of the Electricity (Supply) Act 1927) for the compulsory acquisition of any land which is required by EirGrid to carry out its functions
ESB	Sections 45 and 47 of the Electricity (Supply) Act 1927 permit the ESB to issue Compulsory Purchase Orders

Departmental Advertising.

513. **Deputy Róisín Shortall** asked the Minister for Communications, Energy and Natural Resources the cost of the Power of One advertising campaign in relation to the cost of broadcast advertising, billboard advertising, and the total cost of consultancy fees and productions incurred. [32138/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The national energy efficiency awareness campaign, Power of One, was launched in 2006 in order to raise awareness of the benefits of energy efficiency and of the key changes in behaviour needed to save energy and reduce carbon emissions. The campaign is an important element in the Government's energy efficiency strategy. The contractual commitment in relation to the Power of One campaign 2006-08 is €10.7 million in total, of which €2.5 million remains to be expended in 2008. In terms of the breakdown some €2.2 million has been for production costs, €4.6 million for media time, €2.4 million for consortium fees and €1.5 million for other third party costs, including campaign materials, photography and other contracted in services.

Energy Efficiency.

514. **Deputy Deirdre Clune** asked the Minister for Communications, Energy and Natural Resources the financial supports he will provide to homeowners who wish to improve the energy efficiency of their houses; and if he will make a statement on the matter. [32243/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): Financial supports are available to homeowners under two schemes funded by my Department to improve the energy efficiency of existing homes. For households on low incomes, such as those in receipt of fuel allowance, invalidity or disability benefit, the Warmer Homes Scheme managed by Sustainable Energy Ireland will install cavity wall insulation, attic insulation, a boiler lagging jacket, draught proofing measures and CFLs. Advice is also provided to householders on minimising energy use. These measures are provided free or at a token cost. I have made €5 million available to this scheme in 2008.

Other householders can avail of grants of up to 30% of the cost of energy efficiency improvement measures under the Home Energy Saving Scheme. I launched this scheme in 2008 on a pilot basis, in a limited number of areas, and with a budget of €5 million. This pilot phase, again managed by Sustainable Energy Ireland, is informing the design of a wider roll-out of the scheme in 2009. The Home Energy Saving Scheme grant aids cavity wall insulation, wall lining insulation, external insulation, attic insulation, heating controls and low emissivity double glazing.

Broadcasting Services.

515. **Deputy Brian O'Shea** asked the Minister for Communications, Energy and Natural

Resources the reason the RTÉ channels are not free to air when they are part of satellite packages; and if he will make a statement on the matter. [32391/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): RTÉ is carried by the Sky satellite service in Ireland. Sky encrypts the RTÉ service so 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. 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, which has been in operation since the 1960s, is 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.

Data Protection.

516. **Deputy Ruairí Quinn** asked the Minister for Communications, Energy and Natural Resources the policies in place to secure portable electronic data devices in his Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in his Department; the date by which he expects a satisfactory security policy on portable electronic data devices to have been implemented; and if he will make a statement on the matter. [32399/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): My Department does not provide services to the public that would require processing or storage of sensitive personal information. Therefore the level of safeguards set for portable electronic and laptop devices has historically been considered appropriate for the type of user and the sensitivity of the information that might be contained on them. Accordingly, my Department does not have a formal policy in place to secure all types of portable electronic devices nor does it have a programme in place to carry out full disk encryption of laptop computers. The desirability of additional safeguards will however be considered as part of the annual ICT security review, which is due shortly.

517. **Deputy Ruairí Quinn** asked the Minister for Communications, Energy and Natural Resources the number of Department-owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from his Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if he will make a statement on the matter. [32414/08]

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 to date in 2008. There have been two Blackberry devices lost, neither of which was recovered or found. 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.

Environmental Policy.

518. **Deputy Tom Hayes** asked the Minister for Communications, Energy and Natural Resources if he will introduce a wood log gasifier grant scheme under the greener homes schemes; his views on whether this is an ideal carbon neutral renewable fuel resource for domestic homes and should be encouraged; and if he will make a statement on the matter. [32472/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Greener Homes Scheme, which is administered by Sustainable Energy Ireland, provides support to householders to invest in a range of domestic renewable energy heating technologies including solar panels, biomass boilers and stoves and heat pumps. I launched Phase III of the scheme in July, under which log gasification boilers have been added to the technologies eligible for support. The current level of grant support to householders for the installation of a gasification boiler is €2,000.

Decentralisation Programme.

519. **Deputy Joan Burton** asked the Minister for Communications, Energy and Natural Resources the number of civil servants and other public servants in his Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if he will make a statement on the matter. [33052/08]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Headquarters of my Department is scheduled to relocate in its entirety to Cavan town under the Government's decentralisation programme. This will involve the relocation of approximately 300 Civil Service posts. The Decentralisation Implementation Group did not include my Department among the organisations approved for early mover status. The group set a target of the end of 2009 for the full decentralisation of my Department to Cavan. This date has since been extended to the end of 2010. A total of 56 staff members from my Department have relocated to interim accommodation in Cavan town to date.

Rural Environment Protection Scheme.

520. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the number of REP scheme applicants that have been inspected on a county basis, in each of the past five years; the percentage of inspections for the total participant numbers; and if any REP scheme participants were inspected on more than one occasion during their specific REP scheme plan period. [31876/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The numbers of inspections carried out in each county is outlined in the table:

	2003	2004	2005	2006	2007
Carlow	92	107	113	90	37
Cavan	389	400	435	361	125
Clare	497	514	528	440	149
Cork	752	851	924	689	269
Donegal	894	962	1,048	647	267
Dublin	35	26	42	27	12
Galway	1,193	1,218	1,610	998	536
Kerry	608	723	759	443	190

	2003	2004	2005	2006	2007
Kildare	139	132	173	98	55
Kilkenny	265	268	302	167	92
Laois	239	249	320	231	123
Leitrim	278	365	405	260	145
Limerick	356	357	349	130	101
Longford	259	263	329	214	97
Louth	63	73	83	57	38
Mayo	1,278	1,293	1,555	1,015	620
Meath	255	219	271	176	93
Monaghan	257	305	381	283	191
Offaly	275	274	332	212	158
Roscommon	547	569	668	433	161
Sligo	335	364	399	270	171
Tipperary	502	537	586	236	161
Waterford	214	209	232	92	67
Westmeath	280	269	332	248	113
Wexford	233	235	257	108	95
Wicklow	148	151	156	117	46

The percentage of participants inspected, expressed as a percentage of the total active participants in REPS at the end of each year is as follows:

2003	2004	2005	2006	2007
27%	26%	27%	14%	8%

During the period in question, some 9,801 participants were inspected more than once during the same REPS contract.

Grant Payments.

521. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food if he will introduce grant aid for sheep fencing and handling facilities to allow those farmers who were locked out of the farm improvement scheme to apply for much needed investment. [31880/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The Farm Improvement Scheme was introduced by my Department in July 2007 with funding of €79 million as agreed under the Partnership agreement, Towards 2016, and was suspended on 31 October 2007 as applications had reached this level of funding. I have no plans at present to reopen the Scheme to new applications.

522. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food if he will change the national reserve for hill farmers to allow allocation payment to be made on the basis of 80% of the national DED average, increase the maximum payment to €2,000 and increase the ceiling to qualify for the national reserve to €10,000; and if he will make a statement on the matter. [31881/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The Hill Farmers scheme was a special category under the 2005 National Reserve. This catered for farmers with commonage land who were prevented from expanding their sheep production during the 2000-

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2002 reference period pending publication of the Commonage Framework Plans in 2003. One of the qualifying criteria was that the existing Single Payment must have been less than €6,000. Some 500 hill-sheep farmers benefit from this measure to the tune of €400,000 annually or €3.2 million over the period until 2012.

In addition, a special category was included under the 2007 National Reserve for sheep farmers whose existing Single Payment is less than €10,000 and where individual entitlements are less than the District Electoral Division (DED) average. Allocations are capped at the DED average value of entitlements or a total Single Payment of €10,000 whichever is the lesser and allocations to successful applicants did not exceed €1,000. It is estimated that some 7,500 sheep farmers will receive some €6 million annually under this measure or €36 million over the period until 2012.

Under both of these measures the Member State was obliged to apply objective criteria in determining the value of entitlements to be allocated to successful applicants. In Ireland's case it was agreed that the Regional Average value of entitlements would be used for the granting of entitlements to successful applicants. The Regional Average is the average value determined at the District Electoral Division (DED) associated with the applicant's herd number. In addition it was decided that allocations would not exceed €1,000. The National Reserve is a scarce resource created by reducing the entitlements of existing farmers and will only be replenished by the relinquishing of any entitlements that remain unused. My Department must therefore be prudent in determining how the funds in the reserve are administered.

Foreshore Licences.

523. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food the guidelines given to the marine licence vetting committee for review of offshore wind energy lease applications; the policy he is following to ensure the sustainability of the offshore wind farm development; and the rationale for determining the duration of a lease. [31912/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Applications for all offshore energy projects are assessed by my Department following consultation with the Marine Licence Vetting Committee (MLVC) as well as other statutory consultees. The MLVC comprises scientists and technical experts fully qualified to assess the application and advise the Department. The policy in considering such applications requires assessment of a number of issues including (i) the minimum distance of such developments to the shore (currently 5 km), (ii) fees and bonds to be charged at the application stage, (iii) the period of validity of foreshore consents, (iv) the timing of the consents required from other bodies such as onshore planning permission etc.

The primary concern of my Department in considering such applications is the protection and sustainable development of the foreshore. Lease conditions, including duration, are determined on a case by case basis. The Government decided on 2 October 2007 that responsibility for certain foreshore licensing functions under the Foreshore Act 1933 including in respect of all energy related developments would transfer to the Department of the Environment, Heritage and Local Government. My Department is currently putting in place the necessary arrangements to ensure the efficient and effective transfer of the appropriate legislation and associated functions.

524. **Deputy Finian McGrath** asked the Minister for Agriculture, Fisheries and Food if he will support a matter (details supplied). [32085/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): There have been proposals to consolidate and streamline the Foreshore Act 1933 under active consideration in recent years by the former Department which had responsibility for marine functions. The proposals, which of necessity are quite complex, have been further developed since the transfer of these functions to my Department. The proposals are intended to provide a modern, effective and integrated legal framework for the management of the State's foreshore estate in the future. The proposals will take account, among other things, of the principles in the EU Recommendation on Integrated Coastal Zone Management, the outcome of the EU Maritime Green Paper and the EU Marine Strategy Directive.

Legislation will shortly be brought forward to ensure that the Foreshore Act 1933 fully complies with the Public Participation Directive 2003/35/EC (Aarhus) including the right to appeal decisions in relation to foreshore consents. 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; harbour related developments intended for commercial trade; all energy developments; and aggregate and mineral extraction developments on the foreshore would transfer to the Department of the Environment, Heritage and Local Government. My Department is currently putting in place the necessary arrangements to ensure the efficient and effective transfer of the appropriate legislation and associated functions.

Harbours and Piers.

525. **Deputy Dinny McGinley** asked the Minister for Agriculture, Fisheries and Food the initiatives taken or planned to upgrade commercial activity for Killybegs Harbour, County Donegal; and if he will make a statement on the matter. [32343/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Killybegs Fishery Harbour Centre is one of six Fishery Harbour Centres which are owned and managed by my Department. In 2005 a new €50 million harbour development was opened at Killybegs Fishery Harbour Centre. This new harbour is capable of accommodating large vessels. The fishing industry at Killybegs is a significant contributor to the local economy and my Department is anxious to fully utilize the new harbour for fisheries related (and compatible) activities.

In April 2008 my predecessor, the present Tánaiste, Mary Coughlan T.D., launched the Killybegs Fishery Harbour Centre Marketing Strategy. In addition I intend to publish business plans for each of the six Fishery Harbour Centres. The business plans will set out, in detail, the steps to be taken over the next five years to grow and diversify business at the Fishery Harbour Centres. The Business Plan for Killybegs Fishery Harbour Centre together with the Killybegs Fishery Harbour Centre Marketing Strategy will provide the blueprint for the continued development and success of Killybegs Fishery Harbour Centre.

Departmental Staff.

526. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the number of staff working in the regional office in Galway for the REP scheme with details of the rank, salary, expenses and allowances of each staff member; the number of these staff that deal specifically with appeals; and if he will make a statement on the matter. [31877/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The REP Scheme is operated by staff in three offices in the Galway region: Galway City, Tuam and Loughrea. The number of staff working on the REP Scheme in those offices is as follows:

[Deputy Brendan Smith.]

Grade	Number in Grade	Salary scale
Regional Inspector	1	€61,054 – €87,016
Area Superintendent	1	€53,047 – €68,096
District Superintendent	4	€37,085 – €61,616
Supervisory Agricultural Officer	6	€35,987 – €53,624
Clerical Officer	10 (2 work-sharing)	€23,174 – €37,584 (Standard scale)
	2	€24,255 – €38,397 (Higher scale)

In addition to their salaries these officers are paid travel and subsistence expenses in respect of expenses necessarily incurred in the course of their official duties. 4 of these officers are in receipt of an allowance totalling €13,000 approximately per annum. The Regional Inspector deals specifically with formal Appeals.

Afforestation Programme.

527. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food when payment will be made in respect of forestry to a person (details supplied) in County Tipperary. [31889/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Following the payment of a second forestry premium in September, I understand that all payments due in respect of this contract are now up to date.

Poultry Industry.

528. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food the aid available to support the poultry sector in this period of high feed costs and with the impact of cheap imports, particularly in view of the fact the CAP budget is in surplus for 2008. [31911/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The production and marketing of poultry come within the scope of the EU common organization of the market. Duties are payable on imports of poultry from non-EU countries and export refunds are in place for certain categories of poultry exports. A temporary financial support scheme was introduced for poultry producers who suffered losses arising from the fall-off in consumer confidence when there was widespread negative publicity surrounding avian influenza in 2006. Apart from these measures there is no financial intervention in the operation of the EU single market for poultry.

Bovine Disease Controls.

529. **Deputy Seymour Crawford** asked the Minister for Agriculture, Fisheries and Food if he will extend the 30 day brucellosis test to either 60 or 90 days in view of the fact that most farmers have less than 20 days to move their animals by the time they get their results back from the test and that there is little or no risk from the disease at the present time; his views on whether this issue is causing hardship for farmers and especially for those bringing animals to shows; and if he will make a statement on the matter. [31918/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The 30-day pre-movement test was introduced in 1998 to curtail the spread of Brucellosis following an upsurge in the disease. The veterinary advice at the time, which continues to apply, was that the

movement/buying-in of cattle was deemed to be a major contributory factor in the spread of the disease and the 30 day test has contributed significantly to the effort in reducing the incidence of the disease, particularly in that it reduces the movement of brucellosis susceptible animals. A range of other measures was also introduced at the time. These included the early removal of reactors, the rapid depopulation of herds, the taking of blood samples from cows at slaughter plants, the Milk Ring Test (MRT) (subsequently replaced by the Milk ELISA Test), and the lime treatment of slurry on infected farms on all Brucellosis depopulated farms.

The impact of these measures has been very positive and very substantial progress has been made since 1998 in reducing disease levels. Any changes to the existing control measures can be taken only on the basis of risk assessment and for the moment all elements of the programme must be retained in their present form. It must be emphasised also that any new outbreaks of the disease could jeopardise the attainment of officially-free status.

Grant Payments.

530. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the plans he has to introduce a native hill breed scheme with a payment rate of €35 per mountain ewe up to a maximum of 200 ewes; and if he will make a statement on the matter. [31929/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The report on the future of the European Sheep Sector to the European Parliament by Mr. Liam Aylward, MEP calls, inter alia, for the introduction of an environmental payment for ewes and I have a positive attitude to this proposal. It was discussed at the recent Limoges conference on the sector in which I participated. The French Presidency are keen to develop measures to help the sector and I am fully supportive of their efforts. It is my intention to ensure that the interests of Irish sheep farmers are kept to the fore in future discussions on this issue.

Rural Environment Protection Scheme.

531. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food if he will allow traditional grazing and mixed grazing supplementary measures in the REP scheme to be available under a second category four list which would permit hill farmers to avail of these measures without affecting their eligibility for other supplementary measures; and if he will make a statement on the matter. [31930/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The environmental objectives of the Traditional Sustainable Grazing and the Mixed Grazing supplementary measures can be delivered only through a controlled grazing regime. It is possible to undertake these measures only on lands which are under the sole control of the farmer, which excludes commonage. Under the terms of the approved Rural Development Plan a farmer cannot receive payment under both of these supplementary measures. Subject to the separate conditions for the two supplementary measures, a farmer with both commonage and non-commonage land may apply for either measure on his or her non-commonage land, including designated non-commonage land.

Grant Payments.

532. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food when a payment under the farm improvement scheme will be made to a person (details supplied) in County Mayo; and if he will make a statement on the matter. [31936/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person concerned submitted an application to my Department under the Farm Improvement Scheme on 30 October 2007. These applications are being processed by my Department up to the level of funding provided for the Scheme in the 2006 Partnership agreement, Towards 2016.

533. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food when a payment under the farm improvement scheme will be made to a person (details supplied) in County Mayo; and if he will make a statement on the matter. [31937/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I assume the Deputy is referring to the application by the person concerned for grant-aid under the Farm Waste Management Scheme. The claim is being processed by my Department and 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.

534. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food the number of applications awaiting payment under the farm improvement scheme; and if he will make a statement on the matter. [31938/08]

535. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food if he will make payments to all applicants who submitted their applications under the farm improvement scheme on or before the 31 October 2008 cut off date; when these payments will be made; and if he will make a statement on the matter. [31939/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I propose to take Questions Nos. 534 and 535 together.

The Farm Improvement Scheme was introduced by my Department in July 2007 with funding of €79 million as agreed under the 2006 Partnership agreement, Towards 2016, and was suspended on 31 October 2007 as applications had reached this level of funding. 12,675 applications were received from farmers prior to the closing date of the Scheme and these applications are currently being processed within my Department up to the level of funding made available for the Scheme. To date in 2008, €6.518 million has been spent on the Scheme compared to €0.014 million in 2007.

Milk Quota.

536. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food if he will provide a breakdown for milk quota in each county; and the average size of quota for each county and region. [31945/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The information sought by the Deputy is not available from my Department in the format requested. Data regarding milk producers and quota size is collected and compiled annually in my Department but on a Milk Purchaser (Co-Operative/Dairy) basis rather than on a geographical basis.

Farm Waste Management.

537. **Deputy James Bannon** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Longford who was approved for a farm waste management grant for the building of a slatted shed has not received payment of same to date; and if he will make a statement on the matter. [31953/08]

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.

Departmental Staff.

538. **Deputy Joan Burton** asked the Minister for Agriculture, Fisheries and Food the bonuses awarded by his Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if he will make a statement on the matter. [31993/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): There are two bonus schemes operating in my Department. The first is a scheme of performance-related awards that applies to Deputy and Assistant Secretaries and equivalent grades. It does not apply to Secretaries General. Details of awards to individual officers under the performance related scheme are not disclosed on the basis that they are confidential to the officer concerned. The following table illustrates the performance related awards paid to Assistant Secretaries and equivalent grades for the years 2005, 2006 and 2007.

Year bonus Awarded for	Amount Paid	No. of Staff Received Award	Average Payment
	€		€
2005	124,000	11	11,273
2006	144,000	11	13,091
2007	180,000	13	13,846

Details of the operation of the scheme are available in the annual reports of the Committee for Performance Awards which can be accessed on the website of the Department of Finance www.finance.gov.ie.

The Minister for Finance, with effect from 1 November 1998, sanctioned expenditure of not more than 0.2% of Subhead A.1 Salaries, Wages and Allowances, in respect of ex-gratia payments or other awards to individual staff members or groups of staff by way of recognition for exceptional performance of duty. Awards under this provision can be made to all grades below Assistant Secretary level. The following table outlines the awards paid for exceptional performance for the years 2005 and 2006. Approximately 44% and 57% of my Department's overall staffing complement received awards in 2005 and 2006 respectively. Exceptional performance awards for 2007 have yet to be paid.

Year bonus Awarded for	Amount Paid	No. of Staff Received Award	Average Payment
	€		€
2005	352,500.00	1,996	176.60
2006	390,739.01	2,452	159.35

Decentralisation Programme.

539. **Deputy Joan Burton** asked the Minister for Agriculture, Fisheries and Food if he will list in regard to his Department and State agencies or bodies operating under the aegis of his Department, the original proposal announced in December 2003 in regard to decentralisation;

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the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if he will make a statement on the matter. [32008/08]

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. The decision regarding state agencies is that Bord Bia will move to Enniscorthy and BIM will move to Clonakilty.

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 under way.

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. Bord Bia and BIM also have separate implementation plans; no advance moves have taken place. In total there has been an increase of 297 full-time posts in Portlaoise and 84 in Clonakilty since the programme was announced. Of the 297 who transferred to Portlaoise, 204 were relocated from Dublin; of the 84 who transferred to Clonakilty, 35 were relocated from Dublin. The acquisition of property is primarily a matter for OPW and they have supplied the following details of the site acquisition at the Department's four locations.

Location	Site Area	Status
Portlaoise	9.13 acres	Purchase completed in 2007
Clonakilty	3.1 acres	Purchase completed in 2005
Macroom	Site of 5 acres identified. Planning issue on appeal to An Bord Pleanála.	Purchase agreed in principle subject to contract, outcome of planning appeal and Government approval
Fermoy	4.1 acres (at Teagasc, Moorepark)	Purchase agreed in principle subject to contract and Government approval.

The Clonakilty offices, which are also due to accommodate BIM, are due to be completed in Quarter 1 2009. The OPW have also identified a site in Enniscorthy for Bord Bia.

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.

Compulsory Purchase Orders.

540. **Deputy Leo Varadkar** asked the Minister for Agriculture, Fisheries and Food the State sponsored bodies, quangos and other agencies within the remit of his Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agencies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if he will make a statement on the matter. [32023/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): None of the State Bodies under the aegis of my Department has the power to issue Compulsory Purchase Orders.

Farm Waste Management.

541. **Deputy Finian McGrath** asked the Minister for Agriculture, Fisheries and Food if he has made a submission to the European Commission for an extension beyond 31 December 2008 for the farm waste management scheme. [32083/08]

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. The European Commission has since reaffirmed that it expects Ireland to strictly respect this deadline.

Grant Payments.

542. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the average single farm payment for each of the 26 counties. [32088/08]

543. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the highest amount and the lowest amount paid to a single farmer in single farm payment. [32089/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I propose to take Questions Nos. 542 and 543 together.

The following table details the average value of the Single Payment, in respect of the 2007 Scheme, by county:

County	Average
	€
Carlow	15,149.29
Cavan	7,470.43
Clare	7,943.40
Cork	13,198.27
Donegal	6,028.95

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County	Average
	€
Dublin	14,311.58
Galway	6,741.57
Kerry	7,749.77
Kildare	15,780.47
Kilkenny	16,542.81
Laois	14,171.05
Leitrim	5,148.24
Limerick	10,297.13
Longford	8,436.38
Louth	13,346.62
Mayo	5,250.05
Meath	15,086.55
Monaghan	7,823.69
Offaly	12,256.21
Roscommon	7,132.43
Sligo	5,763.52
Tipperary	14,928.37
Waterford	16,519.57
Westmeath	11,634.08
Wexford	15,253.76
Wicklow	13,717.29

Also in respect of the 2007 Scheme, the highest payment made was €506,203.37, while the lowest was €0.47.

Payments under the Single Payment Scheme are governed by a number of factors: while payment entitlements were initially calculated by reference to scheme participation of individuals during one or more of the three reference years, farmers were subsequently free to trade entitlements, some farmers obtained additional entitlements from the National Reserve, others forfeited entitlements to the National Reserve because of non-usage, while others were awarded entitlements following the incorporation of the Dairy Premium and compensation granted to sugar beet growers following the EU Reform of the Sugar Sector.

Farm Income.

544. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the proportion of the retail price for milk, lamb, beef, potatoes and eggs that was paid to farmers in 2000. [32106/08]

545. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food the proportion of the retail price for milk, lamb, beef, potatoes and eggs that is paid to farmers. [32107/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I propose to take Questions Nos. 544 and 545 together.

Information on retail prices is compiled by the Central Statistics Office. However, the information requested by the Deputy is not available.

Grant Payments.

546. **Deputy John Deasy** asked the Minister for Agriculture, Fisheries and Food the numbers who were affected by the suspension of the farm improvement scheme on 23 October 2007 nationally and in Waterford; the amount of the €79 million granted that remains; the number of applicants he envisages this balance will cover; and if he will make a statement on the matter. [32130/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): 12,675 applications were received under the Farm Improvement Scheme prior to its suspension on 31 October 2007 of which 487 were received in County Waterford. These applications are currently being processed up to the level of funding available. €0.014 million was spent nationally under the Scheme in 2007 whilst, to date in 2008, expenditure has been €6.518 million.

547. **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; and if he will make a statement on the matter. [32141/08]

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.

Disadvantaged Areas Scheme.

548. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when he expects a payment (details supplied) to be made; and if there have been changes in the issuing of this payment. [32245/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Payments under the 2008 Disadvantaged Areas Scheme commenced on 24 September, with payments issuing in respect of all applicants whose applications were clear for payment at that stage. Payments continue to issue as further cases subsequently become clear on a daily basis.

Data Protection.

549. **Deputy Ruairí Quinn** asked the Minister for Agriculture, Fisheries and Food the policies in place to secure portable electronic data devices in his Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in his Department; the date by which he expects a satisfactory security policy on portable electronic data devices to have been implemented; and if he will make a statement on the matter. [32397/08]

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 secure portable electronic data devices. A comprehensive anti-virus software system is in place, which protects Department laptops, from email borne computer viruses.

To enhance security on the Department's laptop computers, the Department has commenced a programme of encrypting its laptops. The Department's security policy ensures that all new laptops are being issued with whole disk encryption and my Department is in the process of recalling all existing laptops to ensure that these laptops are encrypted. The Department's laptop users are also issued with a policy document explaining the encryption process and

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instructions regarding protecting the physical safety of their laptop from loss or theft. The policy document is available to all laptops users and is published on the Department's Intranet.

550. **Deputy Ruairí Quinn** asked the Minister for Agriculture, Fisheries and Food the number of Department-owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from his Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data were compromised; and if he will make a statement on the matter. [32412/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The number of Department owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from my Department are set out in the following table:

Year	Lost/Stolen	Recovered/Found
2002	3 Laptops were reported stolen	None
2003	None	N/A
2004	None	N/A
2005	None	N/A
2006	1 Laptop reported stolen	None
2007	1 Laptop reported stolen 2 Blackberry devices lost	None
2008	5 Laptops reported stolen	None

When a device, such as a laptop or Blackberry, is reported lost or stolen, access by that device to the Department's computer network is immediately suspended and use of the device is blocked. In all cases where devices were reported stolen the theft was reported to the Gardaí. To date, no personal information concerning members of the public has been compromised. All laptops are protected by use of a user-id and password. The Department has commenced a programme of encrypting all laptops used by its staff.

Farm Waste Management.

551. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food if he has made the application for the extension of the deadline for the control of farm waste scheme from 31 December 2008; when this application to extend was made; and if submitted, the response to same. [32434/08]

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. The European Commission has since reaffirmed that it expects Ireland to strictly respect this deadline.

Grant Payments.

552. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the position in relation to forestry premium payments to a person (details supplied) in County Mayo; when this contract commenced; the length of time of the contract; the number of years for which payments have been received; if this person is due a payment for 2008; and if so, when it will issue. [32481/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person named submitted an application to join the 1988 Scheme of Compensatory Allowances in respect of Forestry. This Scheme is operational for a maximum duration of twenty years from when afforestation of Disadvantaged Land took place as per the Terms and Conditions governing the Scheme. As the person named was in receipt of an annual payment in respect of 8.5 hectares of afforested land which commenced in 1988, the 2007 payment was the last annual payment due.

553. **Deputy Willie Penrose** asked the Minister for Agriculture, Fisheries and Food the reason a payment under the farm waste management scheme has not been granted to a person (details supplied) in County Westmeath, despite the fact that it was approved in early July 2008; if in this context he will take steps to have same awarded; and if he will make a statement on the matter. [32496/08]

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.

Afforestation Programme.

554. **Deputy Willie Penrose** asked the Minister for Agriculture, Fisheries and Food if, in view of the strong positive environmental and economical return to the State, funding for the forestry programme as set out will be maintained; and if he will make a statement on the matter. [32497/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I am well aware of the significant contribution that forestry makes to the Irish economy and society. Ireland has benefited and continues to benefit from forestry through employment, the supply of timber, the mitigation of climate change, the provision of a secure source of energy, the conservation of native biodiversity and the provision of recreation facilities to name but a few benefits. The Government has demonstrated its strong commitment to the forestry programme by providing an attractive package of afforestation grant and premium schemes. The Government will continue to support the forestry programme in 2009 by paying out almost €90 million in premiums and establishment grants to persons who have already planted. This reflects the investment that the Government has made in the past, and continues to make, in forestry. The finalisation of funding for forestry in the Estimates remains to be decided.

Milk Quota.

555. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food his views on proposals to abolish milk quota; and its possible effects on the dairy sector here. [32547/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The dairy sector is one of the two most important agricultural sectors in Ireland. The milk quota regime is therefore of critical importance, and its future must be considered in the context of the enormous potential that exists for the sector here to gain from the anticipated growth in global demand for dairy products in the medium to long-term.

I share the general acceptance of the sector here that quotas will be abolished in 2015, but that abolition must be accompanied by a soft landing. This can only be brought about by progressive annual increases in quota and the continuation of market management measures to cater for price volatility during the transition period. The Commission has proposed five

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annual milk quota increases of 1 per cent from 2009 to 2013. I do not believe this is enough, and have called for more ambitious increases in the period from 2009 to 2014. I will continue to press my EU colleagues and the Commission for a more ambitious approach in the coming weeks as the milk quota aspects of the CAP Health Check negotiations proceed.

Animal Feedstuffs.

556. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food the support he will give to the feed grain industry here. [32562/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The worldwide increase in the price of feed materials during 2007 and the early part of 2008 led to significant increases in the price of compound feed for animals. I am pleased to note that the measures supported by my predecessor earlier this year in the form of suspension of the obligation to set 10% of arable land aside and the elimination of import duties for cereals, has resulted in significant increases in the volume of cereals available for animal feed. These measures, combined with a significant increase in the 2008 harvest, should bring about a reduction in feed prices in the coming months.

Poultry Industry.

557. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food the action which has been taken in 2008 to assist the poultry sector; the cost of such action; if he has a strategic policy in relation to the future of the poultry sector here; and the action taken to determine the impact of a lack of a country of origin labelling on imported poultry meats which have been processed locally on the difficulties of the poultry industry. [32563/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My objective in regard to the poultry sector is that Irish produced poultry would retain the dominant share of the retail market for fresh poultry meat. This is currently the primary outlet for Irish product although there is strong pressure from competitively priced imports from other EU countries. The Quality Assurance mark is critical to retaining this market share. 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 Poultry Quality Assurance Scheme (PQAS). This year both the processor and producer standards of the PQAS were 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.

My Department operates an extensive range of controls to uphold the country's avian health status. There is also a scheme of financial assistance for flock owners in whose flocks certain types of salmonella have been detected. Department veterinary personnel are present in all poultrymeat production premises to monitor compliance with public health legislation.

In 2004 the poultrymeat labelling regulations (which include a requirement to indicate the country of origin in the case of unprocessed poultrymeat coming from non-EU countries) were extended to cover poultrymeat sold loose in retail outlets. Last year my Department decided to extend these by drafting new national regulations that would require the country of origin to be indicated on all pigmeat, poultry and sheepmeat and on processed foods containing at least 70% of these meats. This year there has been a series of correspondence and a meeting between Department and Commission officials on the proposed legislation. I believe there should be more extensive country of origin labelling of all meats. This would facilitate con-

sumers in their purchasing choices. Last December my Department presented the EU Commission with draft legislation that would require the country of origin to be shown on poultry, pigmeat and sheepmeat. The Commission adopted a negative opinion on this on the grounds that it is not in line with the harmonized EU rules on labelling but expressed an openness towards further examination of the subject. I have since written to the Commissioner to reinforce the case. This item is on the agenda for a forthcoming meeting of the Standing Committee on the Food Chain and Animal Health (SCOFCAH) scheduled for 13 October 2008.

Another issue facing the poultry sector is compliance with legislation on the protection of the environment. 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. Under EU single market rules meat can be traded freely between Member States and there is no provision for financial interference in the commercial operation of that market.

Decentralisation Programme.

558. **Deputy Joan Burton** asked the Minister for Agriculture, Fisheries and Food the number of civil servants and other public servants in his Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if he will make a statement on the matter. [33049/08]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The estimate for completion of my Department's Decentralisation Implementation Plan was originally 2008, to coincide with the initial estimate of the availability of the permanent accommodation. The Plan allowed for a phased movement to Portlaoise and the 2005, 2006 and 2007 advance phases of decentralisation to Portlaoise were completed on schedule. To date, the Department has met its targets as set out in the Plan.

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. In total there has been an increase of 297 full-time posts in Portlaoise and 84 in Clonakilty since the programme was announced; the move of the Fisheries function of my Department to Clonakilty is now substantially complete. At the end of 2006, 187 full-time posts had moved to Portlaoise and 24 had moved to Clonakilty.

School Staffing.

559. **Deputy Michael Ring** asked the Minister for Education and Science the number of people working in the primary sector as untrained teachers. [31882/08]

Minister for Education and Science (Deputy Batt O'Keeffe): The total number of primary teachers is over 30,000 and this includes in the region of 520 untrained teachers. This figure may include some new teachers who are awaiting recognition of their existing qualifications by

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the Teaching Council which, when received, will enable their re-classification on the payroll to qualified teachers. 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.

Third Level Education.

560. **Deputy Ruairí Quinn** asked the Minister for Education and Science if he will introduce a bonus college entry points system for those who study higher level leaving certificate mathematics; if he will enhance the professionalism of mathematics teaching by creating a masters degree, a part-time higher diploma, and a four years honours degree programme in mathematical education; if he will speed up the roll-out of Project Maths and ensure that the new syllabus is universally implemented within three years; and if he will make a statement on the matter. [31893/08]

Minister for Education and Science (Deputy Batt O’Keeffe): Decisions on the award of points and admission criteria for entry to higher education programmes are a matter for the higher education institutions. The universities have formally communicated their collective view that the introduction of bonus points is not likely to achieve the national objective of greater participation in science engineering and technology programmes, and have advocated other approaches which they consider are more potentially effective. The Report of the Points Commission in 1999 considered the issue of bonus points and recommended against such an approach on the grounds that it would lead to a narrowing of the range of subjects taken by students, create pressure on students to make early career choices, give rise to equity issues where the subject was not available and lead to distortions in third level access and provision.

I have no plans to speed up the roll out of Project Maths. It is important that we proceed in a measured way which provides the optimum opportunity for sound educational development, supported by comprehensive investment in professional upgrading for teachers. Project Maths is already under way in 24 project schools and will be implemented on a phased basis over 3 years, working simultaneously with both junior and senior cycle students.

For schools involved in the initial implementation from September 2008, students will experience mathematics in a new way. Teachers will be provided with classroom materials to enable them to adopt the new approaches and will be supported professionally in embracing change. These materials and supports will include lesson plans, with teacher guides and student worksheets, online exemplars and a range of assessment materials. Working with the project schools first provides the opportunity for trialling approaches and development of teacher supports and materials. In mainstream schools, the changes will begin in September 2010, preceded by professional development for teachers the previous year. In effect, the timescales already envisaged for Project Maths envisage that a new approach and culture in mathematics education is implemented across the system as quickly as is feasible.

Higher education institutions decide what courses they will provide. I have no particular plans to introduce the type of courses referred to by the Deputy

School Transport.

561. **Deputy Michael McGrath** asked the Minister for Education and Science if a housing

development (details supplied) in County Cork qualifies under the school transport scheme. [31899/08]

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 Gaelscoil referred to by the Deputy is the nearest Gaelscoil to the estate referred to. The parents of pupils in the estate referred to by the Deputy should apply on an individual basis to the School Transport section of my Department in order for their eligibility for the Primary School Transport Scheme to be established.

Third Level Fees.

562. **Deputy Ruairí Quinn** asked the Minister for Education and Science if he will establish a fund to abolish part-time fees for students in third level education as is stated in both the Programme for Government 2007 to 2012 and Towards 2016; and if he will make a statement on the matter. [31891/08]

Minister for Education and Science (Deputy Batt O'Keeffe): 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. Decisions in relation to the establishment of any funds in relation to part time fees will be taken having regard to overall funding requirements for third level education and future Budgetary decisions.

Psychological Service.

563. **Deputy Ruairí Quinn** asked the Minister for Education and Science the financial resources and numbers of staff allocated to both the National Education Welfare Board and the National Educational Psychological Service; his plans to meet the increased financial and staff obligations contained in Towards 2016 for both of these agencies; if he will fulfil these obligations in budget 2009; and if he will make a statement on the matter. [31892/08]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): The Education (Welfare) Act, 2000 established the National Educational Welfare Board (NEWB) as the national body with responsibility for school attendance. The Act provides a comprehensive framework, promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The general functions of the Board are to ensure that each child attends a recognised school or otherwise receives a certain minimum education. The authorised staffing complement of the Board is 109 of which 104 posts are currently filled and the financial allocation for 2008 is €10.085 million. The National Educational Psychological Service, (NEPS) is a service of the Department of Education and Science. NEPS psychologists work with both primary and post-primary schools and they are concerned with learning, behaviour, social and emotional development.

A budget of €17.9m has been provided to the National Educational Psychological Service for 2008. Under the commitments in the Programme for Government the DES National Educational Psychological Service has increased the number of psychologists operating in first and second level schools from 128 in 2007 to a current level of 151. Offers of employment have been made to, and are being currently processed on behalf of, an additional 14 individuals

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most of whom, it is envisaged will take up employment in the service by the end of 2008. Provision of resources for the NEWB and NEPs for 2009 will be considered in the context of the finalisation of my Department's 2009 Estimates.

Higher Education Grants.

564. **Deputy Frank Feighan** asked the Minister for Education and Science if he will use his discretionary powers in the case of a person (details supplied) in County Roscommon to facilitate them with a grant to complete their four year honours degree course in psychiatric nursing at Athlone Institute of Technology. [31902/08]

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. Under the terms of my Department's maintenance grant schemes, candidates who have previously pursued an undergraduate course approved for the purposes of the Higher Education Grants Scheme, the Vocational education Committees' Scholarship Scheme or the Third Level Maintenance Grants Scheme for Trainees (formerly ESF Scheme) shall not receive a grant under the grant schemes until they have completed an equivalent period of study at undergraduate level, irrespective of whether or not a grant was paid previously.

Schools Building Projects.

565. **Deputy Arthur Morgan** asked the Minister for Education and Science when funding will be provided for construction of permanent school buildings at a school (details supplied) in County Louth; the reason funding has not been made available in this case; and if he will make a statement on the matter. [31914/08]

Minister for Education and Science (Deputy Batt O'Keeffe): The project to provide a new permanent school building for the school referred to by the Deputy has been sanctioned to commence architectural planning and has started the process of appointing a design team. The progress on major capital projects such as this new school building will be considered on an on-going basis in the context of the Department's Multi-Annual School Building and Modernisation Programme. In the interim period the Department has sanctioned one further temporary classroom for the school for September 2008.

Psychological Service.

566. **Deputy Catherine Byrne** asked the Minister for Education and Science the job and budget cuts that have taken place in the provision of the psychological services of both City of Dublin VEC and County Dublin VEC in the period between 2007 to 2008; the way these cuts will affect the waiting times for services in schools in their respective catchment areas; and if he will make a statement on the matter. [31925/08]

Minister for Education and Science (Deputy Batt O’Keeffe): My Department has not implemented any job or budget cuts in relation to the psychological services provided by the two Vocational Education Committees referred to by the Deputy. Both City of Dublin and County Dublin VEC have confirmed to my officials that there has been no diminution of the psychological services provided by them.

Schools Refurbishment.

567. **Deputy Brian Hayes** asked the Minister for Education and Science if he will grant emergency funding to schools (details supplied) in Dublin 24 as a means of resolving the ongoing problem with leaky roofs at these schools and the clear danger this presents for the existing electrical system, the fact that both schools have applied in the past for the summer works scheme in 2008 and that this application should be treated as a priority; and if he will make a statement on the matter. [31927/08]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school referred to by the Deputy applied for works under the 2008 Summer Works Scheme. Since the Summer Works Scheme was introduced in 2004, over 3,000 projects costing in excess of €300 million have been completed. With so many smaller projects having been completed over the past few years, the particular emphasis in 2008 is on providing sufficient school places in developing areas, while also showing the Government’s commitment to delivering improvements in the quality of existing primary and post-primary school accommodation throughout the country. Accordingly my Department has focussed on delivering as many large projects as possible in 2008 and there is no Summer Works Scheme this year.

However, it is intended to have a Summer Works Scheme in 2009. The Professional and Technical Reports provided by schools for 2008 can be used again for future projects so that schools will not be at the loss of expenditure on them. My Department has no record of receiving an application for Emergency Funding for these works from the school referred to by the Deputy. If such an application is received, it will be assessed and the school authorities will be informed of the decision without delay.

Teachers’ Remuneration.

568. **Deputy Niall Collins** asked the Minister for Education and Science if a person (details supplied) in County Limerick has been granted all due arrears and entitlements. [31943/08]

Minister for Education and Science (Deputy Batt O’Keeffe): My Department is putting arrangements in place so that part-time primary teachers will be paid through the payroll operated by my Department rather than the current grant payment system operated by School Boards of Management. A circular has recently issued to all primary schools advising them of the proposed changes and seeking the relevant service history information on individual part-time teachers. This circular and the relevant forms are available on my Department’s website. The teacher referred to by the Deputy should therefore contact the schools she has worked in so that the relevant forms can be completed and returned to my Department. The completed forms will facilitate the setting up part-time teachers on my Department’s payroll and the payment of any arrears due to them.

Schools Building Projects.

569. **Deputy Mary Upton** asked the Minister for Education and Science when a school (details supplied) in Dublin 10 will be provided with a sports hall; and if he will make a statement on the matter. [31950/08]

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.

Site Acquisitions.

570. **Deputy Joan Burton** asked the Minister for Education and Science the status of the proposed site for a post-primary school in Kellystown, Dublin 15; the timeframe for the proposed acquisition of the site by either patron, Fingal County Council or his Department; if a patron has been identified to operate this school; and if he will make a statement on the matter. [31990/08]

589. **Deputy Joan Burton** asked the Minister for Education and Science the time-line for the opening of a new secondary school to serve parishes (details supplied) in Dublin 15; and if he will make a statement on the matter. [32125/08]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 570 and 589 together.

As the Deputy may be aware, the Department intends to 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. The patronage of the proposed new post-primary school is under active consideration at present.

Institutes of Technology.

571. **Deputy Joan Burton** asked the Minister for Education and Science the plans he has for the future of the Tipperary Institute, in particular, if he has plans to amalgamate it with another educational body; and if he will make a statement on the matter. [31992/08]

Minister for Education and Science (Deputy Batt O’Keeffe): The Deputy will appreciate that in the context of the current Budgetary process, a number of agency rationalisation measures are under consideration by the Government. As these are budgetary matters, it would not be appropriate for me to comment on the status of any specific proposal relating to any agency or institute or to comment on whether any specific agency or institute is the subject of a proposal in that context. The Deputy will appreciate that this is in line with standard Budget procedure and should not infer any implication in respect of the status of the particular agency referred to.

Departmental Staff.

572. **Deputy Joan Burton** asked the Minister for Education and Science the bonuses awarded by his Department to staff members for the years 2005, 2006 and 2007; the number and proportion of staff in receipt of bonuses for each of those years; the average bonus paid; and if he will make a statement on the matter. [31998/08]

Minister for Education and Science (Deputy Batt O’Keeffe): My Department operates an annual Employee Recognition Awards Scheme and a Merit Awards Committee examine and make recommendations on all applications. I attach a table containing the information requested by the Deputy.

Year	Number of individual awards	Number of group awards	Total number of awards	Proportion of staff
2005	38	145	183	14%
2006	33	134	167	13%
2007	48	128	176	13%

In each of the years 2005, 2006 and 2007 the individual awards were €1,000 and the group awards were €250.

Decentralisation Programme.

573. **Deputy Joan Burton** asked the Minister for Education and Science if he will list in regard to his Department and State agencies or bodies operating under the aegis of his Department, the original proposal announced in December 2003 in regard to decentralisation; the position in regard to each such proposed decentralisation; the number which have been completed; the number of persons who have been relocated; the number and proportion who have been relocated from Dublin or from other locations; the number of projects that have to be completed; the target date for completion in each case; the number of proposed projects that will not proceed; and if he will make a statement on the matter. [32013/08]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm to the Deputy that at this stage my Department has completed the process of decentralising all sections due to relocate to Athlone, with some 88 posts now relocated. Under the Government’s decentralisation programme, 300 posts from my Department’s headquarters are scheduled to decentralise to Mullingar. A site has been acquired for my Department’s new headquarters in Mullingar and tenders have been received by the Office of Public Works, for the provision of this accommodation. The accommodation will be procured as a Public Private Partnership project, using the design, build, finance and maintain model. It is currently envisaged that the decentralisation to Mullingar will take place in 2010. Seven staff have already moved from my Department’s Dublin Headquarters to Mullingar.

In addition, under the Government’s decentralisation programme, 64 posts are scheduled to decentralise with the Higher Education Authority (HEA) to Athlone. There is no updated target date at present for this move. 34 posts with the Higher Education and Training Awards Council, (HETAC), 44 posts with the Further Education and Training Awards Council (FETAC) and 18 posts with the National Qualifications Authority of Ireland (NQAI) are due to decentralise to Edenderry in 2010. In addition, 14 posts are due to move with the National Educational Welfare Board (NEWB) and 37 posts with the National Council for Curriculum and Assessment (NCCA) to Portarlinton in 2010. To date 12 posts have moved with the NCCA to Portlaoise in advance of their move to Portarlinton.

Compulsory Purchase Orders.

574. **Deputy Leo Varadkar** asked the Minister for Education and Science the State sponsored bodies, quangos and other agencies within the remit of his Department that have the power to issue compulsory purchase orders; the number of CPOs that have been initiated by such agen-

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cies for the years 2005 to date in 2008; the purpose of such CPOs; the outcome in each case; and if he will make a statement on the matter. [32028/08]

Minister for Education and Science (Deputy Batt O’Keeffe): The Department does not have the authority to use compulsory purchase orders in relation to matters arising from site acquisitions for school building purposes. This also applies to the VECs and Higher Education Institutions.

School Transport.

575. **Deputy Paul Kehoe** asked the Minister for Education and Science the reason persons (details supplied) in County Wexford, who had previously received bus passes, have been refused school transport; and if he will make a statement on the matter. [32038/08]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): Bus Éireann, which operates the School Transport Scheme on behalf of my Department has advised that the family referred to by the Deputy in the details supplied will be issued with tickets this week.

576. **Deputy Paul Kehoe** asked the Minister for Education and Science the reason a student (details supplied) in County Wexford, who had previously received a bus pass for two years, has been refused school transport; and if he will make a statement on the matter. [32039/08]

577. **Deputy Paul Kehoe** asked the Minister for Education and Science the reason a student (details supplied) in County Wexford who has received a bus pass for the past year has been refused school transport; and if he will make a statement on the matter. [32040/08]

578. **Deputy Paul Kehoe** asked the Minister for Education and Science the reason a student (details supplied) in County Wexford who has received a bus pass for the past four years has been refused school transport; and if he will make a statement on the matter. [32041/08]

579. **Deputy Paul Kehoe** asked the Minister for Education and Science the reason a student (details supplied) in County Wexford who has previously received a bus pass has been refused school transport; and if he will make a statement on the matter. [32042/08]

580. **Deputy Paul Kehoe** asked the Minister for Education and Science the reason a student (details supplied) in County Wexford who has received a bus pass for the past four years has been refused school transport; and if he will make a statement on the matter. [32043/08]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): I propose to take Questions Nos. 576 to 580, inclusive, together.

Under the terms of my Department’s Post Primary School Transport Scheme, a pupil is eligible for transport if s/he resides 4.8 kilometres or more from her/his local post primary education centre. The scheme is not designed to facilitate parents who choose to send their children to a post-primary centre outside of the catchment area in which they reside. However, children who are fully eligible for transport to the post-primary centre in the catchment area in which they reside, may apply for transport on a concessionary basis to a post-primary centre outside of their own catchment area — otherwise known as catchment boundary transport. These children can only be facilitated if spare seats are available on the bus after all other eligible children travelling to their local post-primary centre have been catered for. Such children have to make their own way to the nearest pick up point within that catchment area.

581. **Deputy Denis Naughten** asked the Minister for Education and Science when a response will be forthcoming further to correspondence (details supplied); his plans to address the issue following a meeting with the parents' representatives; and if he will make a statement on the matter. [32073/08]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): I have asked the School Transport Section of my Department to request Bus Éireann, which operates the School Transport Scheme on behalf of my Department, to put arrangements in place to address the matters raised by the Deputy in the details supplied. Bus Éireann will liaise directly with the families in question when a transport service has been established.

School Staffing.

582. **Deputy Michael McGrath** asked the Minister for Education and Science if a school (details supplied) in County Cork qualifies for the appointment of an administrative deputy principal. [32090/08]

Minister for Education and Science (Deputy Batt O'Keeffe): Data submitted to my Department by the Board of Management of the school referred to by the Deputy, indicated that there were 622 pupils enrolled in the school on 30 September 2007. In accordance with the staffing schedule, this entitles the school to a Principal and 23 mainstream class teachers for the 2008/2009 school year. The school also has 3 special classes for deaf children. The school does not meet the criteria to warrant the appointment of an Administrative (non teaching) Deputy Principal post. The criteria for the appointment of administrative Deputy Principals are set out in the published staffing schedule that was issued to all primary schools. It is also available on my Department's website at www.education.ie.

School Accommodation.

583. **Deputy Michael McGrath** asked the Minister for Education and Science the position regarding the provision of an extension at a primary school (details supplied) in County Cork. [32092/08]

Minister for Education and Science (Deputy Batt O'Keeffe): The school in question was allocated funding by way of an all-in grant to a maximum of €100,000 to provide a temporary classroom. The sanction included, as standard, an option for the Board of Management of the school to use the all-in grant of up to €100,000 towards the cost of constructing a permanent classroom if it so wished. This innovation was introduced in July of this year to allow those schools with an urgent and pressing need for additional accommodation and who are being given approval for grant-aid to avail of the option of using their grants to purchase prefabs or to construct permanent classrooms for the same amount. However, it was made clear to the recipients of this offer that any additional costs arising relating to the construction of a permanent classroom would have to be met by the school authorities. In the circumstances, the Board of Management is required to take the necessary steps to ensure that the scope of the works undertaken matches the funding already sanctioned.

584. **Deputy Liz McManus** asked the Minister for Education and Science if he has received a letter from the board of management of a school (details supplied) in County Wicklow, enclosing a report from its insurers that confirms that this school is not a safe or suitable environment for pupils or staff members; if he will accede to its request to indemnify the board of management against any action; if he will give sanction for the building works to proceed; and if he will make a statement on the matter. [32099/08]

Minister for Education and Science (Deputy Batt O’Keeffe): Late last week my Department received a letter from the board of management of the school to which the Deputy refers enclosing a report from their insurers. This report is currently being examined by officials in my Department who will be in contact with the school authorities in this regard.

Schools Building Projects.

585. **Deputy Enda Kenny** asked the Minister for Education and Science when it is proposed to provide a new gaelscoil at Westport, County Mayo, the application for which has been made for some considerable period by a school (details supplied); and if he will make a statement on the matter. [32101/08]

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.

586. **Deputy Olivia Mitchell** asked the Minister for Education and Science if, in view of the demand for school places and the lack of space for further prefabs, he will sanction the construction of a permanent building for a school (details supplied) in County Dublin. [32103/08]

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. All applications for large scale capital funding are assessed against published prioritisation criteria which were formulated following consultation with the Education Partners. Under the criteria, each project is assigned a Band Rating which reflects the type of works required and the urgency attaching to them.

There are four Band Ratings in all with Band 1 being the highest and Band 4 the lowest. A Band 1 rating has been assigned to the project in question. 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.

School Transport.

587. **Deputy Frank Feighan** asked the Minister for Education and Science if he will intervene and ensure subsidised transport will be arranged for students travelling from Carrigallen, County Leitrim to Cavan third level college as this is the nearest college available for students in County Leitrim. [32105/08]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): Under the terms of my Department’s School Transport Scheme, transport is provided in respect of eligible primary and post-primary pupils only. There is no provision in the School Transport Scheme for the pupils referred to by the Deputy.

School Enrolments.

588. **Deputy Joan Burton** asked the Minister for Education and Science his plans to provide

second level school places for the 68 children who were refused entry to a school (details supplied) in Dublin 15 in 2008; and if he will make a statement on the matter. [32124/08]

Minister for Education and Science (Deputy Batt O’Keeffe): The question of enrolment in individual schools is the responsibility of the managerial authority of those schools and the Department does not seek to intervene in decisions made by schools in such matters. The Department’s main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. This may result, however, in some pupils not obtaining a place in the school of their first choice.

It is the responsibility of the managerial authorities of schools that are not in a position to admit all pupils seeking entry to implement an enrolment policy in accordance with the Education Act. In this regard a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. In formulating an admissions policy a school must, however, ensure it is lawful. In particular, it must act in accordance with Section 7 of the Equal Status Act 2000 which, subject to very limited exceptions, prohibits schools from discriminating against people in relation to a number of matters including the admission of a pupil to the school.

Currently, under Section 29 of the Education Act 1998, parents of a student who has been refused enrolment in a school may appeal that decision to the Secretary General of this Department. Such appeals are dealt with within 30 days of their receipt and where an appeal is upheld the Secretary General is empowered to direct the school to enrol the student. Otherwise, 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 Forward Planning Section of my Department is currently in the process of identifying the areas where significant additional school accommodation will be required at primary and post-primary level. 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. The need for any additional post-primary places in the area referred to by the Deputy will be fully considered within this context.

Question No. 589 answered with Question No. 570.

Early School Leavers.

590. **Deputy Catherine Byrne** asked the Minister for Education and Science the reason he is to reduce funding for the school completion programme; if his attention has been drawn to the repercussions of such cutbacks in view of the fact that this programme supports children who may otherwise leave school early; if he will overturn this decision; and if he will make a statement on the matter. [32131/08]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): 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.

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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 are certain frontline teaching staff and Special Needs Assistants.

In the Department's letter of 21st August 2008, 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-line services.

Vocational Education Committees.

591. **Deputy John Deasy** asked the Minister for Education and Science the rental paid on offices by each vocational education committee in each county in 2005, 2006, 2007 and to date in 2008; and if he will make a statement on the matter. [32132/08]

Minister for Education and Science (Deputy Batt O'Keeffe): The information requested by the Deputy is not readily available. I have asked my officials to compile this information and to forward it to him in due course.

Research Funding.

592. **Deputy Denis Naughten** asked the Minister for Education and Science when a response will be forthcoming further to correspondence from a person (details supplied) in County Roscommon; and if he will make a statement on the matter. [32139/08]

Minister for Education and Science (Deputy Batt O'Keeffe): I wish to advise the Deputy that I have not received the correspondence referred to. My Department provides annual funding to the Irish Research Council for Humanities and Social Sciences (IRCHSS) towards a range of awards, including post-graduate scholarships, which are available to those who wish to pursue research at recognised higher education institutions in Ireland. As the primary strategic objective of IRCHSS centres on building research capacity in Higher Education Insti-

tutions in Ireland, applications are not accepted from researchers seeking to pursue research opportunities in Northern Ireland or elsewhere in the EU.

Vocational Training Opportunities Scheme.

593. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of places in the vocational training opportunities scheme in 2004, 2005, 2006, 2007 and 2008 respectively; if the number of VTOS places will be expanded in 2009; if so, the margin by which it will be expanded; and if he will make a statement on the matter. [32142/08]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): The Vocational Training Opportunities Scheme (VTOS) provides full-time second chance education and training opportunities for unemployed adults who are at least 21 years of age and in receipt of specified social welfare payments for at least six months. The scheme is funded by my Department and operated through the 33 Vocational Education Committees (VECs). The number of approved places on the scheme is 5,000 and this is the case for each of the years referred to by the Deputy. Any consideration of expanding VTOS will have to take account of the present and prospective economic and budgetary context and related financial constraints.

Schools Building Projects.

594. **Deputy Deirdre Clune** asked the Minister for Education and Science the status of a school (details supplied) in County Cork on the school building programme; the stage it is at; the point at the priority band rating it is at; when work on site will commence; and if he will make a statement on the matter. [32234/08]

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. A stage submission is awaited from the Design Team. All applications for large scale capital funding are assessed against published prioritisation criteria which were formulated following consultation with the Education Partners. Under the criteria, each project is assigned a Band Rating which reflects the type of works required and the urgency attaching to them. There are four Band Ratings in all with Band 1 being the highest and Band 4 the lowest.

A Band 1 rating has been assigned to the project in question as a new school building is required to facilitate the amalgamation of Passage West Boys National School and St. Mary’s Convent National School. 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 the fact that this project has not yet received planning permission, it is not possible to give the Deputy a date for when work on site will commence.

595. **Deputy Deirdre Clune** asked the Minister for Education and Science the status of a school (details supplied) in County Cork on the school building programme; the stage it is at; the point at the priority band rating it is at; when work on site will commence; and if he will make a statement on the matter. [32235/08]

Minister for Education and Science (Deputy Batt O’Keeffe): The school to which the Deputy refers has applied for an extension project. The application is awaiting the appointment of a Design Team. All applications for large scale capital funding are assessed against published prioritisation criteria which were formulated following consultation with the Education Partners. Under the criteria, each project is assigned a Band Rating which reflects the type of works

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required and the urgency attaching to them. There are four Band Ratings in all with Band 1 being the highest and Band 4 the lowest.

A Band 2 rating has been assigned to this project. 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.

596. **Deputy Deirdre Clune** asked the Minister for Education and Science the status of a school (details supplied) in County Cork on the school building programme; the stage it is at; the point on the priority band rating it is at; when work on site will commence; and if he will make a statement on the matter. [32236/08]

Minister for Education and Science (Deputy Batt O’Keeffe): The school to which the Deputy refers to has an application for a new school on a new site with the Department. It has a band rating of 1. As the Deputy will be aware 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. Once a suitable site is acquired, the progression of this project will be considered in the context of the capital budget available to my Department for school buildings generally.

597. **Deputy Deirdre Clune** asked the Minister for Education and Science the status of a school (details supplied) in County Cork on the school building programme; the stage it is at; the point on the priority band rating it is at; when work on site will commence; and if he will make a statement on the matter. [32237/08]

Minister for Education and Science (Deputy Batt O’Keeffe): The school to which the Deputy refers has applied for an extension. It has a band rating of 2. 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 this project to commence architectural planning and appointment of Design Team.

598. **Deputy Deirdre Clune** asked the Minister for Education and Science the status of a school (details supplied) in County Cork on the school building programme; the stage it is at; the point on the priority band rating it is at; when work on site will commence; and if he will make a statement on the matter. [32238/08]

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. My Department has confirmed acceptance of the Trustees’ offer for the sale of a portion of the site, with the remainder of the site being gifted by the Trustees. When the site acquisition issues have been completed, the proposed building project, which has a band rating of 2.1, 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.

599. **Deputy Dinny McGinley** asked the Minister for Education and Science if an application has been received from a school (details supplied) in County Donegal for an emergency works grant; when it was received; if it is being considered; when a decision will be made; and if he will make a statement on the matter. [32241/08]

Minister for Education and Science (Deputy Batt O’Keeffe): My Department has received an application for emergency funding from the school in question. An official from my Department’s Planning and Building Unit has been in contact with the school authorities requesting further information in relation to the application. When this information is received, the application will be considered without delay and the decision will be communicated to the school authorities.

Vocational Training Opportunities Scheme.

600. **Deputy Ruairí Quinn** asked the Minister for Education and Science the average cost of funding a place on the vocational training opportunities scheme; and if he will make a statement on the matter. [32349/08]

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 which is funded by my Department for unemployed persons who are at least 21 years of age and in receipt of certain social welfare payments for at least six months. It is operated through the Vocational Education Committees. The aim of the Scheme is to give unemployed people education and training opportunities which will develop and prepare them to go into paid employment, or on to further education opportunities leading to paid employment.

A training allowance is paid by the VECs to students who previously drew unemployment benefit or assistance. The student ceases to receive an unemployment payment and, instead, receives a VTOS training allowance at a rate equivalent to the maximum rate of unemployment benefit, plus a payment for an adult or child dependant, if appropriate. VTOS students also retain their social welfare secondary benefits. In 2007, expenditure on the pay of teaching staff, participant allowances and other non-pay costs for the VTOS programme was €68.3 million. There are 5,000 approved places on VTOS, giving an average cost of €13,660 per place.

School Transport.

601. **Deputy Edward O’Keeffe** asked the Minister for Education and Science if he will investigate a school transport issue (details supplied) in County Cork with a view to having a designated bus provided. [32357/08]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): One of the main objectives of my Department’s School Transport Scheme is to provide a basic level of service for children who live long distances from school, and who might otherwise experience difficulty in attending regularly. As a general rule, special transport services are not established in areas where public scheduled bus services already exist. Eligible pupils in such cases are facilitated with travel permits for public scheduled services. However, in view of the particular concerns outlined by the Deputy my Department has requested Bus Éireann, which administers the School Transport Scheme on behalf of my Department, for an up-to-date report in relation to this case. Following receipt of this report, the Deputy will be updated in this regard.

School Placement.

602. **Deputy Enda Kenny** asked the Minister for Education and Science the arrangements that have been made for the education of a child (details supplied) in County Mayo; his views on whether the proposals made are adequate for this child's particular circumstances; the location at which it is proposed to provide the education in view of the fact that there is insufficient space in the home in question; and if he will make a statement on the matter. [32360/08]

Minister for Education and Science (Deputy Batt O'Keeffe): 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. I understand from enquires made by officials of my Department that the NEWB are providing assistance to the mother of the child concerned in respect of this matter. Pending the securing of a school place for the child Home Tuition has recently been sanctioned as an interim measure. Officials of my Department have been in contact with the mother to provide her with information and assistance on the operation of the home tuition scheme within her home.

School Transport.

603. **Deputy Tom Hayes** asked the Minister for Education and Science the way the school transport operators will be affected by the end of the fuel rebate system on 1 November 2008; the provisions in place if school transport operators are unable to continue to function; if a better contract was given to bus operators to compensate for the end of the rebate system; and if he will make a statement on the matter. [32362/08]

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.

Special Educational Needs.

604. **Deputy Paul Kehoe** asked the Minister for Education and Science if there is special grant assistance available for individuals seeking to provide Montessori places or other pre-school initiatives for children with special needs; and if he will make a statement on the matter. [32364/08]

Minister of State at the Department of Education and Science (Deputy Barry Andrews): As the Deputy may be aware, the vast majority of support for child care, including preschool education, is not provided by my Department, but is now provided by the Office of the Minister for Children under the National Child care Investment Programme 2006-2010 which is the successor programme to the Equal Opportunities Child care Programme. While there is no comprehensive nationwide preschool service for any disability category, my Department does provide some preschool provision for children with special educational needs through the visiting teacher service and, more recently, through the expansion of the home tuition scheme to provide funding for home programmes for preschool children on the autistic spectrum.

In addition, the Department now funds 24 early intervention classes for children with autism — these classes are attached to mainstream schools. My Department does not provide grant assistance to individuals seeking to provide preschool places for children with special needs.

Data Protection.

605. **Deputy Ruairí Quinn** asked the Minister for Education and Science the policies in place to secure portable electronic data devices in his Department; if those policies have been published; if so, the locations where they can be viewed; if a system of whole disk encryption has been rolled out to all laptops in his Department; the date by which he expects a satisfactory security policy on portable electronic data devices to have been implemented; and if he will make a statement on the matter. [32402/08]

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.

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. On 24th October, my Department will begin the pilot phase of a project to deploy 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.

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.

606. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of Department-owned computer desktops or laptops or other data devices, such as blackberries and memory keys, reported lost, missing or stolen from his Department to date in 2008; the number of same later recovered or found; the number still missing; if sensitive or private data was compromised; and if he will make a statement on the matter. [32417/08]

Minister for Education and Science (Deputy Batt O’Keeffe): The information requested by the Deputy is as follows. In 2008 to date no desktop computers, laptops or blackberry devices were reported lost, stolen or missing. One USB memory key was reported lost but was subsequently found. No sensitive or private data was compromised.

Schools Building Projects.

607. **Deputy Brian Hayes** asked the Minister for Education and Science the level of emergency funding that has been dispensed by his Department on a month-by-month basis since September 2007 to schools; and if he will make a statement on the matter. [32437/08]

Minister for Education and Science (Deputy Batt O’Keeffe): My Department issued €34.3 million in 2007 for emergency works in schools. To date in 2008, the Department has issued €22.9 million. A breakdown of this funding allocation on a month-by month basis is not readily available. My Department will continue to give grant aid for emergency works to schools.

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However, in light of the competing demands on the capital budget of my Department, all applications for emergency funding are assessed to ensure that the most urgent cases are addressed on a priority basis.

608. **Deputy Brian Hayes** asked the Minister for Education and Science the number of times the committee established within the planning and building unit of his Department to assess school works applications has met; and if he will make a statement on the matter. [32438/08]

609. **Deputy Brian Hayes** asked the Minister for Education and Science the number of projects that have been considered by the committee established within the planning and building unit of his Department to assess school works applications since its introduction; the number of projects that have been approved; the value of the projects approved; and if he will make a statement on the matter. [32439/08]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 608 and 609 together.

In light of the many demands on the capital budget of my Department, it is necessary to prioritise all requests for expenditure within the context of available resources. As part of the administrative arrangements within the Planning and Building Unit of my Department, a small number of senior officials from within the Unit, review all new expenditure requests in order to ensure the prudent management of the capital budget of my Department. A total of 86 projects covering works to the value of €2.66m have been approved in this manner this year.

Departmental Reports.

610. **Deputy Brian Hayes** asked the Minister for Education and Science the actions that were taken on foot of the review of his Department’s operations, systems and staffing needs (details supplied); and if he will make a statement on the matter. [32440/08]

Minister for Education and Science (Deputy Batt O’Keeffe): Mr Seán Cromien commenced his review of the operations, systems and staffing needs of my Department in mid May 2000 and delivered his report in October 2000. In June 2001, the then Minister for Education and Science, Dr Michael Woods. T.D., announced that the Government had approved a programme of structural reform of the Department arising from some of the recommendations in Mr Cromien’s report.

The main elements of this structural reform were:

- i. The establishment of an Examinations Commission as a body independent of the Department with responsibility for the administration of the certificate examinations.
- ii. The establishment of a National Council for Special Education as a body independent of the Department to provide research, expert advice and carry out certain operational functions for students with disabilities.
- iii. The establishment of a framework of regional offices of the Department of Education & Science.
- iv. The bringing forward of legislation, within a year, to extend the remit of the Higher Education Authority to coordinate and fund the Institutes of Technology.

The first element of the implementation of this structural reform was the State Examinations (Establishment) Order 2003 (SI 373/2003) made under Section 54 of the Education Act 1998.

This order established the State Examinations Commission (SEC). The SEC has assumed responsibility for the operation of the certificate examinations since 2003.

The second element of the implementation of the programme of structural reform was the establishment of the National Council for Special Education (NCSE), initially under the National Council for Special Education (Establishment) Order 2003 SI 270/2004 (made under Section 54 of the Education Act, 1998) and later under the Education for Persons with Special Educational Needs Act 2004 (ESPEN). Since its first establishment the NCSE headquarters has been based in Trim, Co. Meath, with a network of Special Educational Needs Organisers based throughout the State and has liaised with sections of my Department in Dublin and in Athlone.

Throughout the period from 2003 to 2005 a network of 10 regional offices was established under the auspices of a Directorate of Regional Services. The Directorate of Regional Services has very recently relocated from Dublin to Mullingar under the programme of decentralisation. Each regional office is staffed by 4 general administrative staff and a member of the Inspectorate. In most instances the accommodation is shared with locally based staff of other educational bodies such as the National Educational Psychological Service, the Education Welfare Board and the NCSE. The offices are located in Findlater Street (Dublin City & Fingal), Tallaght (Dublin South County), Naas (Kildare/Wicklow), Mullingar (Midlands), Limerick (Mid Western), Navan (North Eastern), Sligo (North Western), Waterford (South Eastern), Cork (Southern) and Galway (Western).

The final element of the structural reform announced in 2001 was the enactment of legislation to extend the remit of the Higher Education Authority to cover the Institutes of Technology. The Institutes of Technology Act 2006 extended the remit of the Higher Education Authority to coordinate and fund the Institutes of Technology.

In addition to the reforms approved by Government, my predecessors indicated throughout 2001 and 2002 that the reform of the Department would also include regulatory reform and appellate processes to under-pin key allocation functions, along with the implementation of efficiency measures designed to bring the Department's procedures and processes more into line with modern administrative practice. A range of measures have been introduced since 2001 — many of which are in line with recommendations in the Cromien report. Examples include: Establishment of independent Appeals Boards in connection with teacher allocation. Establishment of School Transport Appeals Boards. Continuing implementation of EPSN will provide a statutory appeal process. The Student Support Bill 2008, when enacted, will provide for an appeal process.

Responsibility for the operation of payrolls for schools was previously spread over several sections, my Department has since set up a Central Payroll Division, catering for approximately 70,000 school based employees, along with a web based on line claims systems for primary and second level schools.

Site Acquisitions.

611. **Deputy Tom Hayes** asked the Minister for Education and Science if the Health Service Executive has approved land for sale for the site of a school (details supplied) in County Tipperary; if so, when the next step in the process will take place; and if he will make a statement on the fact that the school is awaiting a site for over ten years. [32445/08]

Minister for Education and Science (Deputy Batt O'Keeffe): My Department is advised that the Health Service Executive has formally conveyed its approval to dispose of a site referred to by the Deputy. The acquisition of the site will be considered in the context of the capital

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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.

School Accommodation.

612. **Deputy Terence Flanagan** asked the Minister for Education and Science the progress by his Department in securing permanent accommodation for a school (details supplied) in County Dublin; and if he will make a statement on the matter. [32459/08]

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.

613. **Deputy Terence Flanagan** asked the Minister for Education and Science his views on an offer earlier in 2008 for disposal of a site to his Department for the provision of permanent accommodation for a school (details supplied) in County Dublin; and if he will make a statement on the matter. [32460/08]

Minister for Education and Science (Deputy Batt O’Keeffe): The Department is in negotiation with County Dublin Vocational Education Committee regarding the provision of a site for the school in question. The acquisition of the site will be considered in the context of the capital budget available to my Department for school buildings generally. I am not in a position to say at this stage when the acquisition will be concluded.

614. **Deputy Terence Flanagan** asked the Minister for Education and Science the progress by his Department in acquiring a site for a planned school (details supplied) in County Dublin; and if he will make a statement on the matter. [32461/08]

Minister for Education and Science (Deputy Batt O’Keeffe): The Department has asked South Dublin County Council to identify a site for this proposed development. The Department is continuing to engage with the Local Authority in relation to this matter and in this regard will be in contact shortly with South Dublin County Council with a view to arranging technical assessment of proposed sites. Due to the commercial sensitivities of site acquisitions it is not proposed at this stage to identify specific sites being considered.

Schools Building Projects.

615. **Deputy Terence Flanagan** asked the Minister for Education and Science his views on a query (details supplied). [32462/08]

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.

Site Acquisitions.

616. **Deputy Terence Flanagan** asked the Minister for Education and Science his views on a query (details supplied); and if he will make a statement on the matter. [32463/08]

Minister for Education and Science (Deputy Batt O’Keeffe): My Department has no immediate plans to acquire the land in question. The acquisition of the site, if required, will be considered in the context of the capital budget available to my Department for school buildings generally.

Schools Refurbishment.

617. **Deputy Tom Hayes** asked the Minister for Education and Science the status of a school (details supplied) in County Tipperary in relation to an application for funding for a physical education hall, which was perviously listed as band four rating; the number of other projects at band four rating or higher; the intended time-frame for such a project; and if he will make a statement on the matter. [32473/08]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that an application has been received for a PE Hall at the school to which the Deputy refers. All applications for large scale capital funding are assessed against published prioritisation criteria which were formulated following consultation with the Education Partners. Under the criteria, each project is assigned a Band Rating which reflects the type of works required and the urgency attaching to them. There are four Band Ratings in all, with Band 1 being the highest and Band 4 the lowest. A Band 4 rating has been assigned to this project. There are currently over 350 projects in architectural planning all of which have a band 4 rating or higher.

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.

Site Acquisitions.

618. **Deputy Tom Hayes** asked the Minister for Education and Science the situation regarding the plan to purchase additional land for the schools amalgamation project in Cahir, County Tipperary; the expected duration of this process of purchasing additional land; the priority level this school’s amalgamation has within his Department; and if he will make a statement on the matter. [32474/08]

Minister for Education and Science (Deputy Batt O’Keeffe): The project to which the Deputy refers is at an early stage of architectural planning. All applications for large scale capital funding are assessed against published prioritisation criteria which were formulated following consultation with the Education Partners. Under the criteria, each project is assigned a Band Rating which reflects the type of works required and the urgency attaching to them. There are four Band Ratings in all, with Band 1 being the highest and Band 4 the lowest. A Band 1 rating has been assigned to the project in question, as a new school building is required

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to facilitate the amalgamation of the Boys National School and Our Lady of Mercy National School in Cahir.

Progress on the building project, including the necessary acquisition of land to extend the site, 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 Transport.

619. **Deputy Paul Connaughton** asked the Minister for Education and Science if his attention has been drawn to a problem regarding pupils attending schools (details supplied) in County Galway as a result of a change in the timetable for the collecting and transport of students under the school bus scheme which inconveniences many students; that as a result of the rescheduling of the timetable some children will be left unsupervised for an hour and 15 minutes while waiting for a bus and that children are picked up at Barrack Street, which is approximately a ten minute walk from the school and there is no shelter there for pupils in bad weather; if his attention has further been drawn to the fact that the public library can only cater for ten students; that parents are concerned about their children being unsupervised; and if he will make a statement on the matter. [32486/08]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): Bus Éireann operates the school transport service on behalf of my Department. Routes are planned in such a way to ensure that, as far as possible, eligible pupils have a reasonable standard of service, while at the same time, ensuring that school transport vehicles are fully utilised in the most efficient and cost effective manner. My Department has been advised by Bus Éireann and the Transport Liaison Officer for County Galway that the combined travel and waiting times for the eligible pupils referred to by the Deputy are within the general guidelines of the School Transport Scheme, namely two hours and 15 minutes.

The central set-down point is a feature of the Post-Primary School Transport Scheme and is in operation in several towns where there is more than one post-primary school. In towns where the central point feature is operated, post-primary pupils are dropped at the central point and are expected to make their own way to the schools. In this instance, the distances from the central point to the schools referred to by the Deputy are 0.16 km and 0.32 km. In the circumstances, it is proposed to maintain the current arrangements for those pupils.

Schools Building Projects.

620. **Deputy Willie Penrose** asked the Minister for Education and Science the position regarding the provision of a new school building for a school (details supplied) in County Westmeath; and if he will make a statement on the matter. [32498/08]

Minister for Education and Science (Deputy Batt O’Keeffe): Athlone town has been identified as an area of rapid development. In this regard, a decision has already been taken to replace and expand the existing Athlone Community College. The new building, when complete, will cater for 1,000 pupils. The project referred to by the Deputy has advanced to the point where the Schedule of Accommodation has been drawn up and is currently being finalised through consultation with the Vocational Educational Committee. Once the Schedule of Accommodation has been finalised and agreed, the building project required to deliver the

new school building will be considered in the context of the multi-annual School Building and Modernisation Programme.

Adult Education.

621. **Deputy Ulick Burke** asked the Minister for Education and Science if he has reviewed his Department's circular 46/00 regarding the provision of reduced teaching hours in second level schools in response to submissions made by the National Association of Adult and Community Education Directors executive to the education and science committee in May 2008; and if he will make a statement on the matter. [32502/08]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): Circular Letter 46/00 sets out the arrangements for the delivery of self-financing part-time adult education programmes in second level schools and provides for a reduction of teaching hours for Directors of Adult Education, depending on the level of enrolment in the preceding year. The issue of a review of Circular Letter 46/00, regarding the provision of reduced teaching hours, was recently raised at the Teachers Conciliation Council. There was no agreement reached to revise the current arrangements.

School Enrolments.

622. **Deputy Ulick Burke** asked the Minister for Education and Science his views on the decision of the school principal and board of management of a second level school to refuse admission to a person (details supplied) in County Galway who was enrolled following an open day at this school earlier in 2008 and in September 2008 was told to leave the school on the first day of term; and if he will make a statement on the matter. [32504/08]

Minister for Education and Science (Deputy Batt O'Keeffe): 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. I understand from enquires made by officials of my Department that the NEWB is providing assistance to the mother of the child concerned in respect of this matter.

Enrolment decisions are the responsibility of the Board of Management of each individual school. 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 or expels the student from the school. In these circumstances, the school is obliged to inform parents of their right under Section 29 of Education Act 1998 to appeal that decision. Where the school is established or maintained by a VEC, an appeal shall lie in the first instance to the VEC and thereafter to the Secretary General of my Department. It is only where an appeal under Section 29 is upheld that the Secretary General of my Department may direct a school to enrol or re-instate a pupil.

Schools Building Projects.

623. **Deputy Martin Ferris** asked the Minister for Education and Science if he will ensure that the recommendations of his Department's inspectors with regard to an upgrading of accommodation at a school (details supplied) in County Kerry are met. [32548/08]

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 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-

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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.

Early Childhood Education.

624. **Deputy Róisín Shortall** asked the Minister for Education and Science the basis for his decision to cease funding to the Centre for Early Childhood Development and Education; the way in which the decision was arrived at; the evidence, reports or review that the decision was based on; if he will make these public; and if he will make a statement on the matter. [32565/08]

Minister of State at the Department of Education and Science (Deputy Barry Andrews): The Centre for Early Childhood Development and Education was established in 2002 for an initial three year period following the publication of the White Paper on Early Childhood Education. The Centre’s remit included the development of a National Quality Framework for Early Childhood Education and the development of targeted interventions for pre-school children who are educationally disadvantaged or who have special needs. The Centre was sanctioned for a further three year period in 2005.

The establishment of the Centre and its sanctioning for a further three year period pre-dated the Government decision in December 2005 to set up the Office of the Minister for Children. The Office of the Minister for Children, now the Office of the Minister for Children and Youth Affairs, brings together policy makers from different Government Departments to ensure consistency in policy-making and policy implementation for children. Following on from the CECDE’s development of the National Quality Framework, I consider that the advancement of quality provision in Early Childhood Education is now at an implementation phase and that this implementation phase should be managed by a central Government Department. That was the basis of the decision to cease funding of the CECDE. To progress quality provision in Early Childhood Education, I hope that two contract posts will be established within my Department.

Decentralisation Programme.

625. **Deputy Joan Burton** asked the Minister for Education and Science the number of civil servants and other public servants in his Department who had been decentralised from Dublin to other locations by the original deadline for the completion of the plan of December 2006; and if he will make a statement on the matter. [33055/08]

Minister for Education and Science (Deputy Batt O’Keeffe): To date, 88 posts have decentralised from my Department to Athlone and a further seven posts have decentralised to Mullingar. 12 posts have decentralised with the National Council for Curriculum and Assessment (NCCA) to Portlaoise in advance of their move to Portllington. These moves have taken place since December 2006.